

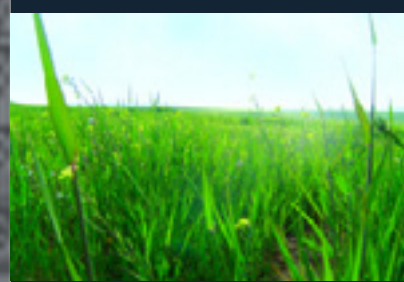
Legal Framework

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OVERVIEW

EYE ON REFORM

The new government looks set to reaffirm Jordan's commitment to a liberal trading regime.



FILL 'ER UP PLEASE.

Jordan, although already a market-oriented economy, has committed to becoming even more so with the new Cabinet formed in April 2005.

Jordan joined the World Trade Organisation (WTO) on April 11, 2000, and introduced major reforms of its economy, institutions and laws – including intellectual property rights – in order to qualify for admission. It also committed to reducing customs from 35% to 20% over 10 years, and reduced price controls on goods including petrol and medicine. Earlier in 2000, Jordan became the first Arab country to sign a Free Trade Agreement (FTA) with the US.

In the mid to late 1990s, Jordan adopted an ambitious agenda of economic reform and structural adjustment programmes aimed at transforming the country's economic structure. The economic and legal environment

was adjusted in order to create a more open market-oriented economy that is friendly to foreign investment. Economic measures aimed at liberalising the economy, making it more competitive at the regional and international levels and integrating it with the world economy, included reform of the financial markets and also the lifting of subsidies and price controls.

The privatisation of state-owned companies, which began in 1996, has played a large role in the economic reform process. Thus far Jordan has privatised Royal Jordanian, Jordan Telecom, the Ma'in Spa Complex, the Assamra Water Treatment Plant, Jordan Cement Company and the Arab Potash Company. In several cases foreign investors have purchased a significant share of the privatised industries. Jordan Telecom formed a strategic partnership with a foreign

investor. The privatisations on the horizon include Jordan Phosphate Mining Company, Jordan Post, and the Aqaba Railway as well as the electricity sector.

The government is keenly aware that foreign direct investment (FDI) is required in order to continue to grow the economy and further legal reforms are planned to facilitate FDI. The Investment Promotion Law grants generous and attractive incentives to domestic as well as international investors in terms of exemptions from customs duties, tax holidays, income tax exemptions and the unrestricted transfer of capital and profits. The implementation of this law is supervised by the Jordan Investment Board, and the law affirms that both Jordanian and non-Jordanian investors are treated equally.

In the belief that an efficient regulatory framework stimulates the role of the private sector, Jordan has recognised the need to establish business-friendly structures with a strong emphasis on supporting entrepreneurial initiative. With the establishment of the Investment Promotion Law in 1995, and its later amendments, and with other subsequent actions designed to enhance the investment environment, Jordan's economy is firmly committed to a reliance on markets, local talent, investment and the private sector and is firmly integrated in the world economy.

Affirming its commitment to open-market policy, the promotion of healthy competition and the protection of small- and medium-sized enterprises Jordan enacted the Competition Law in 2002.

The law, through prohibiting consorted practices and uncompetitive behaviour, has ensured the existence of a liberalised, fair and market-driven business environment.

This process of reform is set to accelerate under the new government, which is proposing to harmonise investment laws and those that impact on investment to reduce bureaucracy and facilitate even more openness.

The government is also looking to reduce taxes and customs on inputs to manufacturers in order to encourage industrial development.

Finally, it will continue a zoning process that began with the formation of the Special Economic Zones in order to create manufacturing zones that are properly served by transport links and other infrastructure needs.

With a demonstrated commitment to open, free markets and integration with the world economy, few controls on foreign investment, extensive privatisation of industries and a reform-oriented government determined to take the process even further Jordan is sure to see an ever increasing role of foreign investment, exports and free zone development in the future. 📈

REVIEW

THE LEGAL SYSTEM

The building blocks of the law.



THE PLACE TO VOTE.

The Hashemite Kingdom of Jordan is a constitutional monarchy starting from King Abdullah bin al-Hussein. The King is head of state and, under the constitution, approves laws, directs the government, exercises judicial authority by royal decrees and orders parliamentary elections.

THE LEGISLATIVE BRANCH:

The legislative branch is made up of a bicameral Parliament. This is comprised of a Senate (the upper house), whose members are appointed by the King, and a House of Representatives (the lower house), whose members are directly elected via universal suffrage by Jordanians over 18 years of age.

A Legislative Council, which works in co-ordination with the Council of Ministers, prepares draft laws and submits them to the Council of Ministers for review.

The prime minister presents each draft law to the House of Representatives who may accept, amend or reject same. Once accepted by the House of Representatives, the draft law is presented to the Senate. While parliament is in session, no law shall be passed without the approval of both houses of parliament. The Council of Ministers may, however, pass temporary laws while parliament is not in session. Such temporary laws have the power of law and must be presented to both houses of parliament at their next session. All laws must receive royal assent.

THE JUDICIARY: The independence of the judiciary is enshrined in the Jordanian Constitution. There are approximately 600 judges. The Jordanian Constitution divides courts in Jordan into three categories depending on the nature of the cases brought before

them: Religious Courts, Special Courts and Regular Courts.

Religious Courts have jurisdiction over cases relating to personal matters such as marriage, divorce, succession (inheritance) and alimony. Special Courts have sole jurisdiction over particular areas of the law. These are established, governed and administered by their own laws. Examples of these include the State Security Court, Special Customs Court and the Income Tax Court. Regular Courts have jurisdiction over all persons in all civil and criminal matters. The hierarchy of the judicial system beginning with the lower court is as follows:

- **Trial Courts:** These include two types of courts, the Magistrates Courts and the Courts of First Instance:

- **Court of Appeal:** This court hears the appeals of all civil and criminal judgements given by the Court of First Instance and certain cases appealed from the Magistrates Court as described above.

- **Court of Cassation:** The highest judicial authority in Jordan, which sets legal precedents on points of law appealed from the Court of Appeal and also hears cases appealed from the special courts. In addition to the above three categories of courts, the High Court of Justice has sole jurisdiction to hear administrative disputes.

ARBITRATION: Arbitration Law No. 31 of 2001 governs all aspects of domestic arbitration.

Its provisions cover issues such as the arbitration agreement itself, the selection of arbitrators, the arbitration process, the powers and authorities of the arbitrators as well as the enforcement and execution of arbitral awards. The law allows the parties choice of law, venue, and language.

Court proceedings in Jordan tend to be lengthy; a simple case may take anywhere from 24 to 36 months for a judgement to be issued. Foreign enterprises normally favour arbitration.

Law No. 8 of 1952 governs the enforcement of foreign judgements in Jordan. A foreign judgement may be enforced in Jordan by means of an application to the competent court without retrial and re-examination of the merits or issues of the case. Jordanian courts may, however, decline to enforce a foreign judgement should they not meet with certain conditions.

Jordan has ratified the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958 and is a signatory to a number of inter-Arab arbitration conventions and treaties.

Enforcement of foreign arbitral awards in Jordan is effected pursuant to the provisions of the New York Convention if such awards are issued in countries that are party to the New York Convention. Otherwise, such awards can be enforced pursuant to the provisions of Law No. 8 of 1952. 📌

REVIEW

INTELLECTUAL PROPERTY

Keeping control over your assets upstairs.



THE PIRACY PROBLEM IS ON THE MEND.

Jordan recognises that protecting intellectual property rights encourages and fosters innovation. As such, Jordan protects various forms of intellectual property that include patents, copyrights, trademarks, registered industrial designs, confidential information and trade secrets, integrated circuit designs and new varieties of plants. In addition, in 2004, Jordan ratified the World Intellectual Property Organisation (WIPO) Copyright Treaty and WIPO's Performances and Phonograms Treaty, also known as the Internet Treaties.

PATENTS: Patents are governed by the Patents of Invention Law No. 32 of 1999 and are available for any new, useful and non-obvious art, process, machine, manufacture, composition of matter, or any new and useful improvement

therein. The term of a patent is 20 years from the date of application. Among the requirements for obtaining a patent are absolute novelty and non-obviousness. A further requirement under the law is that the invention must be capable of industrial application.

To qualify for a patent under the Jordanian Patents of Invention Law, the invention may not be disclosed to the public in any place in the world, either by written or verbal description or through use, or through any other means whereby awareness of the contents of the invention is afforded. However, if an invention is disclosed prior to filing an application for patent protection by the inventor or due to unjustified actions by another against him, then the inventor has 12 months from the date of such disclosure to file an application.

Jordan has the "first to file" system under which common claim disputes in co-pending applications are resolved in favour of the first claimant to file.

The Patents of Invention Law also grants a compulsory licence in case of insufficient exploitation of the invention or if the invention is necessary for national defence or emergency situations. In such cases, the patent holder is notified as soon as possible and is

awarded remuneration for the use of his invention.

COPYRIGHTS: Copyrights are governed by the Copyrights Law No. 22 of 1992. Subject matters protected by copyrights are any original literary, scientific, dramatic, artistic or musical work fixed in a material form. Copyright protection extends to computer programs, whether in source code or object code.

It is not necessary to register a copyright in Jordan in

SECURITIES LAW

The Law also provides for international standard regulation of the securities market including substantial disclosure requirements, both for initial public offerings and continuous disclosure, prohibitions on insider trading, and regulation of tender offers. The Securities Commission has the authority and power to regulate the Amman Exchange, the Securities Depository Centre, brokers and other market participants. The Law also provides for the regulation of mutual funds and sets down the basic legal structure for their establishment. Recently, the Securities Commission issued instructions regulating margin trading. The provisions of the Law are all aimed at ensuring transparency and availability of information in the securities market. It lays down serious

civil and criminal penalties for the violation of its provisions.

Pursuant to instructions issued by the Securities Commission, companies and individuals cannot provide financial services in Jordan without being licensed by the commission. Licensing requirements for companies wishing to provide, inter alia, investment management, brokerage, financial consulting and underwriting services include, inter alia, minimum capital and bank guarantee requirements. On the other hand, licensing requirements for individuals providing these services include, inter alia, providing a certificate of good standing, having at least a first level university degree, completing the requisite training course and successfully passing the required exams. 🐦



POSSIBLE GREENFIELD INVESTMENT SITE.

order to obtain full copyright protection; however, it is recommended in case of litigation. To register a work, an applicant merely needs to file an application naming the author and stating whether the work is published or unpublished.

The general term for copyright protection is the author's life plus 50 years following the end of the calendar year of death. However, cinematic and television works, works whose author is a corporate entity and works published posthumously are only protected for 50 years. Furthermore, photographic and applied arts works are only protected for 25 years after the date of completion.

Moral rights are also granted to the author of a work to maintain the integrity of, and to prevent the modification, distortion, or mutilation of the work. The author may waive, but not assign, his moral rights. Such rights are inheritable.

TRADEMARKS: Trademarks are protected under the Trademarks Law No. 33 of 1952. To register a trademark, the mark must sufficiently distinguish the goods or services of the applicant from those of another. Furthermore, the mark may not contravene any of the moral or social standings of Islamic and Arab traditions and values.

Any individual, corporation, or other legal entity may register a trademark. Trademark protection lasts for a period of 10 years as of the

date of its registration and may be renewed for similar periods upon the payment of the annual fees of \$70.

REGISTERED INDUSTRIAL DESIGN: Industrial designs are protected under the Industrial Design Law No. 14 of 2000 and cover any configuration or arrangement of lines, which give the product a special appearance and appeal, whether attained by use of a machine or manually. Protection is also granted to textile designs.

Registration for industrial design protection must be filed within one year of publication of the design. Priority may be claimed from foreign applications filed within six months before the filing of the Jordanian application. Protection is granted for 15 years from the date of registration.

CONFIDENTIAL INFORMATION & TRADE SECRETS: Confidential information and trade secrets are protected by the Unfair Competition and Trade Secrets Law No. 15 of 2000. Information is considered to be a trade secret if:

- it is generally unknown in its final form;
- it has commercial value due to its secrecy; and
- the proprietor takes reasonable measures to ensure the secrecy of the information.

INTEGRATED CIRCUIT DESIGNS: Integrated circuit designs are protected by the Integrated Circuit Designs Law No. 10 of 2000 whereby pro-

tection is afforded to the original layout designs of integrated circuit products. The protection afforded by the registration of an integrated circuit design is similar to copyright protection and includes the exclusive right for protection; the integrated circuit design must be original, the result of intellectual effort, and must not be, at the time of creation, commonplace among the creators and/or manufacturers of integrated circuit products.

To protect an integrated circuit design, it is necessary to register such design at the Integrated Circuit Designs Department at the Ministry of Industry and Trade. The term of protection is 10 years from the date of the first commercial exploitation, anywhere in the world, of the integrated circuit design, provided that the said period does not exceed 15 years from the date of creation.

NEW VARIETIES OF PLANTS: The Protection of New Varieties of Plants Law No. 24 of 2000 protects new varieties of plants which are:

- new;
- distinct, in that the new variety must be clearly distinguishable from any variety whose existence is a matter of common knowledge at the time of filing of the application;
- uniform, in that the plant's main characteristics are sufficiently uniform; and
- stable, in that its relevant characteristics remain unchanged after repeated propagation.

To protect a new plant variety, the proprietor must file an application with the Registrar of the New Varieties of Plants at the Ministry of Agriculture. The term of protection is generally 20 years from the date of filing the registration application. However, trees and vines are protected for 25 years. Pursuant to such registration, the proprietor is granted the exclusive right to produce and sell reproductive material of the protected plant variety. 🌱

QIZS

The US Congress established qualified industrial zones (QIZs) in 1996 as part of an initiative to support the peace process in the Middle East.

A QIZ is an industrial park, specified by the US as such, the products of which qualify for entry into the US market, duty and quota free. Al-Hassan Industrial Estate in Irbid, Jordan is the world's first QIZ and was designated as such on March 6, 1998.

Today, there are 10 QIZs located in Jordan to serve investors' needs, three of which are publicly owned.

The primary requirement for a product to qualify for duty free treatment is that 35% of the appraised value must be added in the QIZ.

This requirement may be fulfilled in one of three ways:

- Of the 35%, at least 11.7% must be contributed by a Jordanian manufacturer, 8% by an Israeli manufacturer (7% for high-tech goods), and the remainder to be fulfilled from QIZ Jordan, the West Bank/Gaza Strip, Israel or the US;
- Jordanian and Israeli manufacturers must each contribute at least 20% of the total production costs, which include material, wages, salaries, design, liability insurance and legal expenses; or
- A combination of the above two methods as long as the total cost of production plus the total cost of material make up at least 35% of the appraised value of the product.

A committee consisting of Jordanian and Israeli government officials determine whether products are eligible for duty-free treatment. 🌱

REVIEW

INVESTMENT & THE FTA

Two topics of perennial interest.



CONFERENCE ORGANISERS HAVE TAKEN A SHINE TO AMMAN.

The Investment Law No. 68 of 2003 (the "Investment Law") replaced the previous Encouragement of Investment Law No. 16 of 1995 (the "1995 Law").

However, all the provisions stated in the 1995 Law concerning the exempt sectors, privileges and exemptions shall continue to apply until new regulations are issued pursuant to the Investment Law.

As for the regulations issued by virtue of the 1995 Law, these shall also continue to apply until new regulations are issued.

The Investment Law grants projects established in Jordan in certain sectors (industry, agriculture, hotels, hospitals, sea and rail transport, amusement parks, touristic entertainment, and conference and exhibition centres) the following exemptions:

- capital assets required for setting up a project are exempt from import fees, customs duties, sales tax and all other fees and taxes due on capital assets other than municipality fees and duties;
- spare parts required for the project, up to 15% of the total value of capital assets, are exempt from the same fees, duties and taxes as discussed above; and
- capital assets required for the expansion or development of any existing exempt project are exempt from the same fees, duties and taxes as discussed above, provided that such expansion or development results in at least a 25% increase in the project's capacity.

Furthermore, eligible projects are entitled to reductions (from 25% to 75% depending on the location of the project) in their income tax and social

services tax liabilities for a period of 10 years from the date of actual production or commencement of operations.

The Investment Law stipulates that any non-Jordanian investor may acquire, participate or enter as a shareholder in any project in Jordan, pursuant to a regulation to be issued for this purpose. Such regulation should also specify the investment sectors, the percentage of investment for a non-Jordanian and the minimum capital of its investment. To date, no regulation has been issued for this purpose, thus the Regulation Regulating the Investments of Non-Jordanians No. 54 of 2000 (issued pursuant to Article 24 of the 1995 Law) (the "Regulation") shall remain applicable and in force until a new regulation is issued. According to the Regulation, non-Jordanian investors can own any project, in full or in part, in most sectors of the economy, except in specified "strategic" sectors where foreign ownership is prohibited.

The Investment Law provides for equal treatment for non-Jordanian investors. The only exceptions to this rule are the limitations on foreign ownership in certain sectors such as the 50% limitation on foreign ownership in most commercial and service provision sectors. The Investment Law entitles foreign investors to repatriate funds outside the

kingdom in any convertible foreign currency.

Moreover, it is important to note that Jordan has entered into various bilateral investment treaties with a large number of countries. Areas covered by these treaties, which should be of particular interest to investors in all fields of economic activities, are:

- treatment and protection of investment;
- expropriation and compensation;
- currency transfers; and
- dispute settlement.

In addition to the Investment Law, other investment related laws have been passed in Jordan in 2003. These are the Investment Promotion Law No. 67 of 2003 (the "Investment Promotion Law") and the Law for the Development of the Investment Environment and Commercial Activities No. 71 of 2003 (the "Investment Environment Law").

According to the provisions of the Investment Promotion Law, the Jordan Investment Board (the "JIB") was established. The JIB is established as a governmental body enjoying both financial and administrative independence. The JIB is established to promote Jordan's investment regime. The JIB's responsibilities include identifying and promoting investment opportunities in Jordan, simplifying registration and licensing procedures, and



ALL THE ACTION ON THE WATERFRONT.

following up on existing projects, in addition to establishing an investment window to undertake licensing investment projects and obtaining approvals on such projects from other authorities pursuant to the legislation in place.

The main objective of the Investment Environment Law is to develop and regulate the investment environment, to promote and encourage economic and commercial activities on the bases of a general investment strategy to be set by the Council of Ministers. According to the provisions of the Investment Environment Law, the Jordanian Committee for the Development of the Investment Environment and Economic Activities (the "Investment Committee") was established. The Investment Committee enjoys both financial and administrative independence. The Investment Committee responsibilities include studying the investment environment, proposing strategies and plans for improving the said environment, evaluating the performance of the investment institutions (including the JIB, Jordanian Institution for the Development of Economic Activities, Jordan Industrial Cities Corporation) and providing advice and technical support for such institutions.

THE US FREE TRADE AGREEMENT (FTA): US President Bill Clinton and Jordan's

King Abdullah II signed the FTA on October 24, 2000. The agreement was subsequently ratified by the US and Jordan and entered into force on December 17, 2001. The FTA contains seven major provisions relating to tariff elimination, services, intellectual property rights, labour provisions, environmental provisions, electronic commerce, and consultation and dispute settlement.

TARIFF ELIMINATION: The FTA's aim is to eliminate all tariffs on industrial goods and farm products within 10 years of the agreement coming into force. Thus, the FTA outlined a plan for tariff reduction in four stages that is described in detail in Annex 2.1 of the FTA and the schedule to Annex 2.1.

For a product to qualify for duty-free treatment under the FTA, it must be an originating product of Jordan or the US. That is, the product must be:

- completely grown, produced or manufactured in the party's country;
- imported directly from one party's country into the other party's country; and
- the exporting country must have contributed a minimum of 35% of the appraised value of the good. FTA, Annex 2.2

SERVICES: Due to the commitment of the US and Jordan to the General Agreement in Trade and Services (GATS) and the FTA, the services market has been opened. Today, service providers in the US have full

access to more than half of the Jordanian services sector, including: energy distribution, convention services, printing and publishing, courier services, audio-visual, education, environmental, financial, health services, tourism and transport services.

INTELLECTUAL PROPERTY:

The FTA provides for the protection of several intellectual property rights, including patents, trademarks and geographical indications, and copyrights. In addition, Jordan and the US agreed to abide by several key treaties regarding the protection of intellectual property rights, including the World Intellectual Property Organisation's (WIPO) Copyright Treaty and WIPO's Performances and Phonograms Treaty, also known as the Internet Treaties. The Internet Treaties establish key rules for the protection of copyrighted works in a digital network environment, including the creators' exclusive right to make their creative works available online.

LABOUR & ENVIRONMENT:

Jordan and the US agreed not to relax their respective environmental protection and labour laws and to enforce such laws effectively as they relate to trade.

ELECTRONIC COMMERCE:

Recognising the importance of electronic commerce in the 21st century, Jordan and the US agreed to seek to avoid imposing customs duties on electronic transmissions or creating unnecessary barriers on electronic transmissions, including digitised products.

CONSULTATION & DISPUTE SETTLEMENT:

Should a dispute arise regarding the interpretation of the FTA or a country's obligations thereunder, the countries are to make every attempt to arrive at a mutually agreeable resolution through consultations. If such consultations fail, the FTA provides for the creation of a dispute settlement panel to resolve the

dispute. The dispute settlement panel's decision, however, is non-binding and the affected country is authorised to take appropriate measures after the termination of the dispute settlement process if the matter remains unresolved.

DIFFERENCES BETWEEN THE QIZ & FTA:

- All goods currently exported from the QIZ are duty free, while under the FTA, certain goods will continue to have a tariff imposed through the year 2010;
- Under the QIZ, only industrial activities are covered;
- Under the QIZ, Jordanian goods must be partially made or paid for by an Israeli manufacturer;
- The QIZ is limited to certain areas within Jordan, while under the FTA, the whole of Jordan is regarded as a free zone.

THE AQABA SPECIAL ECONOMIC ZONE (ASEZ):

In an effort to position Jordan in the global economy, the ASEZ was created in 2001. The zone covers approximately 375 sq km, including Jordan's entire coastline on the Red Sea, and extends to the land borders of Israel and Saudi Arabia and the territorial waters of Egypt. ASEZ is characterised by a special fiscal policy designed to attract investors. For example, imported goods (other than cars) are exempted from custom taxes and fees. Another benefit of being an ASEZ enterprise is the reduced income tax rate of five percent on all income resulting from activities conducted inside the ASEZ and Jordan. However, this particular benefit is not available for those enterprises involved in banking, insurance and land transport. Such incentives, coupled with the FTA and QIZ, allowing goods manufactured in Jordan duty and quota free access to the United States, are expected to bring investments in the range of \$6bn over the next 20 years and create over 70,000 new jobs. 📈

INTERVIEW

LEGAL LIBERALISATION

OBG talks to Khaled Asfour, Managing Partner at Ali Sharif Zu'bi and Sharif Ali Zu'bi Law Office.

How friendly are Jordan's laws to foreign businesses compared to other countries in the region?

ASFOUR: In its policy to promote investment in the kingdom, Jordan has enacted several laws related to the promotion of non-Jordanian investment. Jordanian investment laws are based on several principals. First, equal treatment between Jordanian and non-Jordanian investors and businesses. This principle is subject, however, to some exceptions relating to limitations on non-Jordanian investors ownership in certain specific sectors. 100% foreign ownership is allowed in most sectors. Second is the free movement of capital, and there are no limits on a non-Jordanian investor transferring capital to or from the kingdom. Finally, no tax is levied on income generated outside the kingdom by the non-Jordanian investors.

How have laws concerning women's rights evolved over the years? Do we see a level playing field?

ASFOUR: Most of the debate regarding equality and women's rights in Jordan has been overshadowed by Article 340 of the Penal Code, which deals with honour killings. Until 2001 this law allowed a man who kills or attacks a female relative to benefit from a reduced penalty if the attack was as a result of adultery, or perceived adultery. In 2001 this law was amended and in an attempt to make it gender neutral; women were also allowed to benefit from its provisions. Further amendments have been held up in Parliament since 2003, along with a variety of other reforms passed by the cabinet in 2003 as temporary measures that deal with nationality, passports and retirement.

Labour law in Jordan makes several distinctions in regards to women including limiting the number of hours that woman may work at night, and in what heavy industries they may work, as well as allowing women in some larger companies to take one year of leave to look after their children. Maternity leave in Jordan is 10 weeks with full pay, and women who use this provision may not return to work until six weeks after the birth. An employer is prohibited from terminating a female employee after her sixth month of pregnancy or during her maternity leave. There is no paternity leave entitlement.

The United Nations Development Fund for Women released a study in 2004 that found that women's participation in the workforce, although still behind that of men, is improving and that women earn significantly less than their male counterparts.

Have the new press laws sufficiently liberalised the sector? What additional changes can we expect?

ASFOUR: In its announced policy of liberalising the press sector, Jordan has opened the door for licensing the publication of newspapers and periodicals. The current legal framework is based on pre-licensing of newspapers, and as such is far from a fully liberalised sector. Furthermore, obtaining a licence for the publication of a newspaper entails several cumbersome obligations and requirements. In parallel, there are several laws in the kingdom that limit freedom of expression. A fully liberalised press sector will not be achieved unless the ceiling of liberty is raised and a free market of information and ideas, based on freedom of expression and tolerance, is created.

Many foreign companies have expressed reservations in the past about moving their operations to the Middle East because of concerns of intellectual property rights. Has Jordan sufficiently upgraded its laws to ease investor's worries?

ASFOUR: Yes. Jordan has enacted several laws to protect various forms of intellectual property in conformity with international standards. For example, Jordan protects patents, copyrights, trademarks and trade secrets.

In addition, since becoming a member of the WTO, Jordan has ratified WIPO's Copyright Treaty and the WIPO's Performances and Phonograms Treaty. The intellectual property laws provide for both criminal and civil sanctions for violations of the laws.

One of the government's major concerns is the growing political voice of the professional associations. Under the current law are the associations in breach by espousing political subjects?

ASFOUR: Professional associations are juristic persons that are created and governed by specially enacted laws. The professional associations' councils are elected democratically by the respective professional association's members.

It must be noted that none of these laws prohibit, nor do they provide for, the right of the professional association to espouse political subjects.

On the other hand, freedom of expression is protected by the constitution. It may therefore be concluded that professional associations, through voicing their stand in political issues, are not in breach of Jordanian laws. 🗨️