

**Legitimacy controls of deportation of foreigners decisions in
Jordanian Law**
(Analytical study in light of administrative judiciary provisions)

By:

Mu'ayadGhalibHmoud Al-Kafaween

Supervision:

Dr. Mohammed Al-Majali

Al-Zaytoonah University of Jordan, 2022

Abstract

The present study aimed at investigating the legitimacy controls of deportation of foreigners decisions in Jordanian Law in particular, along with presenting some principals related to foreigners deportation decisions in the comparative legislations as needed. The study concluded, most importantly, that the Jordanian legislator did not refer to the topic of judicial deportation through a clear and explicit text, due to that the foreigner committed a crime under the penal code, and what was mentioned by the Jordanian legislator in the context of residence and foreigners affairs law is the administrative deportation by the administrative governor within his area of competence against the foreigner who is subject to a decision by the competent court. In addition, the judicial control over foreigners' deportation decisions is considered among the legal guarantees to protect foreigners' rights and freedoms concerning residence and movement that oblige the administration to the provisions of law, and make sure that it does not abuse its assigned authorities regarding foreigners' deportation, thus ensuring that they exercise the rights guaranteed to them. The study recommended the Jordanian legislator to develop clear mechanism for deportation that include the procedures followed for issuing and implementing the deportation decision, in addition to organize the judicial deportation topic clearly and explicitly through the penal code texts, in particular, by adding a new article specifying and identifying the nature of crimes upon which a decision to deport the foreigner can be issued in case they committed any of these crimes.

Keywords: controls, legitimacy, Foreigners deportation, decisions, Jordanian Law, Administrative judiciary provisions.