



مركز النهضة الاستراتيجي  
Renaissance Strategic Center



النهضة العربية للديمقراطية والتنمية  
Arab Renaissance for Democracy & Development



## The General Pardon Law No.5 of 2024 and its Impact on Refugees: Insights from ARDD

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## **I. Introduction**

The General Pardon Law No. 5 of 2024, issued on April 2, 2024, represents a significant legislative measure in Jordan. It aims to pardon criminal misdemeanor violations and incriminating acts committed before March 19, 2024. This law is pivotal for enhancing the lives of many individuals, including refugees, within Jordan. The Arab Renaissance for Democracy and Development (ARDD) has been at the forefront of monitoring and advocating for the fair implementation of this law, ensuring that the rights of all affected parties are upheld.

### **Scope of the General Pardon Law**

Article 2 of the General Pardon Law stipulates that it includes all criminal misdemeanor violations, resulting in the dropping of criminal charges, lawsuits, and penalties. The law is comprehensive, applying to all crimes committed in Jordan, irrespective of the perpetrator's nationality. However, the law excludes several serious crimes, many of which are related to state security and community stability, aiming to keep the general peace and security, such as those threatening state security, public office crimes, forgery, rape, and drug-related offenses. Additionally, it does not cover civil and financial cases, including accumulated rent, debts, and unpaid bills; many of these cases are related to people's personal rights, which the state can not wave without harming the people's individual interests, resulting in the law only applying to the criminal aspect.

### **The Positive Impact of the Law**

The law prioritizes public interest while safeguarding citizens' rights. It upholds justice and the rule of law without compromising national security, societal peace, and personal rights and interests.

The law's direct positive effects involve dismantling the criminal situation, which applies to both Jordanians, non-Jordanians and refugees, and rectifying their legal status regarding crimes, violations, and fines. Notably, the law provides individuals sentenced to prison with a genuine opportunity for redemption, starting a new stage in their lives and encouraging them to not re-commit in the future criminal behavior.

Furthermore, decriminalizing various lawsuits has a favorable impact on the psychological well-being of many prisoners. Moreover, it facilitates their reintegration into society, allowing them to return to civilian life and access new opportunities. This positive transformation benefits society as a whole.

It must be noted that among the most prominent cases that the common law helped close permanently in a way that benefited Jordanians, non-Jordanians and refugees alike were misdemeanor drug abuse, simple harm, begging, drunkenness and disturbing public comfort, theft, causing harm, forgery and use of counterfeit materials, slander, contempt, perjury, check crimes, affixing marriage fines, and traffic violations.

## Implementation Challenges

During the ARDD Legal Team's follow-up and monitoring, several challenges were identified in interpreting and enforcing the law, where there was conflict in interpretation among some public institutions regarding the enforcement of the law on various violations and fines.

- Some institutions adhered strictly to the Pardon Law's provisions
- While others imposed additional conditions

This inconsistency highlighted a significant disparity in legal awareness between Jordanians non-Jordanians and refugees.

## II. Impact on Refugees

Refugees, who already face numerous legal challenges, were potentially very much affected by the General Pardon Law. Mainly cases regarding residency and work permit violations could significantly alleviate their financial and legal burdens. However, the exclusion of fines related to work permits, residence permits, and social security has left many refugees, including Syrians, Sudanese, and Yemenis, dissatisfied.

Societal reactions to the law have varied. Beneficiaries covered by the law expressed satisfaction and relief. Conversely, those excluded from the pardon, particularly Syrian refugees, felt disappointment and frustration, as the law did not address fines related to work permits, residence permits, and social security. Other nationalities, such as Sudanese and Yemenis, also voiced their dissatisfaction with the law's limitations.

### Challenges Facing Refugees

1. **Residency and Work Permit Violations:** Refugees often face legal challenges related to residency and work permits. These violations can lead to significant financial burdens and legal repercussions. The exclusion of these fines from the General Pardon Law means that refugees continue to struggle with these issues, facing potential deportation or inability to work legally.
2. **Legal Awareness:** There is a notable disparity in legal awareness between Jordanians and refugees. While Jordanians generally demonstrate a high level of awareness regarding the law's texts, conditions, and consequences, refugees often lack an understanding of their legal rights and the specifics of the General Pardon Law. This gap in awareness exacerbates the challenges refugees face in navigating the legal system.
3. **Access to Legal Assistance:** Refugees often lack access to free or affordable legal assistance, making it difficult to address legal issues effectively. Without proper legal support, many refugees struggle to understand and utilize the General Pardon Law to their benefit.
4. **Discrimination and Marginalization:** Refugees frequently face discrimination and marginalization, which can hinder their ability to access legal recourse and support.

This systemic issue compounds their challenges under the General Pardon Law and other legal frameworks.

5. **Financial Constraints:** Refugees' financial constraints make it challenging to pay fines and legal fees, further complicating their legal standing and ability to benefit from the General Pardon Law.

### III. ARDD's Legal Advocacy Efforts

ARDD Legal Team has played a crucial role in addressing these challenges through various initiatives before and after the issuance of the Pardon Law:

#### Pre-Issuance Efforts:

1. **Reviewing Beneficiary Cases:** The team reviewed all beneficiary cases and prepared lists of those expected to benefit from the law.
2. **Legal Awareness Brochure:** A brochure containing essential messages about the General Pardon Law was prepared and disseminated on social media.
3. **Monitoring and Evaluation Plan:** A plan was developed to monitor the law's implementation on the ground and assess and analyze the feedback received from beneficiaries.

#### Post-Issuance Efforts:

1. **Direct Assistance:** ARDD lawyers contacted listed beneficiaries, explaining how the law applies to their cases and assisting with necessary legal procedures
2. **Ongoing Monitoring:** Monitoring and analyzing official news issued by authorities regarding the interpretation and enforcement of the law, particularly concerning fines related to work, social security, and residency.
3. **Flyer Distribution:** On April 29, 2024, a special digital Flyer on the General Pardon Law was published on social media and shared via WhatsApp, significantly increasing inquiries about the law.

## أهم ما جاء في قانون العفو العام لعام 2024 فيما يخص اللاجئين والجنسيات غير الأردنية

يعفى من العقوبة أو الغرامة بموجب قانون العفو العام الصادر بتاريخ 2 نيسان، أبريل لعام 2024  
كل متزوج لم يقم بتثبيت الزواج بعد بشكل قانوني  
كل أجنبي (غير أردني) يرغب بالاستفادة من قانون العفو العام فيما يتعلق بقانون الإقامة والأجانب

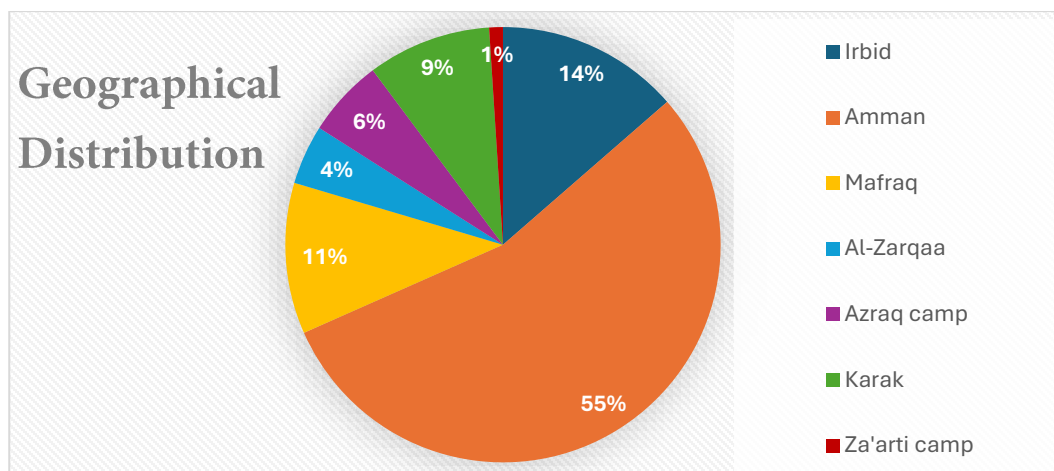
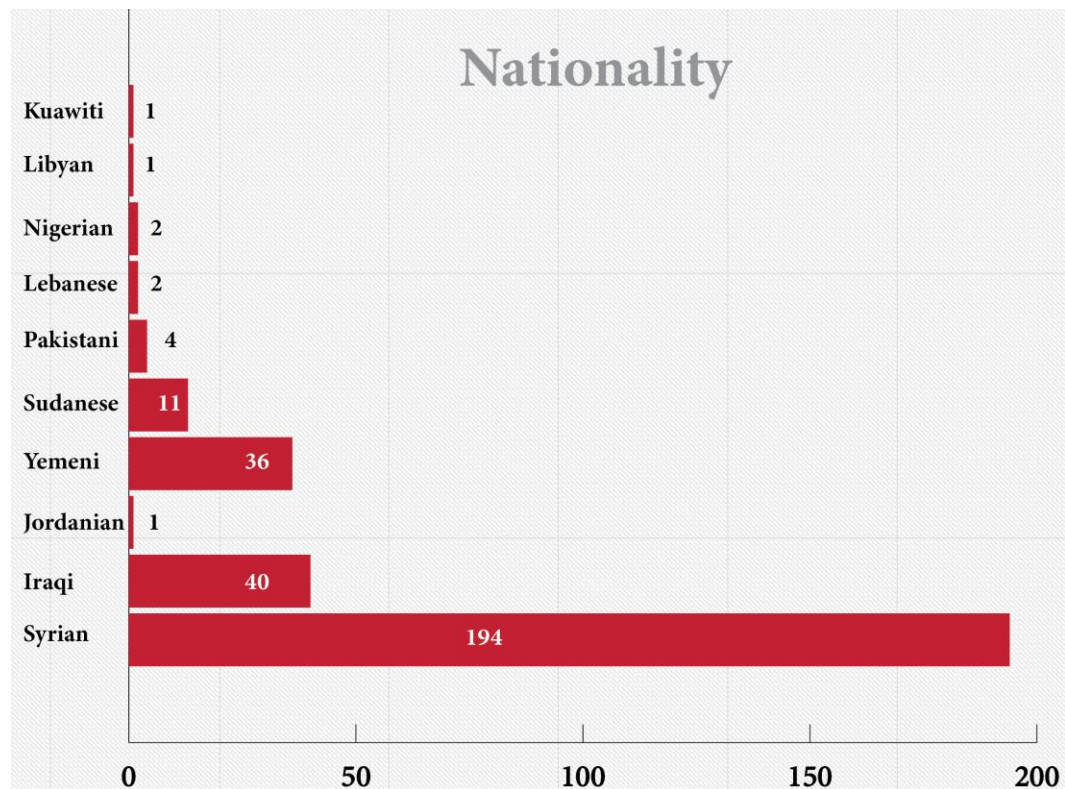
يشمل هذا العفو الجرائم والمخالفات التي تمت أو وقعت قبل تاريخ 19 آذار/ مارس 2024 وعلى أراضي المملكة الأردنية الهاشمية بغض النظر عن جنسية الشخص المرتكب للجرم أو المخالفة. يرجى العلم بأن القضايا المدنية والمالية مثل (الإيجارات المتراكمة، والديون، والفواتير غير المستحقة) غير مشمولة في قانون العفو العام إضافة إلى الجرائم الخطيرة والتي تمس الدولة والمجتمع.

لمعرفة المزيد من المعلومات، وللتأكد من إمكانية الاستفادة من قانون العفو العام، ولحماية نفسك من أي معلومات خاطئة وضمان المعلومات الصحيحة فيما يتعلق بقانون العفو العام، يرجى التواصل مع منظمة النهضة العربية للديمقراطية والتنمية (أرض-العون القانوني سابقاً) الشريك القانوني للمفوضية السامية للأمم المتحدة لشؤون اللاجئين على الأرقام التالية:

المحافظة	رقم الهاتف
عمان	06-4617477
إربد	02-7256634
المفرق	02-6236634
الكرك	03-2386634
الزرقاء	05-3854647
الزعتري	079 7843 7067
الأزرق	07 7843 7067
ساعات الدوام من 9:00 وحتى 5:00 من الأحد إلى الخميس رقم الطوارئ متاح 24 ساعة 7 أيام 0777387221	

جميع الخدمات المقدمة من منظمة النهضة العربية (أرض)  
الشريك القانوني للمفوضية السامية للأمم المتحدة لشؤون اللاجئين UNHCR هي مجانية.  
يجب التأكد دائماً من مصدر المعلومة حتى لا تقع عرضة للاحتيال.  
للمزيد من المعلومات أو الاستفسار  
يرجى الاتصال بخط المساعدة التابع للمفوضية (064008000)

4. **Inquiries Management:** Between April 29 and May 12, 2024, ARDD received 294 inquiries on various topics, including residency, work, social security fines, and deportation issues, distributed as follows:



5. **Engagement with Authorities:** The ARDD Legal Team visited the legal departments of the Ministry of Interior \Citizenship, Foreigners Affairs & Investment Directorate, the Ministry of Labor, and the Social Security Corporation to discuss the law's implementation, particularly regarding the exclusion of work, residency, and social security fines.
6. **Legal Clarification:** A summons was submitted requesting a legal opinion interpretation on May 7, 2024, by the lawyers of ARDD before the committee formed headed by the President of the Court of Cassation following Articles 6 and 7 of the General Pardon Law No. (5) of 2024 requesting a legal reply to clarify if the law

includes fines and violations stipulated in the Residency and Foreigners Affairs Law and the deportation decision for foreigners present on the lands of the Hashemite Kingdom of Jordan, fines, violations, and deportation decisions that violate the Labor Law, in addition to the fines and violations resulting from violating the Social Security Corporation Law; and response is yet to come from The Committee.

#### **IV. Recommendations**

To enhance the effectiveness of the General Pardon Law and ensure its fair implementation, ARDD makes the following recommendations:

1. **Clarify Legal Texts:** Ensure more precise legal texts to prevent confusion and conflict in interpretation by executive authorities
2. **Increase Legal Awareness:** Efforts should be made to raise legal awareness among Jordanian and non-Jordanian beneficiaries.
3. **Provide Free Legal Assistance:** Offering free legal assistance services can facilitate access to justice for beneficiaries.
4. **Expand Future Pardon Laws:** Future General Pardon laws should include additional cases and violations related to refugees and others, particularly regarding residency, work, and social security fines.