

# **WTO-Chair Funds for Research Projects Related to WTO's Matters 2012**

This form should be completed by researcher(s) applying for a grant through WTO Chair programme. Please note that the funding available will be no more than \$4,000 and that applications requesting funding exceeding the maximum amount cannot be considered. The form should be completed electronically.

## **1. Title and very brief summary of the joint project (100 words)**

The number of regional trade agreements (RTAs) has grown dramatically over the last decade. Since 1995, more than 300 agreements have been notified to the World Trade Organization (WTO), compared with 40 in 1990. The coverage of RTAs has also tended to expand over time. The preferential liberalization of tariffs and other measures governing merchandise trade remains important in many agreements but they increasingly cover a range of other issues such as services, investment, competition policy, government procurement, e-commerce, labor and environmental standards.

Therefore, the purpose of this project is two-fold: first, to review certain developments in the proliferation of RTAs around the world; and second, to offer a comparative legal analysis of the RTAs that Jordan signed such as the United States-Jordan Free Trade Agreement, and Canada-Jordan Free Trade Agreement.

This project has three parts. The first part summarizes the history of the proliferation of RTAs, and maps the RTAs that have recently been negotiated in all parts of the world. The second part demonstrates the legal theory of RTAs, and reviews different opinions on the legal impacts of them on the WTO's legal structure. Finally, the third part identifies major legal issues encompassed in Jordan's free trade agreements.

## 2. Contact details of the applicants:

Please note you can only indicate one applicant per university. The individual indicated should be the one most heavily involved in the planning and implementation of the project.

### *University of Jordan*

Name of the University	University of Jordan
Name of the Main researcher (s) responsible	Mohammad F. A. Nsour
Job Title	Assistant Law Professor
Faculty	Faculty of Law
Department	Department of Private Law
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### *Partner University (if any)*

Name of the University	University of Jordan
Name of the staff member responsible	Abdullah Al-dmour
Job Title	Assistant Law Professor
Faculty	Faculty of Law
Department	Department of Private Law
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Fax number	
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### 3. Purpose of the of the project

Please describe your motivation and the purpose of the project, indicating e.g.

- *how the project will contribute to your own professional development,*
- *what needs it addresses at the level of the universities' capacity in teaching and researching WTO , trade and investment issues in a development context*
- *if and how it contributes to better informed policy decisions at the national level.*
- *how do skills and knowledge of the individuals/universities participating in the project complement?*
- *if the project is a stand-alone undertaking or is it embedded into a broader spectrum of activities at the universities or in the country, e.g. a focus on specific research topics,*

This project will be a building block in our professional development. The main's applicant graduate work have heavily revolved around WTO legal matters. The applicants have studied WTO extensively from a legal perspective and hence published their scholarship in various law journals. Particularly, the main applicant has thoroughly examined regionalism as a legal phenomenon from every possible legal angle. The project will help the applicants to take their knowledge to even a higher level as they will offer a synergy of analysis between studying the legal developments in regionalism and apply it on Jordan's own regionalism arrangements.

Furthermore, WTO Law has not been taught at the University of Jordan Faculty of Law. The project will principally serve as a base from which WTO Law presence will be more evident particularly in the Faculty of Law at the University of Jordan, and that is very timely and worthy.

The legal understanding of free trade in general and regional trade in particular is becoming very pressing. When concludes, the project will offer up-to dated insights for policy makers on the various legal issues posed by regionalism and by Jordan's free trade agreements. That will help Jordan when negotiating future trade agreements and potentially obtain better conditions.

#### 4. Description of outcomes and activities

Please describe the expected outcomes of the project and the related activities, specifying the responsibilities of each project member.

The expected outcome of the project is two-fold. First, a scholarly research will be produced that offers a better and a current understanding of regional trade from a legal angle. Such research will concentrate on the Jordanian case as an example and highlight some legal issues posed by its free trade agreements. Second, and for the first time, a new graduate course on International Trade Law will be introduced in the University of Jordan Faculty of Law. This course will study the legal framework governing international economic relations and global business. Students will gain an understanding of why and how national and international institutions regulate world trade. Particular attention will be paid to the evolution of international trade regulations and the pressures on existing regulatory concepts and principles. Topics will include trade theory, the protection of intellectual property, the promotion of international services transactions, dispute resolution and free trade agreements.

Dr. Mohammad Nsour will utilize his specialized knowledge in international trade law to conduct the research jointly with Dr. Abdullah Dmour. Mohammad has published several articles on international trade law with concentration on regional trade controversies. He did his doctoral studies and worked as a researcher and lecturer at the Institute of Comparative Law of McGill University from 2004-2009. His research revolved around regional trade agreements and their legal ramifications. In his doctoral thesis, he explored how regionalism affects developing countries and investigated specifically various WTO-plus issues that come into play in RTAs, including human rights. He developed a significant knowledge of trade law, worked on the Canadian Social Sciences and Humanities Research Council's Project on RTAs, and taught at McGill Faculty of Law. While at McGill, Mohammad has coached McGill law students in their moot court competitions. Likewise, Mohammad will be teaching the aforementioned course in the Faculty of Law and will help building law student interest in international trade.

Dr Abdullah Aldmour is a former Jordanian judge who specializes in international litigation and arbitration, commercial contracts, and investment law. Abdullah is experienced in contractual disputes involving most aspects of international trade transactions, with a particular emphasis on construction, and state-investor disputes. Abdullah was a foreign-invited Jordanian judge in France. He holds, Ph.D. from the University of Paris in International Investment Law and Arbitration. He also holds two LL.Ms in international business law from Jordan and in the international economic law and development from the University of Paris.

Our research methods will consist of interpreting and comparing various sources. Primarily, sources of data include treaties and international agreements such as the GATT, GATS and other WTO agreements; decisions of the WTO's tribunals and of other RTA tribunals; domestic laws and regulations; public administration reports and databases; international organizations

database and reports (e.g. OECD); articles in law reviews; information in magazines and newspapers. Internet tools will be used by consulting specialized websites, and conducting electronic correspondence with experts and with RTA bodies. Phone interviews and on-site interviews will be conducted when possible.

At the end of the day, this project will help the applicant to enhance the Jordanian legal awareness of international trade regime and its implications locally, regionally and internationally.

5. Please give some information on planned follow-up work and future utilization of the project outcome (e.g. further monitoring of fellows, plans for dissemination of research).

Experience tells us that the best avenue to disseminate research is to publish it in reputable journals and reviews. Mohammad's research has been already cited in prestigious law journals such as the law journals of Harvard and Pennsylvania Law Schools. Thus, we plan on publishing the research in one of the western law journals. We will ensure also that our research reach to all stakeholders locally such as law-makers, decision makers and concerned NGOs. We will present our research in person when appropriate. Of course, the WTO Chair support will be acknowledged.

Another aspect of follow-up work is producing capable legal minds that fully understand international trade law. This can be achieved by offering the graduate course on international trade law and, then mentor those students who are interested to do more research and work on the subject.

## 6. Time-table

*Please provide information about the timing of planned activities.*

Start date of the project:

Envisaged end date of the project:

Please indicate date and/or duration of planned activities

Activity	Date (can be from ... to ...)
Proposal submitted	June 3, 2012
Scholarship review and data collection	August 1, 2012 to August 20, 2012
Preparing the first draft	August 20, 2012 to November 30, 2012
Preparing the final draft	November 30, 2012 to December 2012
International Trade Law Course teaching	September 2012- ongoing (anticipated)

\*please add further lines to the table if required

## 7. Budget

Please provide an indicative budget. These are some examples of budget headings. Please add, delete or change types of expenditure if needed.

Budget Heading	Related Costs (in US \$)			
	First month	Second month	Third month	Final stage
Researchers own time cost	800	1000	1000	800
Assistant researchers	200			
Travel / transport				
Books, data, surveys etc.				
Typing & proofing etc.				200
<b>TOTAL COST</b>				4000

**8- Please list publications related to your project that you (or any member of the team) have accomplished during last five years?**

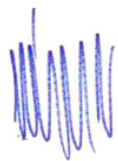
First, Mohammad Nsour's publications include:

- Article: "Fundamental Facets in the U.S.-Jordan Free Trade Agreement: E-commerce, Dispute Resolution and beyond", (2004) 27 Fordham International Law Journal, 742. (cited in many law journals including the Harvard Law Review issue 51).
- Article, "The Perspective of U.S. Courts on the Decision of the WIPO's Arbitration Center regarding Domain names: The Latest Developments", (2006) ADR & the Law, 20th ed. American Arbitration Association with Fordham Urban Law Journal. & Fordham International Law Journal, 190.
- Article: "Regional Trade Agreements in the Globalization Era" (2008) 33 the North Carolina Journal of International Law and Commercial Regulation, 360.
- Book: *Rethinking the World Trade Order*, (Sidestone Press, the Netherlands: 2010).
- Article: "Free Trade: Theoretical Reflections", European Journal of Social Sciences, European Journal of Social Sciences – Volume 19, Number 1 (2011).
- Article: "" International Trade Law and Culture...is it "Culture" by the way? The Case of International Trade Law and Islamic Law", European Journal of Social Sciences, European Journal of Social Sciences – Volume 19, Number 4 (2011).
- Article (in Arabic): "Compensating Trade Secrets' Damages pursuant to Jordanian Law" jointly with Judge Yarob Qudah, Mutah University Law Journal [forthcoming 2012].

Second, Abdullah's Aldmour publications include:

- The Most Favored Nation Clause in Investment Arbitration: The case of the United Arabs of Emirates. European Journal of Social Sciences, Volume 21, Number 2 (2011).
- Application and excluding the United Nations Convention on Contracts for the International Sale by Jordanian judge. *European Journal of Social Sciences* .16 Issue 3. 2010 .
- The Future of "Arbitration of Investment Protection" in the Disputes of International Construction Contracts. The 18th international Annual Conference Building and Construction Contracts between Traditional legal Rules and Developed Legal Systems. On 19-21 April 2010 At Grand Hyatt Dubai. Journal of the United Arab Emirates University.18 - Page (387-424)2010.

Main Researcher(s) Signature : Mohammad F. A. Nsour



Date: June 2, 2012

