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Trade Liberalization in Jordan and Economic Diplomacy

A Story of Qualified Success

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I. Introduction

The case study of Jordan, as a small lower middle-income developing economy – per World Bank classifications – that nonetheless has an important strategic role to play in the Middle East, illustrates the interaction between economic diplomacy and political factors, as echoed in the country's trade liberalization efforts (*Trade liberalization is defined here as a reduction in trade restrictions and an increase in the use of prices instead of discretionary intervention*).

Following the onset of a full-blown economic crisis in the late 1980s, Jordan began important, donor-supported reforms that included liberalizing the economy and starting its integration into the global market (Kardoosh & Kanaan 2004). According to the scant literature on the subject, close to five years into such reform, in April 1994, Jordan requested accession to the WTO after obtaining diplomatic support from the US and Europe as a result of the imminent signature of a peace treaty with Israel in October of that same year. A WTO Accession Working Party for Jordan was decided in 1995 and began its meetings 12 months later (al Khouri 2005).

Yet, as noted by various experts, including stellar Jordanian analyst Rami G. Khouri, the Amman leadership's pre-occupation in the 1990s with regional politics over domestic economic woes, especially under the late King Hussein, meant that the decision to open up to the outside world and the rationale of what the country hoped to achieve by liberalizing and reforming trade were overshadowed by tactical considerations not directly related to the core issues facing the country's small economy. However, as noted by al Khouri (2005), under the *de facto* rule of His Royal Highness Crown Prince Hassan bin Talal during the former King's illness in the second half of 1998, and with the ascension in early 1999 of a younger monarch, His Majesty King Abdullah II, Jordan's decision to cut tariffs and transform its trade sector began to be seen as an important part of the country's 21st century economic development strategy. As also documented in the scarce literature on the topic, a particular benefit of trade liberalization that came to be recognized as being of special importance for the country's economy at the time was the possibility of increasing foreign direct investment (FDI) inflows. However, FDI outside large-scale real estate projects remaining a trickle, hampered time and again by regional instability and erratic petrodollars, is a factor that would probably weigh even more heavily on the Kingdom had it not pursued trade openness.

The intention of this paper is to document what has been achieved in making the trade regime more conducive to international commerce, and to examine where economic diplomacy was important and overarching in this process. The main message is that much remains to be done by the Government of Jordan to facilitate trade, and for citizens to better understand the expected positive impact of liberalizing this important sector at the popular level. Greater involvement of non-state actors from the beginning could have accelerated this process, but the Jordanian state is not entirely to blame, as the anti-trade liberalization arguments that NGOs and opposition political parties sometimes advanced were often spurious and propagandistic.

On a technical, a-political and non-diplomatic level, the focus in Jordan is arguably too much on the “traditional’” trade agenda, namely elimination of quotas, and a reduction in tariffs, and not enough on the complementary regulatory and institutional reforms that are needed to ensure that anti-trade biases are removed and a strong supply-side response emerges. The state of the Customs Department in Jordan, 30 years after reforms in the country have been initiated, provides an interesting example in this regard, as will be discussed briefly below.

This paper continues the work that its author has conducted individually and with others over the past 20 years. However, these are in no way guilty of any errors or omissions, for which the author is entirely responsible. As with previous work, the present analysis has relied on both primary and secondary sources. The latter included official data, reports, studies and research papers. Primary sources involved interviews with selected current and former Jordanian officials.

II. Early Beginnings of Trade Liberalization

As above mentioned, trade liberalization in Jordan was first proposed seriously in the wake of the major economic and financial crisis that swept the country in 1988/89. It was around that time that policy makers in Jordan came to realize that the country’s “overly restrictive external trade policies” (al Khouri 2004) were seriously hampering its economic performance. The consensus then was that Jordan is facing a new situation, which required a new approach. Jordan was seen at the time as needing to “move towards a more outward oriented trade strategy to rectify the…imbalance in its foreign exchange position.” The reasoning was simple: local Jordanian manufactures cannot be expected to flourish without a more open enabling environment.

Since its formation as an independent monarchy in 1946, Jordan has suffered from chronic trade deficits and a narrow export base, with annual commodity imports typically amounting to more than double its exports. This has partly been due to the scarcity of natural resources, but also recurring droughts, a small manufacturing sector and the government’s overly restrictive external trade policies (e.g. very high tariff levels, licensing agreements etc.), among other factors, also helped to explain the country’s continuing trade imbalance (al Khouri & Kardoosh 2004). This has been exacerbated by persistently large food import bills, which have continued to grow with the rapid expansion of the population (natural *plus* in-migration).

Jordan had thus relied on aid and remittances from abroad to support its balance of payments. However, after the drop in aid that began in the mid-1980s and the subsequent fall in worker’s remittances later in that decade, policy makers in Jordan came to realize that integration into the world economy could offer the best prospect to overcome the limited scale of domestic resources and to help increase productivity through better specialization.

Before the 1990s, trade policy was traditionally “mercantilist”, and the government relied on a wide range of very high tariffs for budgetary revenues (World Bank Institute 2000). Reforms seeking to better integrate Jordan into the world economy were then launched, and trade liberalization gained momentum in the mid- and late-1990s as tariff- and non-tariff trade barriers (NTBs) were lowered and at times abolished altogether – factors that also had some implications for reform of the tax code in the country.

Overall tariff levels, the number of rates, and the degree of tariff differential afforded to different products and industries have been reduced to create an incentive regime that is conducive to outward-oriented growth.

As well in the area of trade reform, the government has taken a number of measures to simplify customs procedures, again with the support and heavy involvement of foreign donors. For example, customs administration procedures have been improved with the adoption of an Automated System of Customs Date Entry (ASCUDA) for valuation of imports in 1997.

However, despite all the rhetoric praising Jordan's economic restructuring efforts, the Customs Department, one of the first state entities to undergo donor-driven reform in the wake of the economic crisis that swept the country in 1988/9, remains in shambles. The reasons for this are plenty and include an underdeveloped organizational structure of the administration; a substantial deficit in the qualifications of the department's more junior employees; and mindset problems, namely seeing customs' role as a cash cow. Although there have been some improvements, partly thanks to automation and the usage of better technology, customs procedures in Jordan are still time-consuming, heavily impinging on the local business sector by impeding the flow of goods entering the Kingdom (al Khouri 2004).

Meanwhile, Jordan's joining the WTO was the apex of governmental efforts to adopt various trade-related legislative adjustments in customs and taxes and within patent, copyright and trademark protection to remove administrative barriers, and to make economic decisions more transparent, accountable and predictable. The government also committed itself to phase-out any elements of trading relationships with many Arab and non-Arab countries that are inconsistent with WTO. It was also around that time that the government did away with import-licensing requirements on virtually all products other than those with national security, health, safety, environmental, or religious dimensions.

The decline in trade barriers, coupled with extensive microeconomic reforms, has helped to produce a more efficient and outward-looking economy. Jordan moved from being a country with 40% of products impacted by NTBs, a 34.4% weighted average tariff rate and 26% dispersion (defined as the inequality of the tariffs levied by a country) to virtually no significant NTBs, to a 13.5% weighted average tariff rate with a dispersion of 13% at present. It is generally the case that, for a given average level of a country's tariffs, greater dispersion causes greater distortion and thus reduces welfare (World Bank Institute 2000).

Meanwhile, most of the capital goods (since 1999) and intermediate goods (since 2000) enter with zero import duties. Today, Jordan has one of the lowest weighted average tariff rate and the highest proportion of zero-duty items among MENA countries.

III. Solidifying Liberalization Efforts

Jordan's application to and eventual membership in the World Trade Organization (WTO) in the year 2000, together with its earlier entry into an Association Agreement (AA) with the EU (1998), inclusion in the Greater Arab Free Trade Agreement (GAFTA) in 1998, as well as the later ratification of a free trade pact with the US in 2001 have meant that the Kingdom was and is cutting tariffs, and that it is committed to further trade liberalization.

Trade reform measures in recent years have also emphasized the need to open up to the region and the rest of the world, bilaterally or otherwise. Regionally, Jordan's relations with other neighboring Arab countries have moved forward, particularly as its bilateral ties with Saudi Arabia, Kuwait and the UAE have mended, after political differences had kept Jordan and the six-GCC member states relatively distant for most of the 1990s (King Hussein's mediating stance on the second Gulf war in 1990/91 being the cause of this). In addition, economic relations with Egypt have become more important, as well as various forms of cooperation with Syria (though this has come to a near halt in recent years due to the civil war there, but should rebound very soon). Geographical proximity as well as strong cultural affinities and other factors meant that relations between Amman and Baghdad were always extensive, albeit susceptible to the security situation and political whim of the government in Iraq.

The Kingdom's economic relations with Israel have also developed through the Qualifying Industrial Zone (QIZ) model, a special form of extraterritorial economic arrangement whose exports to the American market were tariff-free by US decree. The same is true of ties with Turkey, which culminated in the signing of an FTA between the two countries about 10 years ago, but that Jordan cancelled in late

2018, citing “infeasibility” (*Jordan Times* 2018). While this may be the case, it does raise the question as to why the pact was sanctioned in the first place, as will be discussed in short below.

At the multilateral level, Jordan’s relations with other Arab countries have also moved forward in the past couple of decades (albeit slowly), with GAFTA promising to achieve a measure of pan-Arab economic and industrial cooperation not seen before. Now in tandem with the US-Jordan FTA, the Kingdom has secured a unique position in the Middle East vis-à-vis the outside world. Jordan is thus able to differentiate itself from the region and embark upon a new trajectory, benefiting from a preferential web of trade arrangements with Washington, the EU and other trade blocs that may help insulate it somewhat against the political and economic instability that have so often characterized life in this part of the world.

IV. Trade Liberalization and Economic Diplomacy after the mid-1990s

While long dynamic in the region in general, and in Jordan in particular, the grouping of major Western European economies (now part of the enlarged EU), the US and the WTO club of countries have since the mid-1990s, and specifically in the wake of the peace treaty with Israel, sought to strengthen their positions in the Kingdom through bilateral and multilateral free trade agreements and related commercial diplomacy. Though this process and the economic and other factors lying beneath it became stronger with time, and especially so after the terror attacks of 9/11 on the US, little research has been done to analyze the economic diplomacy element in these accords.

By the mid-1990s, the European bloc had initiated the first step towards a broad AA with Jordan, an important measure towards freer trade. However, the far-reaching effect of this agreement was a rise in European exports and aid to Amman, without marked changes in Europe’s imports from the Kingdom.

For its part, Washington had previously signed its first ever FTA with Israel in 1985. Among other things, this had the effect of strengthening the already extensive American-Israeli economic relations. Moreover, the US-Israel accord would have important trade implications for other countries in MENA, such was the case with QIZs, as will be discussed below.

Following Israeli-Palestinian peace in 1993 and the Israel-Jordan Wadi Araba treaty the following year, American and European free trade initiatives increased with vigor. In particular, this happened in the context of the now-defunct European-Mediterranean (Euro-Med) Barcelona Process, which was launched in the middle of the 1990s. However, this course of action has been criticized on various grounds as leading – like the old AAs – to widening the trade gap in favor of the EU, and to rising aid, sometimes *in*effective, from Europe to Jordan (Kardoosh 2009).

According to al Khouri (2008), throughout the 1990s, the American line in this regard was somewhat different from that of Europe, being “couched less in terms of trade agreements”, with the noteworthy exception of the first QIZ trilateral (US-Jordan-Israel) “diagonal cumulation” accord in the latter part of that decade. Built on the US-Israel FTA of 1985, QIZ openly sought to “reward” Jordan for participation in the Middle East peace process, and to bring the country closer to Israel (al Khouri & Kardoosh 2004). In less than 10 years, Jordanian exports to the US have soared as a result of QIZ surpassing $1 billion from almost zero in the mid- to late 1990s, though the broad impression created by encouraging trade statistics must be qualified by closely considering and quantifying the actual gains (e.g. backward linkages, local value-added etc.) to Jordan from the accord, as will be discussed below (Kardoosh M & Burgis M 2006).

More recently, though QIZs in Jordan (and now elsewhere in the region, as will also be discussed below) are still somewhat important, they have been accompanied by further steps towards deeper liberalization of US-Jordanian trade, especially since 2001 when an FTA with Washington was signed into law.

Geopolitical strategic considerations had of course always had some influence on American trade policymaking – in the mid- to late-1990s, before and after – and the relationship between international business making and diplomacy was on the mind of various US Administrations from the beginning. Confirming trends evident under the Clinton presidency, al Khouri (2008) notes how the US since 2000 "espoused an even closer link between American strategic interests and trade liberalization". This inclination only intensified after the events of 11 September 2001, highlighting as it did the impact of issues relating to Jordan trade on US strategy.

Along with much larger aid programs and various forms of support for deeper democratization, American foreign policy in Jordan highlighted the strategic implications of trade liberalization with the Arab world more generally. As a result, shortly after the twin attacks of 9/11, connections between trade and diplomacy strengthened greatly as the US administration argued for global trade liberalization as central to America's fight against terrorism (al Khouri 2008). In addition, attempts were made by Washington to focus this argument on the Arab world, such steps culminating by the middle of the decade in several FTAs with regional states, as well as a grand and ambitious design for a Middle East Free Trade Area linking the entire region with America. Though the latter plan never saw light, the implications of this for US trade policy included spreading of FTAs in parts of MENA where Euro-Med agreements already existed (e.g. Jordan and Morocco), as well as parts in the region outside the Barcelona sphere, such as some – but not all – of the six GCC-member states.

While such accords typically appear "economic" primarily, the first FTA with an Arab country, Jordan only inked a few weeks after the attacks of 9/11 and had a strongly defined strategic background. Attempting explicitly to directly support a key MENA ally of America in the fight against terrorism, and *in*directly preserve Israeli interests by protecting the largest country bordering it, the Jordan-US FTA was pushed through the American legislature in the wake of the 2001 terror attacks, having previously "languished unchampioned on the Senate floor" for quite some time. Simultaneously, it is interesting to note that a similar though pre-9/11 strategic motivation applied to the QIZ accord signed with Jordan a few years earlier, described by the US as an "incubator" for the FTA (al Khouri & Kardoosh 2004). The former accord, though not passed in an atmosphere of dire predicament such as the US witnessed in late 2001, was nevertheless openly interpreted as supporting Jordan's pro-US diplomatic stance in the context of a problematic and very tense Arab-Israeli peace process.

Not only did other FTAs follow with Arab states after 9/11, but a QIZ was concluded with Egypt at the end of 2004 (al Khouri & Kardoosh 2004). This was yet again – in the context of Middle East diplomacy – a "gift" to Cairo, but the accord also threatened the US trade of Jordan, which had similarly been "rewarded" with a QIZ less than a decade previously.

On the other hand, it has been argued that the Jordan-US FTA would eventually make the QIZ with Amman irrelevant, rendering the whole of Jordan one big QIZ, though with more rigid rules of origin and local value-added requirements. Additionally, the extension of the QIZ accord to include Egypt, and indeed the FTAs between the US and individual neighboring Arab countries, were seen by analysts as an example of the openly advocated American trade policy of "competitive liberalization," which aims to promote competition among states engaging in free trade with Washington (al Khouri 2008).

Like the above accords between countries of the region and America, the EU motive for free trade with MENA countries through the Euro-Med Partnership, followed by the Neighborhood Policy and then the Jordan Compact (adopted in 2016; see below for more details), also links with non-trade issues, including illegal migration and refugees. Though migration and refugee concerns have clearly economic sides to them, and ones that can be seen to be beneficial to both the EU and MENA, the linking, for example, of illegal immigrants in Europe to crime or terrorism has intensified, and in any case complicated, arguments for free trade in goods and services across the Mediterranean.

At the same time, European interest in helping Jordan cope with the *en masse* influx of Syrian refugees led Brussels a few years ago to simplify rules of origin for products manufactured in the Kingdom. To make it easier for the country to export to European markets while also creating jobs both for Syrian refugees and Jordanians, Brussels and Amman agreed to relax rules laid down in the EU-Jordan AA that define what a Jordanian product is (and thus determining its tariff rate). This will provide easier access to EU markets over 10 years for a wide range of goods. Yet, for exporters to be able to use that model, production must formally employ a minimum proportion of Syrian refugees. For Jordanian industries to benefit from the EU simplified rules of origin, each factory needs to have Syrian employees constituting no less than 15% of labor, increased to 25% in the third year of the agreement. Once the country achieves its target of bringing approximately 200,000 Syrians into the domestic labor market, the EU and Jordan have agreed to look at ways to further simplify the initiative.

While the 2016 Jordan Compact was a game-changer in how host countries and the international community respond to protracted refugee situations, a number of substantial and effective course corrections have been made over the past three years, and the Kingdom should continue to identify challenges and adjust policies and practices to alleviate them.

The initial rollout in 2016 was too narrowly focused on simply increasing the number of work permits granted to Syrian refugees while failing to prioritize policies and programs that fit the local context and meet the needs of refugee and host populations. Incremental adjustments made since then include "expanding the sub-sectors Syrian refugees are permitted to work in and establishing a committee to consider opening other sectors to Syrians; making work permits in some sectors seasonal and/or not tied to one employer; implementing the home-based business registration policy in 2017 and then extending it to cover Syrian refugees in host communities; and other tweaks" (Center for Global Development, March 2019). Complementing these policy changes were efforts aimed at allowing for better educational access for refugee children, as well as some openings and leads to financial services.

Though the special economic zone (SEZ) elements of the Jordan Compact, especially the relaxed rules of origin available to companies in SEZs hiring 15% of Syrian refugees in their workforce, were potentially transformative in theory, they were ill-suited to the realities on the ground, with SEZs remaining far from where most Syrian refugees are located and offering unsatisfactory working conditions and wages. Indeed, that was the rationale behind the EU and Jordan agreeing to extend the simplified rules of origin access to qualifying companies outside of SEZs once Jordan has granted 60,000 active work permits to Syrian refugees. This can significantly reconfigure what the relaxed rules of origin and preferential export market access can deliver to Jordan's growth, allowing companies more conducive to Syrian refugee employment access to European markets. The extension benefits more Jordanian businesses outside of the SEZs by granting export access to the EU. It also incentivizes Syrian refugee employment and opens new job opportunities for Syrians (and Jordanians) in places closer to where they live and in working environments better match their preferences.

Even before the easier terms brought on by the Jordan Compact were introduced, one ought to mention the EU agreements allowing for diagonal cumulation among Mediterranean partners that have identical rules harmonized with those of the Europeans, and have negotiated among each other to set up a free trade area. This is essentially a geographically expanded plurilateral version of QIZ.

To maximize the benefits of this sub-regional QIZ-like possibility, in 2001 Egypt, Jordan, Morocco, and Tunisia signed the Agadir Agreement, which calls for harmonization of rules of origin among the four states and with the EU to achieve diagonal cumulation and thus export to the European market free of restrictions (Kardoosh 2007).

The importance of Agadir is not that it is going to bring Jordanian trade with the other three countries that are part of this process up to this level, but a combination of Egyptian, Moroccan and Tunisian products could be blended with Jordanian inputs to enter EU markets duty-free. As it was, a product with about 10% value added from Jordan does not qualify for entry into the EU without paying tariffs. However, combining a similar value-added from the other Agadir states would make this happen (Kardoosh 2007).

Whatever happens to the Agadir process, Jordan will need help to increase its exports to the EU. Over the years, Jordan has requested financial and technical support to improve the capacity of industries that have the potential to compete in the EU. For its part, the EU has established several funds for the rehabilitation of Jordanian industry and its agricultural sector, and has provided Amman with technical and financial assistance to identify areas needed to upgrade quality and increase competitiveness in both industry and agriculture. Though not yet as successful as it was envisaged to be almost two decades ago, Agadir nevertheless opens up important possibilities for Arab economies, which have so far failed to export substantially to Europe.

The potential impact of all such agreements on MENA economies is important, argues al Khouri (2008), as are possible general benefits for the US and the EU, in both economic and non-economic areas. This impact will become even more pronounced with the expansion of free trade pacts between the two giant Western economies on the one hand, and the countries of the region on the other, along with the greater impact of globalization and the general increase in the importance of foreign trade.

Like the AA with the EU and the US-Jordan FTA, the Kingdom's WTO accession process demonstrates the interaction between economic diplomacy and political factors. The Jordanian regime's pre-occupation in the 1990s with the region's politics meant that the decision to join the WTO and the economic rationale of what the country hoped to achieve by becoming a member were overshadowed by strategic considerations not directly related to the core issues facing the country's businesses and consumers.

As pointed out by al Khouri (2005), yet another weakness in Jordan's preparation for negotiations was that the role of parliament in this process was not significant, as the whole WTO admission process was perceived by some members of the lower house as being "imposed" from abroad.

A vigorous and well-informed parliament would have provided valuable support to, and oversight of, the executive branch in preparing for WTO access. In fact, in this as in other areas, "Jordan's parliament is somehow subordinated to the executive branch". In theory, the Jordanian parliament can initiate a "law" if it gathers more than 10 signatures from members. However, then as now, most of the economic reform laws are advanced to parliament by the government and not vice versa. This was also true of trade liberalization.

It should be stressed, as done rightfully so by al Khouri (2004), Kardoosh (2016) and others, that there was little direct immediate impact of peace with Israel on the pace of trade liberalization in Jordan. However, insofar as change and development of the Jordanian trade sector was spurred and bankrolled by Western aid agencies linked directly or otherwise to the US, EU and their allies, then the peace treaty between Jordan and Israel should be seen as a landmark in trade reform efforts in the Kingdom.

V. Conclusion

The travails of the peace process, together with fears over the after effects of socio-economic pressures in a fragile economy and society located in a strategically-important country, have led to an upgrading of bilateral and multilateral support to Jordan. This particularly includes free trade and foreign largesse. Whether it is the EU, Washington or the WTO, all three, but to name a few, have launched initiatives to intensify economic relations with the Kingdom since the mid-1990s. Major financial transfers and technical assistance have complemented these initiatives. By implementing these bilateral and multilateral free trade agreements, these Western powers aim at the political stabilization of the country. However, the potential impact of these policies on domestic political structures in Jordan is not yet clear. The underlying, question is whether the planned resource transfer is contributing to systematic transformation of Jordanian political, economic and social structures in order to make adaptation to a rapidly changing international environment possible, or if the funding is only stabilizing status quo-preserving elements of state and society pursuing a rent-seeking policy.

The story of Jordan's trade liberalization efforts has been one of "qualified" success. For example, the AA with the EU (dating back to 1998) promised a lot, but failed to deliver, with trade remaining unidirectional and largely in favor of European countries – the latter group of states often resorting to increased aid to compensate Amman for the trade botch (the aid vs. trade debate).

Other examples of sluggish trade-liberalization performance abound. Even though QIZs gave Jordan undeniable benefits in terms of FDI and export earnings, many teething problems surfaced. The vast majority of QIZ investments were in "sunset" industries. This has resulted in poor development of a local skills base and fewer spin-off industries than in other countries with similar export processing zones. Production of goods other than garments remained limited, if not practically non-existent, and there was little evidence of the "new-economy" in the QIZ industrial structure. In fact, an "enclave economy" seems to have emerged in Jordan in the early- to mid-2000s, where most of the investments stayed within the QIZ, and where nearly 100% of demand for raw material was met through imports. This has led some to argue that these zones constituted little more than a means for transnational corporations to exploit Jordan's unique trade position vis-à-vis the US (no tariffs and, more importantly perhaps before the Multi Fiber Agreement was abolished in 2005, no quota restrictions) while contributing very little to the long-term economic development of the Kingdom. Put simply, these were no more than "screwdriver" factories that imported all their intermediate goods for simple assembly and repackaging for export.

As for the aforementioned FTA with Turkey, the feeling among cynics in Amman, the author of this paper included, was that the country started dealing with trade liberalization issues unprepared: A crucial issue would be to add to the ministry's existing roster of bureaucrats a number of professional trade economists, who do have the knowledge of the technical issues concerning these extraterritorial arrangements. This would not only help in the formulation of better and more effective trade policy, but may assist in capacity building that could serve the country well in other economic areas. In any case, the example of the FTA with Turkey, and the decision by Amman to abandon the agreement, is perhaps the first time that economic considerations seemed to trump political and strategic interests. It will be appealing to see if this marks a shift in Jordanian trade policy towards signing new FTAs and further liberalization.

In sum, it should be remembered that Jordan's QIZs, like other FTAs and various forms of trade liberalization pacts and memberships, including in the WTO, were for the most part diplomatically- and strategically-inspired, so any assessment of these efforts would have to take account of non-trade factors. Notwithstanding political pressures Jordan may have faced to sign some of these agreements, as well as the ensuing foreign aid that comes with it, which the Kingdom would normally welcome, with foreign debt and unemployment remaining high and rising, the country should push to form national priorities for its trade liberalization efforts through open public debate, in parliament and the media.

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