## 1

### 1nc – t

#### Interpretation: The aff must defend more than one member nation of the WTO reducing IPP

Guide to Grammar 4 [The Guide to Grammar and Writing is sponsored by the Capital Community College Foundation, <http://guidetogrammar.org/grammar/plurals.htm>] whs-ee

The plural form of most nouns is created simply by adding the letter s.

more than one snake = snakes

more than one ski = skis

more than one Barrymore = Barrymores

#### Violation: they only defend Jordan – here are other nations that they don’t defend

A close up of a map

Description automatically generated

#### Vote neg for limits and ground – plural means they have to strategically choose nations that have common features like types of IP protections or geopolitical tensions to avoid losing to PICs which is a more limited caselist

#### Pics wrong – doesn’t justify the aff arbitrarily creating a hyperspec aff as a prereq and no one reads pics as much as hyperspec affs – also not true for t plural specifically where the aff can just tack on another country

#### TVA: read jordan and the us or jordan and israel – most of your adv is about that

#### Topicality is a voting issue that should be evaluated through competing interpretations – it tells the negative what they do and do not have to prepare for—there’s no way for the negative to know what constitutes a “reasonable interpretation” when we do prep – reasonability is arbitrary and causes a race to the bottom, proliferating abuse

#### No RVIs—it’s your burden to be topical.

## 2

### 1nc – k

#### **The aff’s idea of a reduction of intellectual property participates in a scarcity logic that re-affirms a broader market ownership over information – that consolidates neoliberal control through a shift to private protections, even if the individual act of the aff is good**

Soderberg 1 [Johan, BA from Falmouth College of the Arts. “Copyleft vs Copyright: A Marxist Critique” https://firstmonday.org/article/view/938/860]

"The contradiction that lies at the heart of the political economy of intellectual property is between the low to non-existent marginal cost of reproduction of knowledge and its treatment as scarce property" [23].

This contradiction [24], May demonstrates, is concealed by information capitalists whose interests are best served if ideas are treated as analogous to scarce, material property [25]. The privatisation of cultural expressions corresponds to the enclosure of public land in the fifteenth to eighteenth century.

As then, the new enclosure is concerned with creating conditions for excludability. Lawrence Lessig lists four methods to direct the behaviour of the individual to comply with property regulation: social norms, markets, architecture (including technology and code), and law. "Constraints work together, though they function differently and the effect of each is distinct. Norms constrain through the stigma that a community imposes; markets constrain through the price that they extract; architectures constrain through the physical burdens they impose; and law constrains through the punishment it threatens" [26].

Several new national laws have been passed in recent years on intellectual property rights. In the U.S. the Digital Millennium Copyright Act was passed in 1998 and has been imitated by legislation in Europe. The European Patent Office circumvented scheduled political decisions to be taken by European governments, and decreed a regulation that authorises patent claims to computer programmes [27]. These national laws were implemented under the direction of what is known as the Uruguay Round agreements [28], established by the World Trade Organisation (WTO). As a part of the bargain came the treaty of Trade Related Intellectual Property (TRIP), and its importance lies in two respects: "as an extension of the rights accorded to the owners of intellectual property and as part of the extension of a property-based market liberalism into new areas of social interaction, previously outside market relations" [29]. Simply by coordinating national regulations on a global level the net of intellectual property is tightened. TRIP was backed by American and European pharmacy companies and entertainment industries, and unsuccessfully opposed by the developing nations and northern civil society.

Despite the rigged debate on intellectual property in the mainstream media [30], the rhetoric of 'piracy' has not transformed social norms to any greater extent. The failure to curb copying is linked with the low costs and low risks for individuals to copy, i.e. the non-existent constriction of the market. However, Bettig remarks "The initial period following the introduction of a new communications medium often involves a temporary loss of control by copyright owners over the use of their property" [31].

Similarly, Lessig warns against the false reliance, common among hackers, that information technology is inherently anarchistic. The industry is determined to re-design hardware and software to command compliance with the intellectual property regime. "Code can, and will, displace law as the primary defence of intellectual property in cyberspace" [32]. It is predominantly this struggle that I now will attend to.

#### Capitalism is quickly reaching its ecological, structural, and psychological limits and causes near-term extinction – laundry list.

Robinson 16 (William, Professor of sociology, global studies and Latin American studies at the University of California at Santa Barbara. His most recent book is Global Capitalism and the Crisis of Humanity. | “Sadistic Capitalism: Six Urgent Matters for Humanity in Global Crisis” in *Truth-out*, April 12, 2016. <http://www.truth-out.org/opinion/item/35596-sadistic-capitalism-six-urgent-matters-for-humanity-in-global-crisis> )//tbrooks

The "luxury shanty town" in South Africa is a fitting metaphor for global capitalism as a whole. Faced with a stagnant global economy, elites have managed to turn war, structural violence and inequality into opportunities for capital, pleasure and entertainment. It is hard not to conclude that unchecked capitalism has become what I term "sadistic capitalism," in which the suffering and deprivation generated by capitalism become a source of aesthetic pleasure, leisure and entertainment for others. I recently had the opportunity to travel through several countries in Latin America, the Middle East, North Africa, East Asia and throughout North America. I was on sabbatical to research what the global crisis looks like on the ground around the world. Everywhere I went, social polarization and political tensions have reached explosive dimensions. Where is the crisis headed, what are the possible outcomes and what does it tell us about global capitalism and resistance? This crisis is not like earlier structural crises of world capitalism, such as in the 1930s or 1970s. This one is fast becoming systemic. The crisis of humanity shares aspects of earlier structural crises of world capitalism, but there are six novel, interrelated dimensions to the current moment that I highlight here, in broad strokes, as the "big picture" context in which countries and peoples around the world are experiencing a descent into chaos and uncertainty. 1) The level of global social polarization and inequality is unprecedented in the face of out-of-control, over-accumulated capital. In January 2016, the development agency Oxfam [published a follow-up](https://www.oxfam.org/en/pressroom/pressreleases/2016-01-18/62-people-own-same-half-world-reveals-oxfam-davos-report) to its report on global inequality that had been released the previous year. According to the new report, now just 62 billionaires -- down from 80 identified by the agency in its January 2015 report -- control as much wealth as one half of the world's population, and the top 1% owns more wealth than the other 99% combined. Beyond the transnational capitalist class and the upper echelons of the global power bloc, the richest 20 percent of humanity owns some 95 percent of the world's wealth, while the bottom 80 percent has to make do with just 5 percent. This 20-80 divide of global society into haves and the have-nots is the new global social apartheid. It is evident not just between rich and poor countries, but within each country, North and South, with the rise of new affluent high-consumption sectors alongside the downward mobility, "precariatization," destabilization and expulsion of majorities. Escalating inequalities fuel capitalism's chronic problem of over-accumulation: The transnational capitalist class cannot find productive outlets to unload the enormous amounts of surplus it has accumulated, leading to stagnation in the world economy. The signs of an impending depression are everywhere. The front page of the February 20 issue of The Economist read, "[The World Economy: Out of Ammo?](http://www.economist.com/news/leaders/21693204-central-bankers-are-running-down-their-arsenal-other-options-exist-stimulate)" Extreme levels of social polarization present a challenge to dominant groups. They strive to purchase the loyalty of that 20 percent, while at the same time dividing the 80 percent, co-opting some into a hegemonic bloc and repressing the rest. Alongside the spread of frightening new systems of social control and repression is heightened dissemination through the culture industries and corporate marketing strategies that depoliticize through consumerist fantasies and the manipulation of desire. As "Trumpism" in the United States so well illustrates, another strategy of co-optation is the manipulation of fear and insecurity among the downwardly mobile so that social anxiety is channeled toward scapegoated communities. This psychosocial mechanism of displacing mass anxieties is not new, but it appears to be increasing around the world in the face of the structural destabilization of capitalist globalization. Scapegoated communities are under siege, such as the Rohingya in Myanmar, the Muslim minority in India, the Kurds in Turkey, southern African immigrants in South Africa, and Syrian and Iraqi refugees and other immigrants in Europe. As with its 20th century predecessor, 21st century fascism hinges on such manipulation of social anxiety at a time of acute capitalist crisis. Extreme inequality requires extreme violence and repression that lend to projects of 21st century fascism. 2) The system is fast reaching the ecological limits to its reproduction. We have reached several tipping points in what environmental scientists refer to as nine crucial "planetary boundaries." [We have already exceeded these boundaries in three areas](http://www.amazon.com/Ecological-Rift-Capitalisms-War-Earth/dp/1583672184/ref=sr_1_1?ie=UTF8&qid=1460153228&sr=8-1&keywords=the+ecological+rift) -- climate change, the nitrogen cycle and diversity loss. There have been five previous mass extinctions in earth's history. While all these were due to natural causes, for the first time ever, human conduct is intersecting with and fundamentally altering the earth system. We have entered what Paul Crutzen, the Dutch environmental scientist and Nobel Prize winner, termed the Anthropocene -- a new age in which humans have transformed up to half of the world's surface. We are altering the composition of the atmosphere and acidifying the oceans at a rate that undermines the conditions for life. The ecological dimensions of global crisis cannot be understated. "We are deciding, without quite meaning to, which evolutionary pathways will remain open and which will forever be closed," observes Elizabeth Kolbert in her best seller, [The Sixth Extinction](http://www.amazon.com/Sixth-Extinction-Unnatural-History/dp/1250062187/ref=sr_1_1?s=books&ie=UTF8&qid=1457393458&sr=1-1&keywords=the+sixth+extinction). "No other creature has ever managed this ... The Sixth Extinction will continue to determine the course of life long after everything people have written and painted and built has been ground into dust." [Capitalism cannot be held solely responsible](http://www.amazon.com/Collapse-Societies-Choose-Succeed-Revised/dp/0143117009/ref=sr_1_1?ie=UTF8&qid=1460153265&sr=8-1&keywords=collapse+book). The human-nature contradiction has deep roots in civilization itself. The ancient Sumerian empires, for example, collapsed after the population over-salinated their crop soil. The Mayan city-state network collapsed about AD 900 due to deforestation. And the former Soviet Union wrecked havoc on the environment. However, given capital's implacable impulse to accumulate profit and its accelerated commodification of nature, it is difficult to imagine that the environmental catastrophe can be resolved within the capitalist system. "Green capitalism" appears as an oxymoron, as sadistic capitalism's attempt to turn the ecological crisis into a profit-making opportunity, along with the conversion of poverty into a tourist attraction. 3) The sheer magnitude of the means of violence is unprecedented, as is the concentrated control over the means of global communications and the production and circulation of knowledge, symbols and images. We have seen the spread of frightening new systems of social control and repression that have brought us into the panoptical surveillance society and the age of thought control. This real-life Orwellian world is in a sense more perturbing than that described by George Orwell in his iconic novel 1984. In that fictional world, people were compelled to give their obedience to the state ("Big Brother") in exchange for a quiet existence with guarantees of employment, housing and other social necessities. Now, however, the corporate and political powers that be force obedience even as the means of survival are denied to the vast majority. Global apartheid involves the creation of "green zones" that are cordoned off in each locale around the world where elites are insulated through new systems of spatial reorganization, social control and policing. "Green zone" refers to the nearly impenetrable area in central Baghdad that US occupation forces established in the wake of the 2003 invasion of Iraq. The command center of the occupation and select Iraqi elite inside that green zone were protected from the violence and chaos that engulfed the country. Urban areas around the world are now green zoned through gentrification, gated communities, surveillance systems, and state and private violence. Inside the world's green zones, privileged strata avail themselves of privatized social services, consumption and entertainment. They can work and communicate through internet and satellite sealed off under the protection of armies of soldiers, police and private security forces. Green zoning takes on distinct forms in each locality. In Palestine, I witnessed such zoning in the form of Israeli military checkpoints, Jewish settler-only roads and the apartheid wall. In Mexico City, the most exclusive residential areas in the upscale Santa Fe District are accessible only by helicopter and private gated roads. In Johannesburg, a surreal drive through the exclusive Sandton City area reveals rows of mansions that appear as military compounds, with private armed towers and electrical and barbed-wire fences. In Cairo, I toured satellite cities ringing the impoverished center and inner suburbs where the country's elite could live out their aspirations and fantasies. They sport gated residential complexes with spotless green lawns, private leisure and shopping centers and English-language international schools under the protection of military checkpoints and private security police. In other cities, green zoning is subtler but no less effective. In Los Angeles, where I live, the freeway system now has an express lane reserved for those that can pay an exorbitant toll. On this lane, the privileged speed by, while the rest remain one lane over, stuck in the city's notorious bumper-to-bumper traffic -- or even worse, in notoriously underfunded and underdeveloped public transportation, where it may take half a day to get to and from work. There is no barrier separating this express lane from the others. However, a near-invisible closed surveillance system monitors every movement. If a vehicle without authorization shifts into the exclusive lane, it is instantly recorded by this surveillance system and a heavy fine is imposed on the driver, under threat of impoundment, while freeway police patrols are ubiquitous. Outside of the global green zones, warfare and police containment have become normalized and sanitized for those not directly at the receiving end of armed aggression. "Militainment" -- portraying and even glamorizing war and violence as entertaining spectacles through Hollywood films and television police shows, computer games and corporate "news" channels -- may be the epitome of sadistic capitalism. It desensitizes, bringing about complacency and indifference. In between the green zones and outright warfare are prison industrial complexes, immigrant and refugee repression and control systems, the criminalization of outcast communities and capitalist schooling. The omnipresent media and cultural apparatuses of the corporate economy, in particular, aim to colonize the mind -- to undermine the ability to think critically and outside the dominant worldview. A neofascist culture emerges through militarism, extreme masculinization, racism and racist mobilizations against scapegoats. 4) We are reaching limits to the extensive expansion of capitalism. Capitalism is like riding a bicycle: When you stop pedaling the bicycle, you fall over. If the capitalist system stops expanding outward, it enters crisis and faces collapse. In each earlier structural crisis, the system went through a new round of extensive expansion -- from waves of colonial conquest in earlier centuries, to the integration in the late 20th and early 21st centuries of the former socialist countries, China, India and other areas that had been marginally outside the system. There are no longer any new territories to integrate into world capitalism. Meanwhile, the privatization of education, health care, utilities, basic services and public land are turning those spaces in global society that were outside of capital's control into "spaces of capital." Even poverty has been turned into a commodity. What is there left to commodify? Where can the system now expand? With the limits to expansion comes a turn toward militarized accumulation -- making wars of endless destruction and reconstruction and expanding the militarization of social and political institutions so as to continue to generate new opportunities for accumulation in the face of stagnation. 5) There is the rise of a vast surplus population inhabiting a "planet of slums," alienated from the productive economy, thrown into the margins and subject to these sophisticated systems of social control and destruction. Global capitalism has no direct use for surplus humanity. But indirectly, it holds wages down everywhere and makes new systems of 21st century slavery possible. These systems include prison labor, the forced recruitment of miners at gunpoint by warlords contracted by global corporations to dig up valuable minerals in the Congo, sweatshops and exploited immigrant communities (including the rising tide of immigrant female caregivers for affluent populations). Furthermore, the global working class is experiencing accelerated "precariatization." The "new precariat" refers to the proletariat that faces capital under today's unstable and precarious labor relations -- informalization, casualization, part-time, temp, immigrant and contract labor. As communities are uprooted everywhere, there is a rising reserve army of immigrant labor. The global working class is becoming divided into citizen and immigrant workers. The latter are particularly attractive to transnational capital, as the lack of citizenship rights makes them particularly vulnerable, and therefore, exploitable. The challenge for dominant groups is how to contain the real and potential rebellion of surplus humanity, the immigrant workforce and the precariat. How can they contain the explosive contradictions of this system? The 21st century megacities become the battlegrounds between mass resistance movements and the new systems of mass repression. Some populations in these cities (and also in abandoned countryside) are at risk of genocide, such as those in Gaza, zones in Somalia and Congo, and swaths of Iraq and Syria. 6) There is a disjuncture between a globalizing economy and a nation-state-based system of political authority. Transnational state apparatuses are incipient and do not wield enough power and authority to organize and stabilize the system, much less to impose regulations on runaway transnational capital. In the wake of the 2008 financial collapse, for instance, the governments of the G-8 and G-20 were unable to impose transnational regulation on the global financial system, despite a series of emergency summits to discuss such regulation.

#### The alternative is to engage in anticapitalism, an act of radical resistance grounded in grassroots movements. Anticapitalism does not represent an unattainable utopia but challenges common myths about capitalism as a whole.

Rogers 14 (Chris Rogers, author, *Capitalism and Its Alternatives: A Critical Introduction*, Zed Books, 2014. ProQuest Ebook Central, <https://ebookcentral-proquest-com.proxy.lib.umich.edu/lib/umichigan/detail.action?docID=1758713>.) AM

*A note on terminology* The book will draw on four core concepts. The first of these is capitalism. The term capitalism is used throughout the book to refer to the prevailing form of social organization. While acknowledging that the ways in which capitalism operates and the implications of these operations are contested, this book defines capital­ ism in terms of one commonly accepted distinguishing feature: that capitalism is a system that organizes the production, distribution and exchange of goods, on the basis of private property, with a view to realizing profit and therefore increasing wealth. The second term is alternative capitalism, which is used to describe a system where the capitalistic relationship between state and market is re-regulated, but not fundamentally reformed, in order to try to produce optimal social and economic outcomes. The aim of an alternative capitalism is to maximize wealth and profit by introducing a different structure of rules to govern capitalism. The third concept is that of an alternative to capitalism. An alternative to capitalism is distinct from capitalism because it places an emphasis on social and civic goals, rather than purely focusing on pecuniary gain. In contrast to capitalism, an alternative to capitalism is founded on collective or community property rights, rather than individual property rights, although the form and extent of collective or community property rights may vary. Where the book is referring to either an alternative capitalism or an alternative to capitalism, it uses the form ‘alternative (to) capitalism’. The final concept the book uses is anti-capitalism. It uses the term anti-capitalism to refer to the act of resisting capitalism, whether this occurs by attempting to influence the state, taking control of the state, or actions taken independently or outside of the state. An individual who pursues or wishes to pursue an alternative to capitalism can therefore be described as an anti-capitalist.

Traditions of Resistance   
In its consideration of capitalism and its alternatives, this book accepts that it is possible to perceive capitalism and its con­ sequences in different ways. Furthermore, it acknowledges that the way in which capitalism and its consequences are perceived will have a fundamental impact on whether people deem capitalism to be desirable, whether they would prefer an alternative capitalism or an alternative to capitalism, and therefore whether they believe that it is important and worthwhile engaging in resistance to capitalism through the social act of anti-capitalism. However, the central argument of this book is that **capitalism displays intrinsic tendencies towards crisis that make an alternative to capitalism desirable, and so justifies anti-capitalist action**. In doing so, it argues that capitalism is a product of social interaction between people, and that it is remade or resisted through our social action. This ­emphasis on social constitution challenges common assertions about the inevitability of capitalist logic, and in the process shows that the prospect of realizing an alternative to capitalism is more than wishful thinking. In its discussions of alternatives to capitalism, however, this book guards against thinking of alternative forms of social organization as outcomes or utopias. Rather, it shows how various forms of alternative social and economic organization have shown a tendency to degenerate over time, or to reproduce injustices of capitalist social relations. It therefore suggests that **alternatives to capitalism should be thought of as processes that need to be continually made and remade if they are not to degenerate or reproduce the injustices of capitalist social relations, and if desirable outcomes are to be realized**. Reflecting the book’s emphasis on the social constitution of economy and society, it rejects ‘top-down’ attempts to impose an alternative to capitalism by political means, and argues that anticapitalist action should take a ‘bottom-up’ form, which requires democratic and pluralistic experimentation with different models of social and economic organization to expand the space in which non-capitalist activity takes place.

The arguments of the book therefore fit with a long tradition of anti-capitalist resistance. One of the most well-known instances of this kind of resistance was the insurrections of 1968, typified by the student revolts in Paris in May of that year. However, as Michael Watts (2001: 167) noted, the events of 1968 were far more than a local phenomenon; over seventy countries ‘had major student ­ actions during that year [and between] October 1967 and July 1968 there were over 2000 incidents worldwide of student protest alone’. Furthermore, it was not just students engaged in the act of protest, the act of anti-capitalism. According to Watts’ (ibid.: 167) study, ‘if one were to add the related worker and other nonstudent demonstrations each country in the world would, on average, have had over 20 “incidents” over the nine-month period’. Nor was the substance of the protest uniform; 1968 had what Watts (ibid.: 171– 2) has described as its Eastern, Western and Southern moments. In the first, typified by the Prague Spring and the Cultural Revolution in China, the focus of protests was anti-bureaucratic, and directed against the ‘Old Left’ and the corruption people perceived in it. In the second, typified by student protests in Paris and Berkeley, the focus of protests was opposition to consumerism and the pursuit of civil and social rights. In the third, the focus was the rejection of authority in the first generation of independent states in Africa and Latin America, where military dictatorship had displaced democratic rule.

Luc Boltanski (2002: 6) also highlights the diversity of the 1968 movement by distinguishing between its social and artistic critiques, where the former focused on inequality and poverty stemming from capitalism, and the latter on liberation, individual autonomy and authenticity. Michael Löwy (2002: 95) links this distinction between the social and artistic critique of capitalism to romanticism, which he defines as ‘rebellion against modern capitalist society, in the name of past or premodern social and cultural values, as a protest against the modern disenchantment of the world’. Therefore, the significance of 1968 can be seen not just across space, but also as a reflection of long-established traditions of resistance to prevailing social, political and economic forms or organization. On such readings, the events of 1968 can be interpreted as a demonstration of long-standing anti-capitalist feeling that rested on a critique of the world we live in and the injustices it creates, and in turn motivated action in order to try to address them.

## 3

### 1nc – da

#### Robust Jordanian IPR is the bedrock for the US-Jordan FTA agreement and military and humanitarian aid

El Said 12 — (Mohammed El Said, “The Morning After: TRIPS-Plus, FTAs and Wikileaks - Fresh Insights on the Implementation and Enforcement of IP Protection in Developing Countries”, 2012, https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1027&context=research, accessed 10-1-2021, HKR-AR)//Brackets in original article

This, however, was not the end of the story. Subsequent cables show a high level of persistence and determination in U.S. efforts to enforce its intellectual property related demands. As Jordan was expected to comply with its TRIPS-Plus FTA obligations, shortly after the signing of the FTA, an opportunity arose. To ensure full compliance, **the United States tied intellectual property legislative (including copyright) reform to its promise of much needed financial and economic assistance**. Accordingly, amendments to the national copyright legislation were reviewed, as part of the USAID-sponsored ''conditions precedent.' This exercise was tied to aidrelated cash transfers, making it clear that it is only when legislative changes were undertaken would economic assistance be provided.78 As a result, on March 31, 2005, a new FTA-compliant copyright law containing several TRIPS-Plus conditions was published in the official gazette.

One would think that the amendment to the copyright law would suffice, thereby bringing the issue to an end. Unfortunately, this was not the case. The cables, once again, reveal ongoing monitoring and surveillance, aimed towards ensuring a high level of enforcement and compliance with the new copyright law. In addition, the cables identified other weak enforcement procedures and measures which, from the U.S. point of view, required reform. In 2005, the U.S. embassy in Amman reported that ―[w]ithin days of the [copyright] law's publication, the enforcement unit based in the National Library conducted raids on 40 to 50 shops along Amman's Garden Street.‖ 79 The cable also stated that the raids were directed towards software piracy activities, in which pirated software was confiscated and infringers were referred for prosecution, in accordance with the new copyright law. The cable affirmed a desire to ensure compliance and expressed fears about the weakness of penalties imposed upon infringers, stating that the U.S. ―will attempt to follow these cases through the courts to identify and report strengths or weaknesses of the enforcement system.‖ 80 Interestingly, the same cable shows some frustration with the judiciary's lack of enthusiasm for laying down severe penalties against the infringers; it argued for the need to send a clearer message that ―crime does not pay.‖ 81 As more awareness and training were needed to ensure proper enforcement, the National Library, with the assistance of USAID, was to launch a public campaign on intellectual property awareness and enforcement in the country. A key aim of the campaign would be to ―convince the judiciary to enforce the new penalties available under the Copyright Law.‖ 82 The cable clearly identified the judiciary as the next institution to be targeted in its quest for stricter intellectual property enforcement.

By observing global developments, it becomes evident that these national discussions were not isolated from those taking place internationally. In 2009, the IIPA submitted to the USTR a Special Mention report on Jordan, highlighting some of the main areas of concern (some of which were already included under the U.S.-Jordan FTA). These areas included:83 Anti-Circumvention and Technological Protection Measures (―TPMs‖), Appropriately Narrow Exceptions and Limitations. Compensatory Damages. Deterrent Statutory Maximum Fines. Seizure of Documentary Evidence. Ex Officio Enforcement Authority. Presumptions of Ownership and Subsistence of Copyright. Fixing Provision Allowing Alteration of Features in Seized Materials, Which Impinges on Exclusive Adaptation Right. Customs/Border Provisions.

Unsurprisingly, most of these issues, which were raised at the domestic level in Jordan, were discussed and later included in the highly controversial Anti-Counterfeiting Trade Agreement (ACTA) in 2011. 84

VII. OURS VS. THEIRS

One of the interesting insights the cables reveal is the relationship between the major players (mainly the E.U. and U.S.) and the processes by which each perceives and monitors the other's initiatives in developing countries. Although competing interests may dictate different strategies and approaches, both the E.U. and the U.S. are united in their vision for raising the levels of intellectual property protection globally, through various means including bilateral free trade and association agreements.85

Although Jordan signed an Association Agreement with the E.U. back in 1997, before inking an FTA with the U.S. in 2001, it took five years to get the E.U. agreement ratified. Quipping about such a slow process, a 2002 U.S. Embassy Cable highlights the slowness and weakness of the E.U. Association Agreement (AA), which contains mild intellectual property obligations in comparison to those in the U.S. FTAs. In the cable, U.S. officials brushed away fears about its impact, by stating that the E.U. Agreement ―does little for Jordan's Economy‖ and that the long ratification process had, in fact, ―frustrated Jordan and embarrassed the E.U. diplomats [t]here.‖ 86

At the same time, the cables highlight the U.S.‘s real concern regarding the E.U.-Jordan AA: its fear of the E.U.‘s attempt to bring Jordan and other partner countries in the region in line with the E.U.'s position on a number of global issues currently subject to international debate. These issues included labeling, Genetically Modified Organisms (GMO's), Sanitary Phytosanitary SPS measures, and other similar issues in the WTO. The cable concludes that the U.S. Embassy in Amman will ―continue to monitor these efforts, and to work closely with the [Government of Jordan] to ensure it maintains its close partnership with the U.S. on central WTO issues.‖ 87

Once again, this example shows the close and detailed monitoring carried out by the U.S., with respect developing countries' interactions with other global players. It uncovers deliberate U.S. aspirations and efforts to restore the balance in its favor, thus preventing other major players from molding and influencing developing countries‘ position under the international framework.

VIII. THE FTAS CLUB

The cables further uncover a global aspiration that the U.S. aims to achieve by linking its FTA partnerships. Accordingly, the U.S. is using its FTAs to form alliances and groups that would support its positions globally. This vision is not confined to the U.S.; the E.U. attempts to achieve a similar outcome in the Arab World through its Barcelona Process and the subsequent association agreements it has signed with a number of Arab States. However, the U.S. position is unique, as a result of the politics and techniques it adopts in order to achieve that goal.

Back in 2003, a U.S. Embassy cable reported that Singapore's Trade Minister had passed a letter to the King of Jordan during the World Economic Forum, hosted in Jordan, proposing an FTA between Jordan and Singapore.88 Although an agreement of this nature would seem a natural progression of the relationship between both countries as a result of Singapore‘s historical good relations with the region and its Muslim community, one must take note of the U.S. role in steering the two countries towards a closer relationship. Notably, both countries had just signed an FTA with the U.S. Thus, the question arises as to where the idea of the Singapore-Jordan FTA originated.

The cable states that a senior Singaporean trade official had told Singapore's acting political and economic counsel that the Middle East is ―an important region, but one where Singapore's economic engagement has been minimal.‖ 89 The cable goes further, indicating that the idea of the Singapore-Jordan FTA had ―initially been raised by then USTR Barshefsky, when the U.S. and Singapore were planning to use the U.S.-Jordan FTA as a model for the U.S.-Singapore FTA.‖ 90 Shortly thereafter, in 2004, the Jordan-Singapore FTA was signed.

The recent release of U.S. Department of State Cables provided us with a rare opportunity to view the back-door initiatives and discussions involved in shaping and regulating intellectual property between developed and developing countries through the use of FTAs. From the U.S. position, this represents a historical continuation of previous initiatives aimed towards raising the levels of intellectual property rights globally. These efforts have been carried out with little consideration for **other countries‘ interests**. Remarks made by President in Obama in 2010 suggest that this policy will continue with the same vigor in the near future:91

**What‘s more, we‘re going to aggressively protect our intellectual property. Our single greatest asset is the innovation and the ingenuity and creativity of the American people.** It is essential to our prosperity and it will only become more so in this century. But it‘s only a competitive advantage if our companies know that someone else can‘t just steal that idea and duplicate it with cheaper inputs and labor. There‘s nothing wrong with other people using our technologies, we welcome it—we just want to make sure that it‘s licensed, and that American businesses are getting paid appropriately. **That‘s why USTR [the United States Trade Representative] is using the full arsenal of tools available to crack down on practices that blatantly harm our businesses, and that includes negotiating proper protections and enforcing our existing agreements,** and moving forward on new agreements, including the proposed AntiCounterfeiting Trade Agreement.

It is unlikely that this aggressive trend related to intellectual property enforcement in developing countries will undergo significant change. On January 24, 2012, in his State of the Union Speech, President Obama promised additional measures and assured American industries of the U.S. position in protecting its interest, by stating:92

It's not right when another country lets our movies, music, and software be pirated... Tonight, I'm announcing the creation of a Trade Enforcement Unit that will be charged with investigating unfair trade practices.... There will be more inspections to prevent counterfeit or unsafe goods from crossing our borders.

#### Private sector lobbying and interest is alone enough to suspend US funding and collaboration with Jordan

El Said 12 — (Mohammed El Said, “The Morning After: TRIPS-Plus, FTAs and Wikileaks - Fresh Insights on the Implementation and Enforcement of IP Protection in Developing Countries”, 2012, https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1027&context=research, accessed 10-1-2021, HKR-AR)//Brackets in original article

The key players representing the United States‘ private sector interests include a number of historically well-established and organized business groups and associations. For instance, both the Business Software Alliance (BSA)19 and the International Intellectual Property Alliance (IIPA)20 have been vocal in their push for strengthened copyright protection in Jordan. Meanwhile, the Pharmaceutical Research and Manufacturers of America (PhRMA)21 continues their pursuance of higher levels of intellectual property protection in the area of pharmaceutical patents in the country. These business groups and associations are also supported by their **local representatives**, agents, and networks of contacts.

Unsurprisingly, these business associations were also the most vocal advocates and enthusiasts for inclusion of strong provisions for intellectual property protection—through the implementation of the TRIPS Agreement—during the Uruguay Round of Trade Negotiations. The Uruguay Round lasted from 1986-1994 and culminated in the birth of the WTO. **Their efforts were highly influential in lobbying the United States government to include intellectual property protection in the negotiations agenda and in pressuring other developing countries to implement higher levels of intellectual property protection.** Commenting on the role of such groups, Sell explains:

These private actors were in a good position in so far as they represented vigorous export industries that enjoyed positive balances... They were able to present their industries as part of the solution to America's trade woes, as opposed to being part of the problem. They successfully argued that foreign pirates, particularly in East Asia and Latin America, were robbing them of hard-earned royalties. They pushed hard for a trade-based approach to IP protection.22

Today, these same players continue to pursue a ―maximalist‖ approach to intellectual property and pressure the U.S. government to pursue higher levels of intellectual property protection and enforcement in developing countries. Just as in the economic crises of the 1970s, U.S. industry representatives today present intellectual property a cure for present day economic woes and financial crises.23

Several American governmental agencies and bodies also constitute key players, given their ability to provide official coverage and exercise political clout and economic leverage. The U.S. Embassy in Amman, which often acts as a medium in interactions involving U.S. players and stakeholders; the Office of the United States Trade Representative (USTR); the United States Agency for International Development (USAID) and its AMIR Program in Jordan; and the United States Patent and Trademark Office (USPTO) appear to be the most active and persevering agencies in the push for higher intellectual property protection and enforcement. 24 Other agencies and private bodies are periodically called upon to step in and provide legal review or technical training and advice. These include the United States Food and Drug Authority (USFDA), the Customs and Border Protection (CBP), the Immigration and Customs Enforcement (ICE), and the Library of the United States Congress (LOC). In addition, a number of local representatives of large U.S. Multinational Enterprises (MNEs) such as Microsoft, Caterpillar, and Chrysler, and other industry representatives also attended and actively participated in a number of workshops and seminars focusing on intellectual property protection and enforcement in Jordan.

On the other hand, the cables clearly reveal inadequate levels of representation from Jordanian enterprises, agencies, and corporations in developing intellectual property provisions. In a situation often prevalent in developing and Arab countries, the Jordanian position is generally ―responsive‖ with regard to intellectual property protection. 25 Consequently, the limited and sometimes targeted participation may be confined to a small number of agencies and/or ministries when discussions on intellectual property ensue. The main players from the Jordanian side feature the Ministry of Industry and Trade, the official authority entrusted with managing industrial property protection in the country; the National Library, the authority concerned with copyright and neighboring rights protection, which is part of the Ministry of Culture; and the Jordan Food and Drug Administration (JFDA), an agency mainly concerned with granting marketing authorizations for drugs and pharmaceutical products in the country that is affiliated with the Jordanian Ministry of Health.

In addition, other agencies, officials, and individuals are called upon in cases where procedural or administrative issues persist, where additional enforcement levels are sought, or where technical and legal training and advice are offered.26 Of these, one can identify the Jordan Institute for Standards and Metrology (JISM), the Jordan Customs Department (JCD), and the judiciary as recurring players. Unlike the United States‘ private sector business groups, local business groups are fragmented and seem to have limited presence and influence over the intellectual property policies of the government in Jordan. On occasion, some local businesses even align their business interests with those of their American counterparts.27

Overall, the dynamics of the relationship between these stakeholders and representatives (both from the United States and Jordan) reflect a general pattern of encouragement and collaboration where positions are unified.28 **When positions are not, criticism is often associated with suspension—or threat of suspension—of funds from the U.S. side as a stick mechanism**.

#### FTA agreement proves weakening IPR and reversing clauses without joint resolution abdicates the sanctity of the agreement

USTR 00’ — (United States Trade Representative, Available Online at https://ustr.gov/sites/default/files/Jordan%20FTA.pdf, accessed 10-1-2021, HKR-AR)

22. Pursuant to Article 39.3 of TRIPS, each Party, when requiring, as a condition of approving the marketing of pharmaceutical or of agricultural chemical products that utilize new chemical entities,10 the submission of undisclosed test or other data, or evidence of approval in another country,11 the origination of which involves a considerable effort, shall protect such information against unfair commercial use. In addition, each Party shall protect such information against disclosure, except where necessary to protect the public, or unless steps are taken to ensure that the information is protected against unfair commercial use.

It is understood that protection for “new chemical entities” shall also include protection for new uses for old chemical entities for a period of three years.

It is understood that, in situations where there is reliance on evidence of approval in another country, Jordan shall at a minimum protect such information against unfair commercial use for the same period of time the other country is protecting such information against unfair commercial use.

23. With respect to pharmaceutical products that are subject to a patent: (a) each Party shall make available an extension of the patent term to compensate the patent owner for unreasonable curtailment of the patent term as a result of the marketing approval process. (b) the patent owner shall be notified of the identity of any third party requesting marketing approval effective during the term of the patent.

Enforcement of Intellectual Property Rights

It is understood that protection for “new chemical entities” shall also include protection for new uses for old chemical entities for a period of three years.

24. Each Party shall provide that, at least in cases of knowing infringement of trademark, copyright and related rights, its judicial authorities shall have the authority to order the infringer to pay the right holder damages adequate to compensate for the injury the right holder has suffered as a result of the infringement and any profits of the infringer that are attributable to the infringement that are not taken into account in computing such damages. Injury to the right holder shall be based upon the value of the infringed-upon item, according to the suggested retail price of the legitimate product, or other equivalent measures established by the right holder for valuing authorized goods. 25. Each Party shall ensure that its statutory maximum fines are sufficiently high to deter future acts of infringement with a policy of removing the monetary incentive to the infringer, and shall provide its judicial and other competent authorities the authority to order the seizure of all suspected pirated copyright and counterfeit trademark goods and related implements the predominant use of which has been in the commission of the offense, and documentary evidence. 26. Each Party shall provide, at least in cases of copyright piracy or trademark counterfeiting, that its authorities may initiate criminal actions and border measure actions ex officio, without the need for a formal complaint by a private party or right holder. 27. In civil cases involving copyright or related rights, each Party shall provide that the natural person or legal entity whose name is indicated as the author, producer, performer or publisher of the work, performance or phonogram in the usual manner shall, in the absence of proof to the contrary, be presumed to be the designated right holder in such work, performance or phonogram. It shall be presumed, in the absence of proof to the contrary, that the copyright or related right subsists in such subject matter. Such presumptions shall pertain in criminal cases until the defendant comes forward with credible evidence putting in issue the ownership or subsistence of the copyright or related right. 28. Each Party shall provide that copyright piracy involving significant willful infringements that have no direct or indirect motivation of financial gain shall be considered willful copyright piracy on a commercial scale. Transition Periods 29. Each Party shall implement fully the obligations of this Article within the following time periods: (a) With respect to all obligations in paragraphs 1(c), 1(d), and 10 through 16, two years from the date of entry into force of this Agreement. In addition, Jordan agrees to accede to and ratify the WCT and WPPT within two years from the date of entry into force of this Agreement. (b) With respect to all obligations in paragraph 1(b), six months from the date of entry into force of this Agreement. In addition, Jordan agrees to ratify the UPOV Convention within one year from the date of entry into force of this Agreement. (c) With respect to all obligations in paragraph 22, except the obligation in footnote 10, immediately from the date of entry into force of this Agreement. (d) With respect to all obligations under this Article not referenced in subparagraphs (a), (b) and (c), three years from the date of entry into force of this Agreement. ARTICLE 5: ENVIRONMENT 1. The Parties recognize that it is inappropriate to encourage trade by relaxing domestic environmental laws. Accordingly, each Party shall strive to ensure that it does not waive or otherwise derogate from, or offer to waive or otherwise derogate from, such laws as an encouragement for trade with the other Party. 2. Recognizing the right of each Party to establish its own levels of domestic environmental protection and environmental development policies and priorities, and to adopt or modify accordingly its environmental laws, each Party shall strive to ensure that its laws provide for high levels of environmental protection and shall strive to continue to improve those laws. 3. (a) A Party shall not fail to effectively enforce its environmental laws, through a sustained or recurring course of action or inaction, in a manner affecting trade between the Parties, after the date of entry into force of this Agreement. (b) The Parties recognize that each Party retains the right to exercise discretion with respect to investigatory, prosecutorial, regulatory, and compliance matters and to make decisions regarding the allocation of resources to enforcement with respect to other environmental matters determined to have higher priorities. Accordingly, the Parties understand that a Party is in compliance with subparagraph (a) where a course of action or inaction reflects a reasonable exercise of such discretion, or results from a bona fide decision regarding the allocation of resources. 4. For purposes of this Article, “environmental laws” mean any statutes or regulations of a Party, or provision thereof, the primary purpose of which is the protection of the environment, or the prevention of a danger to human, animal, or plant life or health, through: (a) the prevention, abatement or control of the release, discharge, or emission of pollutants or environmental contaminants; (b) the control of environmentally hazardous or toxic chemicals, substances, materials and wastes, and the dissemination of information related thereto; or (c) the protection or conservation of wild flora or fauna, including endangered species, their habitat, and specially protected natural areas in the Party's territory, but does not include any statutes or regulations, or provision thereof, directly related to worker safety or health. ARTICLE 6: LABOR 1. The Parties reaffirm their obligations as members of the International Labor Organization (“ILO”) and their commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up. The Parties shall strive to ensure that such labor principles and the internationally recognized labor rights set forth in paragraph 6 are recognized and protected by domestic law. 2. The Parties recognize that it is inappropriate to encourage trade by relaxing domestic labor laws. Accordingly, each Party shall strive to ensure that it does not waive or otherwise derogate from, or offer to waive or otherwise derogate from, such laws as an encouragement for trade with the other Party. 3. Recognizing the right of each Party to establish its own domestic labor standards, and to adopt or modify accordingly its labor laws and regulations, each Party shall strive to ensure that its laws provide for labor standards consistent with the internationally recognized labor rights set forth in paragraph 6 and shall strive to improve those standards in that light. 4. (a) A Party shall not fail to effectively enforce its labor laws, through a sustained or recurring course of action or inaction, in a manner affecting trade between the Parties, after the date of entry into force of this Agreement. (b) The Parties recognize that each Party retains the right to exercise discretion with respect to investigatory, prosecutorial, regulatory, and compliance matters and to make decisions regarding the allocation of resources to enforcement with respect to other labor matters determined to have higher priorities. Accordingly, the Parties understand that a Party is in compliance with subparagraph (a) where a course of action or inaction reflects a reasonable exercise of such discretion, or results from a bona fide decision regarding the allocation of resources. 5. The Parties recognize that cooperation between them provides enhanced opportunities to improve labor standards. The Joint Committee established under Article 15 shall, during its regular sessions, consider any such opportunity identified by a Party. 6. For purposes of this Article, “labor laws” means statutes and regulations, or provisions thereof, that are directly related to the following internationally recognized labor rights: (a) the right of association; (b) the right to organize and bargain collectively; (c) a prohibition on the use of any form of forced or compulsory labor; (d) a minimum age for the employment of children; and (e) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health. ARTICLE 7: ELECTRONIC COMMERCE 1. Recognizing the economic growth and opportunity provided by electronic commerce and the importance of avoiding barriers to its use and development, each Party shall seek to refrain from: (a) deviating from its existing practice of not imposing customs duties on electronic transmissions; (b) imposing unnecessary barriers on electronic transmissions, including digitized products; and (c) impeding the supply through electronic means of services subject to a commitment under Article 3 of this Agreement, except as otherwise set forth in the Party’s Services Schedule in Annex 3.1. 2. The Parties shall also make publicly available all relevant laws, regulations, and requirements affecting electronic commerce. 3. The Parties reaffirm the principles announced in the U.S.-Jordan Joint Statement on Electronic Commerce. ARTICLE 8: VISA COMMITMENTS 1. Subject to its laws relating to the entry, sojourn and employment of aliens, each Party shall permit to enter and to remain in its territory nationals of the other Party solely to carry on substantial trade, including trade in services or trade in technology, principally between the Parties. 2. Subject to its laws relating to the entry, sojourn and employment of aliens, each Party shall permit to enter and to remain in its territory nationals of the other Party for the purpose of establishing, developing, administering or advising on the operation of an investment to which they, or a company of the other Party that employs them, have committed or are in the process of committing a substantial amount of capital or other resources.12 ARTICLE 9: GOVERNMENT PROCUREMENT Pursuant to Jordan’s July 12, 2000, application for accession to the WTO Agreement on Government Procurement, the Parties shall enter into negotiations with regard to Jordan’s accession to that Agreement. ARTICLE 10: SAFEGUARD MEASURES 1. If as a result of the reduction or elimination of a duty13 under this Agreement, an originating good of the other Party is being imported into the territory of a Party in such increased quantities, in absolute terms or relative to domestic production, and under such conditions that the imports of such good from the other Party constitute a substantial cause of serious injury, or threat thereof, to a domestic industry producing a like or directly competitive product, such Party may: (a) suspend the further reduction of any rate of duty provided for under this Agreement for the good; or (b) increase the rate of duty on the good to a level not to exceed the lesser of (i) the most-favored-nation (MFN) applied rate of duty in effect at the time the measure is taken; and (ii) the MFN applied rate of duty in effect on the day immediately preceding the date of entry into force of this Agreement; or (c) in the case of a duty applied to a good on a seasonal basis, increase the rate of duty to a level not to exceed the lesser of the MFN applied rate of duty that was in effect on the good for the immediately preceding corresponding season or the date of entry into force of this Agreement. 2. The following conditions and limitations shall apply to a measure described in paragraph 1: (a) a Party shall take the measure only following an investigation by the competent authorities of such Party in accordance with Articles 3 and 4.2(c) of the WTO Agreement on Safeguards; and to this end, Articles 3 and 4.2(c) of the WTO Agreement on Safeguards are incorporated into and made a part of this Agreement, mutatis mutandis; (b) in the investigation described in subparagraph (a), a Party shall comply with the requirements of Article 4.2(a) of the WTO Agreement on Safeguards; and to this end, Article 4.2(a) is incorporated into and made a part of this Agreement, mutatis mutandis; (c) a Party shall notify the other Party upon initiation of an investigation described in subparagraph (a) and shall consult with the other Party prior to taking the measure; and, if a Party takes a provisional measure pursuant to paragraph 3, the Party shall also notify the other Party prior to taking such measure, and shall initiate consultations with the other Party immediately after such measure is taken; (d) no measure shall be maintained: (i) except to the extent and for such time as may be necessary to prevent or remedy serious injury and to facilitate adjustment; (ii) for a period exceeding four years; or (iii) beyond the expiration of the transition period, except with the consent of the Party against whose originating good the measure is taken; (e) no measure may be applied against the same originating good on which a measure has previously been taken; (f) where the expected duration of the measure is over one year, the importing Party shall progressively liberalize it at regular intervals during the period of application; and (g) on termination of the measure, the rate of duty shall be the rate that, according to the Party’s schedule in Annex 2.1 to this Agreement, would have been in effect one year after initiation of the measure. Beginning on January 1 of the year following the termination of the action, the Party that has applied the measure shall: (i) apply the rate of duty set out in its schedule in Annex 2.1 to this Agreement as if the measure had never been applied; or (ii) eliminate the tariff in equal annual stages ending on the date corresponding to the staging category set out in its schedule in Annex 2.1 or its schedule to Annex 2.1. 3. In critical circumstances where delay would cause damage which it would be difficult to repair, a Party may take a measure described in paragraph 1(a), 1(b), or 1(c) on a provisional basis pursuant to a preliminary determination that there is clear evidence that imports from the other Party have increased as a result of the preferential treatment under this Agreement, and such imports constitute a substantial cause of serious injury, or threat thereof, to the domestic industry. The duration of such provisional measure shall not exceed 200 days, during which time the requirements of subparagraphs 2(a) and 2(b) shall be met. Any tariff increases shall be promptly refunded if the investigation described in subparagraph 2(a) does not result in a finding that the requirements of paragraph 1 are met. The duration of any provisional measure shall be counted as part of the period described in subparagraph 2(d). 4. The Party applying a measure described in paragraph 1 shall provide to the other Party mutually agreed trade liberalizing compensation in the form of concessions having substantially equivalent trade effects or equivalent to the value of the additional duties expected to result from the measure. If the Parties are unable to agree on compensation, the Party against whose originating good the measure is applied may take tariff action having trade effects substantially equivalent to the measure applied under this Article. The Party taking the tariff action shall apply the action only for the minimum period necessary to achieve the substantially equivalent effects. However, the right to take tariff action shall not be exercised for the first 24 months that the measure is in effect, provided that the measure has been applied as a result of an absolute increase in imports and that such a measure conforms to the provisions of this Article. 5. The Parties recognize that, because it has recently begun to produce a like or directly competitive product described in paragraph 1, an infant industry may face challenges that more mature industries do not encounter. Each Party shall ensure that the procedures described in paragraph 2 do not create obstacles to infant industries that seek the imposition of such measures. 6. At its regularly scheduled session for the year commencing 14 years after the date of entry into force of this Agreement, the Joint Committee shall conduct a review of the operation of this Article. Based on the results of this review and on the agreement of the Joint Committee, the transition period may be extended. 7. For purposes of this Article: domestic industry means the producers as a whole of the like or directly competitive product operating in the territory of a Party, or those whose collective output of the like or directly competitive products constitutes a major proportion of the total domestic production of those products; serious injury means a significant overall impairment of a domestic industry; substantial cause means a cause which is important and not less than any other cause; threat of serious injury means serious injury that, on the basis of facts and not merely on allegation, conjecture or remote possibility, is clearly imminent; and transition period means the 15-year period beginning on January 1 of the year following entry into force of this Agreement, except if such period is extended in accordance with paragraph 6 of this Article. 8. Each Party retains its rights and obligations under Article XIX of GATT 1994 and the WTO Agreement on Safeguards. This Agreement does not confer any additional rights or obligations on the Parties with regard to actions taken pursuant to Article XIX and the Agreement on Safeguards, except that a Party taking a safeguard measure under Article XIX and the Agreement on Safeguards may exclude imports of an originating good from the other Party if such imports are not a substantial cause of serious injury or threat thereof. ARTICLE 11: BALANCE OF PAYMENTS Should either Party decide to impose measures for balance of payments purposes, it shall do so in accordance with the Party’s obligations under the WTO Agreement. In adopting such measures, the Party shall strive not to impair the relative benefits accorded to the other Party under this Agreement. ARTICLE 12: EXCEPTIONS 1. For purposes of Article 2 of this Agreement, Article XX of GATT 1994 and its interpretative notes are incorporated into and made a part of this Agreement. The Parties understand that the measures referred to in GATT 1994 Article XX(b) include environmental measures necessary to protect human, animal or plant life or health, and that GATT 1994 Article XX(g) applies to measures relating to conservation of living and non-living exhaustible natural resources. 2. Nothing in this Agreement shall be construed: (a) to require any Party to furnish or allow access to any information the disclosure of which it determines to be contrary to its essential security interests; (b) to prevent any Party from taking any actions that it considers necessary for the protection of its essential security interests: (i) relating to the traffic in arms, ammunition and implements of war and to such traffic and transactions in other goods, materials, services and technology undertaken directly or indirectly for the purpose of supplying a military or other security establishment, (ii) taken in time of war or other emergency in international relations, or (iii) relating to the implementation of national policies or international agreements respecting the non-proliferation of nuclear weapons or other nuclear explosive devices; or (c) to prevent any Party from taking action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security. 3. Except as set out in this paragraph, nothing in this Agreement shall apply to taxation measures. (a) Nothing in this Agreement shall affect the rights and obligations of either Party under any tax convention. In the event of any inconsistency between this Agreement and any such convention, that convention shall prevail to the extent of the inconsistency. (b) Notwithstanding subparagraph (a), Article 2.3 and such other provisions of this Agreement as are necessary to give effect to Article 2.3 shall apply to taxation measures to the same extent as does Article III of the GATT 1994. (c) Notwithstanding subparagraph (a), the national treatment commitment under Article 3.2 shall apply to taxation measures to the same extent as under the GATS, and the national treatment commitment under Article 3.2(b) shall apply to taxation measures to the same extent as if the Party had made an identical national treatment commitment under Article XVII of the GATS. ARTICLE 13: ECONOMIC COOPERATION AND TECHNICAL ASSISTANCE To realize the objectives of this Agreement and to contribute to the implementation of its provisions: (a) the Parties declare their readiness to foster economic cooperation; and (b) in view of Jordan’s developing status, and the size of its economy and resources, the United States shall strive to furnish Jordan with economic technical assistance, as appropriate. ARTICLE 14: RULES OF ORIGIN AND COOPERATION IN CUSTOMS ADMINISTRATION 1. The Parties recognize that the rules regarding eligibility for the preferential tariff treatment afforded by this Agreement, as set out in Article 2 and Annex 2.2, are crucial to the functioning of this Agreement, and each Party shall strive to administer such rules effectively, uniformly, and consistently with the object and purpose of this Agreement and the WTO Agreement. 2. The Parties shall consult as appropriate, through the Joint Committee or through the consultative mechanism established in Article 16: (a) to agree upon the means to cooperate and provide administrative assistance to achieve the commitments in paragraph 1; and (b) to address situations pertaining to claims of preferential treatment under this Agreement for imported goods that do not satisfy the requirements in Annex 2.2. 3. The Parties, within 180 days after the entry into force of this Agreement, shall enter into discussions with a view to developing interpretative and explanatory materials on the implementation of Annex 2.2. ARTICLE 15: JOINT COMMITTEE 1. A Joint Committee is hereby established to supervise the proper implementation of this Agreement and to review the trade relationship between the Parties. 2. The functions of the Joint Committee shall include, inter alia: (a) reviewing the general functioning of this Agreement; (b) reviewing the results of this Agreement in light of the experience gained during its functioning and its objectives, and considering ways of improving trade relations between the Parties, and furthering the objectives of the Agreement, including through further cooperation and assistance; (c) facilitating the avoidance and settlement of disputes, including through consultations pursuant to Articles 17.1 (b) and 17.2 (a); (d) considering and adopting any amendment to this Agreement or modification to the commitments therein, provided that the adoption of such amendment or modification shall be subject to the domestic legal requirements of each Party; (e) developing guidelines, explanatory materials, and rules on the proper implementation of this Agreement, as necessary, and particularly: (i) guidelines and explanatory materials on the implementation of Annex 2.2, and (ii) rules for the selection and conduct of members of panels formed under Article 17, and model rules of procedure for such panels; (f) at its first meeting, discussing the review performed by each Party of the environmental effects of this Agreement. 3. Structure of the Joint Committee (a) The Joint Committee shall be composed of representatives of the Parties and shall be headed by (i) the United States Trade Representative and (ii) Jordan’s Minister primarily responsible for international trade, or their designees. (b) The Joint Committee may establish and delegate responsibilities to ad hoc and standing committees or working groups, and seek the advice of non-governmental persons or groups. 4. The Joint Committee shall convene at least once a year in regular session in order to review the general functioning of the Agreement. Regular sessions of the Joint Committee shall be held alternately in each country. Special meetings of the Joint Committee shall also be convened within 30 days at the request of either Party and shall be held in the territory of the other Party, except as the Parties may otherwise agree. The Joint Committee shall establish its own rules of procedure. All decisions of the Joint Committee shall be taken by consensus. 5. Recognizing the importance of transparency and openness, the Parties reaffirm their respective practices of considering the views of interested members of the public in order to draw upon a broad range of perspectives in the implementation of this Agreement. 6. Each Party shall designate an office to serve as the contact point with regard to this Agreement. That office shall receive official correspondence related to this Agreement and provide administrative assistance to the Joint Committee and to dispute settlement panels established under Article 17. ARTICLE 16: CONSULTATIONS 1. The Parties shall at all times endeavor to agree on the interpretation and application of this Agreement, and shall make every attempt to arrive at a mutually satisfactory resolution of any matter that might affect its operation. 2. Either Party may request consultations with the other Party with respect to any matter affecting the operation or interpretation of this Agreement. If a Party requests consultations with regard to a matter, the other Party shall afford adequate opportunity for consultations and shall reply promptly to the request for consultations and enter into consultations in good faith. ARTICLE 17: DISPUTE SETTLEMENT 1. (a) The Parties shall make every attempt to arrive at a mutually agreeable resolution through consultations under Article 17, whenever (i) a dispute arises concerning the interpretation of this Agreement; (ii) a Party considers that the other Party has failed to carry out its obligations under this Agreement; or (iii) a Party considers that measures taken by the other Party severely distort the balance of trade benefits accorded by this Agreement, or substantially undermine fundamental objectives of this Agreement. (b) A Party seeking consultations pursuant to subparagraph (a) shall submit a request for consultations to the contact point provided for under Article 15.6. If the Parties fail to resolve a matter described in subparagraph (a) through consultations within 60 days of the submission of such request, either Party may refer the matter to the Joint Committee, which shall be convened and shall endeavor to resolve the dispute. (c) If a matter referred to the Joint Committee has not been resolved within a period of 90 days after the dispute was referred to it, or within such other period as the Joint Committee has agreed, either Party may refer the matter to a dispute settlement panel. Unless otherwise agreed by the Parties, the panel shall be composed of three members: each Party shall appoint one member, and the two appointees shall choose a third who will serve as the chairman. (d) The panel shall, within 90 days after the third member is appointed, present to the Parties a report containing findings of fact and its determination as to whether either Party has failed to carry out its obligations under the Agreement or whether a measure taken by either Party severely distorts the balance of trade benefits accorded by this Agreement or substantially undermines the fundamental objectives of this Agreement. Where the panel finds that a Party has failed to carry out its obligations under this Agreement, it may, at the request of the Parties, make recommendations for resolution of the dispute. The report of the panel shall be non-binding. (e) (i) If the dispute settlement panel under this Agreement or any other applicable international dispute settlement mechanism under an agreement to which both Parties are Party has been invoked by either Party with respect to any matter, the mechanism invoked shall have exclusive jurisdiction over that matter. (ii) If a mechanism described in subparagraph (e)(i) fails for procedural or jurisdictional reasons to make findings of law or fact, as necessary, on a claim included in a matter with respect to which a Party has invoked such mechanism, subparagraph (e)(i) shall not be construed to prevent the Party from invoking another mechanism with respect to such claim. 2. (a) After a dispute has been referred to a dispute settlement panel under this Agreement and the panel has presented its report, the Joint Committee shall endeavor to resolve the dispute, taking the report into account, as appropriate. (b) If the Joint Committee does not resolve the dispute within a period of 30 days after the presentation of the panel report, the affected Party shall be entitled to take any appropriate and commensurate measure. 1. The Parties, within 180 days after the entry into force of this Agreement, shall enter into discussions with a view to developing rules for the selection and conduct of members of panels and Model Rules of Procedure for panels. The Joint Committee shall adopt such rules. Unless the Parties otherwise agree, a panel established under this Article shall conduct its proceedings in accordance with the Model Rules of Procedure. 4. (a) A Party may invoke a panel under paragraph 1(c) of this Article for claims arising under Article 3 only to the extent that a claim arises with regard to a commitment that is inscribed in the Party’s Services Schedule to Annex 3.1 to this Agreement, but is not inscribed in the Party’s schedule of specific commitments annexed to the GATS. Such commitment may include a market access or national treatment commitment in a sector, a horizontal commitment applicable to a sector, or additional commitment. (b) Except as otherwise agreed by the Parties, a Party may invoke a panel under paragraph 1(c) of this Article for claims arising under Article 4 only to the extent that the same claim would not be subject to resolution through the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes. (c) If a dispute involves both a claim described in subparagraph (a) or (b) and another claim, subparagraph 1(e) shall not prevent a Party from invoking another international dispute settlement mechanism with regard to such other claim. Nothing in this subparagraph shall allow a Party to invoke the dispute settlement mechanism of both this Article and another international dispute settlement mechanism with regard to the same claim. ARTICLE 18: MISCELLANEOUS PROVISIONS 1. Neither Party may provide for a right of action under its domestic law against the other Party on the ground that a measure of the other Party is inconsistent with this Agreement. 2. For purposes of Articles 5 and 6, “statutes and regulations” means, (a) with respect to Jordan, an act of the Jordanian Parliament, or by-law or regulation promulgated pursuant to an act of the Jordanian Parliament that is enforceable by action of the Government of Jordan; and (b) with respect to the United States, an act of the United States Congress or regulation promulgated pursuant to an act of the U.S. Congress that is enforceable, in the first instance, by action of the federal government. 3. The Annexes and Schedules to this Agreement are an integral part thereof. 4. All references in this Agreement to GATT 1994 are to the GATT 1994 in effect on the date of entry into force of this Agreement.

ARTICLE 19: ENTRY INTO FORCE AND TERMINATION

1. The entry into force of this Agreement is subject to the completion of necessary domestic legal procedures by each Party.

#### Military aid to Jordan is a standalone impact, which dampens Jordanian instability and solves global crises

Fishman and al-Omari 18 — (Ben Fishman and Ghaith al-Omari, Ben Fishman is a Senior Fellow in The Washington Institute's Geduld Program on Arab Politics. Ghaith al-Omari is a senior fellow in The Washington Institute's Irwin Levy Family Program on the U.S.-Israel Strategic Relationship.,“The Jordan Exception in U.S. Foreign Assistance“, Washington Institute, 3-7-2018, Available Online at https://www.washingtoninstitute.org/policy-analysis/jordan-exception-us-foreign-assistance, accessed 10-1-2021, HKR-AR)

The MOU outlines a new five-year, $6.375 billion commitment ($1.275 billion per year) beginning in fiscal year 2018 and ending in FY 2022—a $275 million annual increase over the previous three-year agreement. At a time when the Trump administration is cutting foreign assistance, Jordan remains among the top five recipients, along with Iraq, Afghanistan, Israel, and Egypt. The MOU pushes Jordan past Egypt's total aid for the first time, showing just how high Washington prioritizes the kingdom's continued stability.

At the same time, Jordan's budget remains in perennial debt, the population is changing with the continued refugee influx, and pressures at home and abroad pose an ongoing threat. The MOU therefore remains only one piece of the comprehensive policy required to support one of Washington's most stalwart allies in the Middle East.

HISTORY OF THE MOU

The latest MOU follows two others that covered FY 2009-2014 and FY 2015-2017. These are not legally binding documents, but they hold considerable symbolic value by emphasizing the enduring nature of U.S. strategic commitment to Jordan. They also help Amman plan for a minimum amount of assistance from the United States—an annual tally that has increased with each MOU, from $660 million to $1 billion and now $1.275 billion.

In addition to the baseline level of assistance laid out by the MOUs, Washington has provided supplemental funds for specific projects beyond the original allotment. For example, since 2013, the Defense Department has allocated an additional $100 million from its Cooperative Threat Reduction account to help install security barriers and detection equipment along Jordan's borders with Syria and Iraq, in part to watch for weapons of mass destruction. Similarly, the U.S. government has given several hundred million dollars since 2011 to help Jordan with its massive Syrian refugee population, funding projects implemented primarily by UN agencies and international NGOs. Washington also guaranteed $3.75 billion in loans in 2013-2015 (at a cost of $413 million to the United States), for which Jordan would not otherwise have qualified given its poor credit status. In other words, although the previous MOU specified $1 billion in annual assistance, the United States has actually provided closer to $1.5 billion in each of the past few years.

WHERE THE MONEY GOES

In general, U.S. foreign assistance is divided between Economic Support Funds (ESF) and Foreign Military Financing (FMF). Whereas assistance to some of Jordan's neighbors countries consists mainly of FMF (e.g., 100 percent in Israel's case, and 85 percent in Egypt since military aid was restored after the 2013 coup), Amman's aid package has evolved over the past decade from a near-even ESF/FMF split to a strong emphasis on economic assistance.

In that vein, the new MOU sets minimum annual ESF to Jordan at $750 million and FMF at $350 million, leaving a cushion of $175 million to be allocated where needed. This change signals the administration's assessment that existing support for the Jordan Armed Forces is adequate, and that the real threat to regional stability is economic volatility and pressure from the surge of Syrian refugees.

#### US-Jordan relationship key to prevent great power competition, resource wars, and a slew of existential threats

Carafano and Milstein 21 — (James Carafano and Adam Milstein, James Carafano is Vice President at the Kathryn and Shelby Cullom Davis Institute. Adam Milstein is Co-Founder of Israeli-American Council and Adam and Gila Milstein Family Foundation , “America Needs Jordan, Jordan Needs an Engaged America“, Heritage Foundation, 7-19-2021, Available Online at https://www.heritage.org/middle-east/commentary/america-needs-jordan-jordan-needs-engaged-america, accessed 10-1-2021, HKR-AR)

America can’t afford to squander key bilateral relations in the Middle East. Jordan would be near the top of any list of important partners. Recently, Jordan’s King Abdullah II and President Joe Biden had an upbeat meeting in Washington. But even better than smiles and handshakes would be a concerted action plan that better serves the interests of both nations.

The meeting suggests there is plenty of opportunity for that. Both sides should get to it.

While China demands an increasing amount of attention, the U.S. cannot afford to disengage from the Middle East. For one, the competition with China is global. If Washington reduces its focus and influence in the Middle East, Beijing will be happy to step into the gap. China is anxious to build out a hard-sphere of influence that will dominate routes of trade, resources, energy, food supplies, and markets from the Asian mainland to the heart of Europe. The Middle East is a piece that fits nicely into their new imperial puzzle.

The Greater Middle East is of inherently strategic importance to any global power. It is the “middle” of everything important to the globe—sea routes, energy supplies, commercial air travel and financial networks, capital flows, and migration routes.

No one benefits more from a stable, peaceful, and prosperous Greater Middle East more than the United States.

American influence in the region is built on the foundation of bilateral ties and military, economic, diplomatic, and security cooperation linkages. It’s a package deal. The ability to project both hard and soft power is what earns our partners’ respect.

Israel is America’s anchor in the region, the indispensable ally. But that’s never been enough. With no strategic depth, the U.S. benefits when Israel is surrounded by good neighbors. In turn, collective security and cooperation among them strengthens all of them—and that is a great benefit to the U.S.

Few nations in the region sit in a more strategic spot than Jordan. The profits of U.S.-Jordanian relations are long—from intelligence cooperation to serving as a critical mediator in the Israeli–Palestinian conflict and hosting a vast displaced population.

There is no question the U.S. values the relationship. “The United States is Jordan’s largest source of bilateral assistance,” notes Heritage Foundation analyst Nicole Robinson, “providing billions of dollars of aid over the years to strengthen Jordan’s military capabilities and aid Jordan’s ailing economy.” But if Jordan and the U.S. are going to work together to build a better Middle East, Washington will need to do more than just throw money at the problem.

Here is what rolling up the sleeves really looks like.

Jordan has few developed resources. It does, however, enjoy an important strategic position, significant human capital, and potential—albeit thus far untapped—energy reserves, and the capacity to develop renewable energy infrastructure. What Jordan needs is a strong dose of economic freedom. Jordan lags behind the regional leaders in the Heritage Foundation’s “Index of Economic Freedom.” Its score on “business freedom,” for example, is a dismal 58.9%.

## case

### Case: Jordan Pharma Industry

#### They’ve read uniqueness the wrong way—their ev says that Jordan is already the largest manufacturer of drugs for the Arab world and that it’s outlook is “promising”, due to the uninterrupted ease-of-access demand by local countries. The UQ ev that they’ve read the wrong way also post-dates all of their internal link evidence, so there’s literally no impact to this aff., and all of the ensuing turns are *offense*.

#### They need to win ALL of their scenarios to even have a risk of the aff since they are reliant on each other

#### Jordan IPR is essential for continuing their decade-long growth and global expansion of domestic pharma companies

WIPO 21 — (World Intellectual Property Organization, “Evolving Towards IP-Fueled Innovation“, Available Online at https://www.wipo.int/ipadvantage/en/details.jsp?id=2647, accessed 10-1-2021, HKR-AR)

Ever since its inception, the Jordanian pharmaceutical industry has steadily grown into the country’s highest value-added export industry. By 2010, sixteen pharmaceutical companies were exporting 81% of their production per year to over sixty countries, with high quality products and affordable pricing driving demand. In 2008, sales of the top ten pharmaceutical companies exceeded US$ 500 million. For much of its history, Jordan’s pharmaceutical industry has focused on producing affordable generic drugs. Jordan’s accession to the World Trade Organization (WTO) in 2000 and a free trade agreement with the United States in 2001 strengthened its intellectual property (IP) system, and the Jordanian pharmaceutical industry has been evolving as a result. Leading this evolution is Al Hikma Pharmaceuticals (Hikma), the largest pharmaceutical company in Jordan.

Founded in the capital of Amman in 1978 by Mr. Samih Darwazah, Hikma’s initial focus was to develop a branded pharmaceuticals business across the Middle East and North Africa region (MENA), which it did by manufacturing patented pharmaceutical products under license. In 1991, the company’s success led it to establish a presence in the United States through the acquisition of West-Ward Pharmaceuticals (West-Ward). In only three years Hikma became compliant with United States Federal Drug Administration (USFDA) regulations, and in 1996 it became the first Arab company to receive USFDA approval. Shortly after its early successes in the United States, Hikma established an innovative injectable pharmaceutical manufacturing venture in Portugal targeting the MENA and Portugal markets. By the late 1990s, Hikma’s organic innovation and presence in Europe, MENA and North America led to significant expansion of the company.

Licensing and Partnerships

Hikma’s early success came through the manufacturing and marketing of branded generic drugs. While this continues to be an important part of the company’s overall strategy, Jordan’s comprehensive economic reforms, its accession to the Trade-Related Aspects of Intellectual Property Rights (TRIPS) agreement and the country’s increased level of IP protection brought many new opportunities for Hikma. The greatest of these was the increased confidence of international partners, which brought even more licensing and partnership opportunities. Prior to Jordan’s IP reforms, companies in the country would use slightly different formulas to manufacture a patented product for the generic market. While this was not considered to be IP infringement, it proved difficult to attract foreign investment in the industry. Under the new IP laws, Jordanian companies seeking to make generic versions of patented products cannot use different formulas or ingredients; they must use the exact, patented formula. To do so would require licensing and partnership agreements with the patent holder, and this change brought an opportunity that Hikma was quick to seize upon.

Obtaining products under license has always been a part of Hikma’s strategy, and the new IP laws helped the company capitalize on the increased appeal of the country’s pharmaceutical industry generated for foreign investors. The company’s strong market position and established infrastructure made it a clear partner for multinational pharmaceutical companies seeking access to fast growing MENA markets. By the time IP laws in Jordan changed, Hikma already had a proven track record of working with global licensing partners, and its USFDA approved facilities combined with its highly skilled workforce and existing production capabilities made the company even more attractive to multinational partners. In 2007, the company’s successful utilization of new domestic IP laws through increased licensing agreements and partnerships yielded profits of US$ 198 million. As of 2010, it manufactured and marketed 40 licensed branded products through partnerships with multinational corporations such as LG Life Sciences of the Republic of Korea, Sinclair of the United Kingdom and MonoSolRx of the United States.

Licensing deals and partnerships have also given Hikma unique acquisition opportunities, which in turn have brought the company access to new markets. In 2007, Hikma acquired Arab Pharmaceutical Manufacturing (APM), which was the third largest pharmaceutical company in Jordan, through which it significantly increased its presence in Saudi Arabia, as APM gets over one third of its revenue from Saudi Arabia. That same year, it entered the Egyptian market through the acquisition of Alkan Pharma, which became Hikma Egypt, and also entered Germany through acquiring two well known pharmaceutical companies in the injectable oncology market: Ribosepharm and Thymoorgan. These acquisitions, along with new licensing agreements, allowed the company to launch 28 new products, receive 167 approvals and submit 74 regulatory filings in Europe, Jordan and the United States in 2007.

Commercialization

Hikma commercializes its products under three major segments: branded, injectable and generic pharmaceuticals. The branded segment manufactures branded generic pharmaceutical products for sale across the MENA region and Europe. The company has been involved in branded pharmaceuticals since its start, and as such enjoys a very good reputation in this area. The company’s injectable segment manufactures injectable generic pharmaceutical products in powder, liquid and lyophilized forms for sale in MENA, Europe and the United States. Lastly, the generic segment produces non-branded generic pharmaceutical products. This segment is focused primarily on the United States, as it is the largest market for the company’s non-branded generic products. The company’s business in this segment is operated by West-Ward, and as of late 2010 it sold 49 generic compounds in 108 dosage forms and strengths.

The company has twelve world class manufacturing facilities which provide it with the flexibility to select the most appropriate manufacturing strategy for a particular product, taking into account factors such as cost, regulatory requirements and capacity. Manufacturing facilities are located in Jordan and Saudi Arabia, five of which have been approved by the USFDA, which provides the company with the capability to produce products for the United States market at a lower cost. Maintaining a local manufacturing presence in the MENA region is essential for the company’s growth, as some markets restrict the range of products that can be imported from outside the region.

Research and Development

Sparked by Jordan’s new IP framework, Hikma has secured the resources it needs to continue and expand its research and development (R&D) activities through licensing agreements, partnerships and acquisitions. The company’s R&D team is spread throughout Europe, Jordan and the United States, and focuses on developing technically challenging products such as injectables, complex formulations, unstable compounds and sustained release tablets and capsules. The R&D team aims to continually increase the number of approvals that it receives from regulatory authorities in its markets for newly developed products which have a strong market potential.

#### Data exclusivity promotes economic profits and innovations—here’s evidence citing the only experimental study examining the relationship between patent exclusivity laws and innovation

Goldman et al 11 — (Dana P. Goldman, Jesse D. Malkin, John Romley, Tomas Philipson, Dana Paul Goldman is the dean of the USC Price School of Public Policy, Leonard D. Schaeffer Chair and director of the University of Southern California Leonard D. Schaeffer Center for Health Policy and Economics, and Professor of Public Policy, Pharmacy, and Economics at the Price School and USC School of Pharmacy. , “The Benefits From Giving Makers Of Conventional `Small Molecule' Drugs Longer Exclusivity Over Clinical Trial Data“, PubMed Central (PMC, Available Online at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3804334/, accessed 10-1-2021, HKR-AR)

The duration of the data exclusivity period entails a trade-off between current and future generations. A longer period delays competition from generic drug companies, effectively extending the originator's exclusive position in the marketplace. The prospect of higher profits gives drug companies a stronger incentive to innovate—both to create new drugs and to find new indications for existing products. An increase in innovation, in turn, benefits future generations of consumers. At the same time, however, a delay in generic competition imposes a greater spending burden on current consumers. So an increase in the length of data exclusivity benefits future generations, but at the expense of today's drug consumers.

Although some have questioned whether profits drive innovation, empirical evidence strongly supports this relationship. The Orphan Drug Act of 1983, which provides pharmaceutical companies with incentives to develop drugs for treating rare diseases or conditions for which there are small patient populations, was followed by a sharp increase in the number of drugs approved for this market.4 Higher profits from vaccines have been associated with a significant increase in the number of clinical trials to develop new vaccines.5 There is also evidence that manufacturers have delayed new drug launches rather than accept a lower anticipated price.6

Daron Acemoglu and Joshua Linn7 concluded that a 1 percent increase in the potential market size for a drug class leads to a 3–4 percent growth in the entry of new drugs.7 To our knowledge, this is the **only study** that estimates this relationship for the entire drug market. As Darius Lakdawalla and colleagues observe,8 the relationship identified by Acemoglu and Linn presumes that increases in the number or share of the aged population (60+ years old) driven by past baby booms or busts also increase innovation in drug classes targeted toward the aged. Moreover, it presumes that pharmaceutical innovation does not drive historical trends such as baby booms of busts; there is no evidence that contradicts this presumption. Applying this relationship between market size and innovation to average sales within a drug class, innovators produce one additional drug for every additional $97.5 million of annual potential revenue. Because the cost of a new conventional drug is estimated to be $800 million,9 innovators require a 12 percent annual return on their investment—within accepted boundaries for the return on capital in the drug industry.

### Case: Economy

#### We get to insert re-highlightings – it’s not ‘cheating’ because it just points out broader arguments we’re making about the evidence – anything else causes a moral hazard where teams will spam miscut evidence because reading recuttings and pointing out evidentiary flaws takes longer than reading the evidence itself which magnifies 7-4-6 timeskew and causes a race to the bottom on evidence quality. Even if we don’t win rehighlightings good, you should evaluate the tags and be skeptical of their ev while looking through it for comparison purposes – our analytics still operate as arguments

#### Jordan economy contracted during COVID, but it’ll inevitably solve itself—incoming legislation funded through US aid

Farooqui 9/24 — (Sania Farooqui, Reporter at Inter Press Service News Agency “‘Building Back Better’: Jordan’s Road to Green Economic Recovery“, Inter Press Service, https://www.ipsnews.net/2021/09/building-back-better-jordans-road-green-economic-recovery/, accessed 10-1-2021, HKR-AR)

For the first time in decades, Jordan’s economy contracted in 2020. COVID-19 took a heavy toll on the economy, and it was concerning for the country, particularly because Jordan had managed to grow at an average rate of 2%, despite regional and international shocks to its economy amounting to 44% of Gross Domestic Product (GDP) over the past decade.

In 2020 GDP contracted 3.5% YOY, with a projected rebound towards the middle of 2021. The unemployment rate in Jordan increased to 22.7% of the labor force in 2020 from 19.1% a year earlier. It is the highest jobless rate since at least 2005.

The Government of Jordan (GoJ), in light of COVID-19, has taken steps to respond to both the health and economic risks associated with the pandemic. Both are said to be of concern because some of the pandemic restrictions continue to extend into 2021, and economic recovery could be stalled.

One of the key solutions that Jordan has readily embarked on is a climate-responsive recovery and a new growth trajectory strategy. Jordan’s Nationally Determined Contributions (NDC) under the Paris Agreement on climate change is one of the key platforms through which it hopes to achieve its green development measures.

“Jordan’s climate-responsive and green economy framework focuses on several key sectors: water, waste management, energy, agriculture, tourism, and transport, in addition to health as a key adaptation sector,” says Lamia S. Al-Zoa’bi, Director of Development Plans and Programs in Jordan’s Ministry of Planning and International Cooperation (MOPIC) in an interview given to IPS News.

“In Jordan, the focus is on a climate-responsive, green recovery that can create jobs and economic transformation (JET), through a focus on public/private investments and climate finance,” says Al-Zoa’bi.

The climate action planning adopted a comprehensive set of strategic climate responses, including Jordan’s initial Intended Nationally Determined Contributions (INDC) in 2015, followed by its first NDC in 2016. Building on these efforts, and in collaboration with national and internal stakeholders, the country launched its NDC Action Plan with priority projects in 2020, with support from the NDC Partnership.

The Ministry of Environment, with support from the Global Green Growth Institute (GGGI), launched the Green Growth National Action Place (GG-NAPs) 2021-2025, which are mainly medium-term implementation plans. A majority of actions in the GG-NAPs are climate responsive and aligned with NDCs, which have a longer time frame for implementation until 2030. Through the Partnership’s Climate Action Enhancement Package (CAEP), Jordan conducted a Cost-Benefit Analysis (CBA) for 35 priority climate actions contributing to the implementation of Jordan’s NDC as previously identified by Sectoral Working Groups jointly with a climate finance strategy.

Earlier in June 2021, The World Bank Group approved a US$500 million program to catalyze public and private investments in Jordan for a green and inclusive recovery from the COVID-19 pandemic.

In this statement, World Bank Group’s Mashreq Regional Director, Saroj Kumar Jha says, “Jordan has been one of the most active and pioneering countries in the region in ratifying and adopting international climate change initiatives, including the Paris Agreement. Jordan can now capitalize on these efforts to become an attractive destination for green and climate-related investments.”

The Inclusive, Transparent and Climate Responsive Investments is part of the US$1.1 billion recently announced for Program-for-Results (PforR), through combined loans and grants, financing support from the World Bank Group and other international partners to support Jordan in responding to the pandemic and promoting an early, climate-resilient, and inclusive recovery.

#### 1AC Wolf proves Jordanian instability is inevitable absent continued US support for domestic governance and economic management—coups, mismanagement, royal feuds—inserted in blue

Wolf 4/14 “A Hashemite Family Reunion Can’t Hide Jordan’s Woes” Albert B. Wolf, an associate research fellow at Johns Hopkins SAIS and an assistant professor of political science at the American University of Central Asia. April 14, 2021 <https://foreignpolicy.com/2021/04/14/jordan-abdullah-hamzah-hashemite-family-reunion-cant-hide-economic-woes/> SM/recut HKR-AR

­­A Hashemite Family Reunion Can’t Hide Jordan’s Woes

Making nice after an alleged coup attempt obscures serious challenges, including water scarcity, a refugee crisis, and unhelpful neighbors.

The Hashemite Kingdom of Jordan is no stranger to royal intrigues and attempted coups. The first 20 years of the late King Hussein’s rule was wracked with coup plots, assassination attempts, and a civil war with the country’s large Palestinian population. Most recently, the former crown prince and half-brother of King Abdullah II, Prince Hamzah, was accused of engaging in sedition and placed under the “protection of the king” (i.e., house arrest) until the two made a joint appearance on Sunday.

On Monday, the prince pledged his allegiance to the incumbent monarch and seemingly defused the latest royal tempest. But his display of deference doesn’t mean the end of instability in Jordan.

This episode is a symptom of the challenges Abdullah has faced since the outbreak of the Arab Spring, not the problem itself. It is unlikely to be the last challenge the king faces to his rule unless Jordan’s economy undergoes significant economic reforms—quickly.

Jordan has experienced multiple bouts of protests that were brought on by economic downturns (including during the Arab Spring and the COVID-19 pandemic) and were met with a combination of changes in economic tactics and giveaway programs, repression, and government reshuffles.

This plot supposedly came from within the royal court, giving a tabloid quality to a security threat, especially after the prince made his house arrest all the more unusual by issuing a personal statement online. However, Hamzah’s alleged plan to overthrow Abdullah is a distraction from Jordan’s ongoing strategic and economic problems that **do not have readily apparent solutions.**

Bruce Riedel, a senior fellow at the Brookings Institution, described the latest royal feud as the “most serious political crisis” Jordan has **faced in 50 years.** Regional experts have heard these warnings before. However, Abdullah’s combination of political savvy and luck in negotiating the challenges he has faced since the outbreak of the Arab Spring does not mean he will continue be lucky in the future.

Domestic stability cannot be taken for granted. Tourism, Jordan’s biggest industry, ground to a halt after the emergence of the COVID-19 pandemic. It had accounted for $5.8 billion in revenues in a $43 billion economy in 2019, but Jordan could not allow tourists back into the country as COVID-19 spread. Furthermore, remittances, which had accounted for $3.7 billion in 2018, were estimated to drop by nearly 20 percent for the entire region in 2020.

Two weeks ago, protests broke out in Amman along with other cities because of the deaths of six people from COVID-19 at government hospitals. The cause was low oxygen supplies. However, the literature on comparative authoritarianism shows that protests may provide elites with opportunities to reveal their preferences and split from the incumbent regime.

Should more protests occur due to the worsening economic situation, water shortages, the coronavirus crisis, or the strains of hosting a large refugee population, a window of opportunity may open for Prince Hamzah or another opportunistic contender for the throne. (According to Jordan’s Ministry of Planning and International Cooperation, 34 percent of the population are refugees, most of whom are Palestinian. The U.N. refugee agency counts 663,210 Syrians who have registered as refugees—while the Jordanian government counts more than 1.3 million.)

Many commentators and Jordan watchers have expressed shock and surprise at Hamzah’s open criticism of Abdullah. However, the more shocking display has been the public outpouring of criticism of the incumbent monarch. Popular radio programs have reported regular call-ins criticizing Abdullah, blaming him for the country’s poor economic performance and corruption.

Prior to the pandemic, the country had less than 2 percent annual growth, and nearly 1 in 4 adults were unemployed. Some Jordanians who have been left behind economically felt that Hamzah used the language of the Arab street to speak to people’s needs in order to advance his own interests. Even Jordanian Finance Minister Mohamad al-Ississ reportedly said, “Unemployment is this country’s greatest problem.” Official figures put unemployment at 24 percent currently.

### Case: Israel-Jordan

#### Top-Level: There is no evidence that Jordan’s current instability can be entirely explained by economic inefficiency solely caused by pharmaceutical supply shortages. In fact, they’ve read 0 evidence that even establishes that Jordan’s instability can be primarily explained by the ongoing economic crisis. The only cards that have been read are egregiously selectively highlighted and describe a litany of alt causes.

#### 1AC Solomon is describing ongoing crises that they can’t possibly solve—refugees, COVID, factionalism—also, the end proves military aid is the only dampener on complete internal conflict—inserted in blue

Solomon 4/6 “Instability in neighboring Jordan is ‘bad news’ for Israel” Ariel Ben Solomon [Middle East Correspondent for the Jerusalem Post], Apr 6, 2021 <https://www.jns.org/instability-in-neighboring-jordan-is-bad-news-for-israel/> SM//recut HKR-AR

Instability in neighboring Jordan is ‘bad news’ for Israel

For the past several years, Jordan has come under increasing strain due to wars in bordering Iraq and Syria, which has led to many refugees resettling in Jordan. Combine a population holding divergent loyalties with a poor economic situation, and the result has been unrest.

(April 6, 2021 / JNS) The arrest last weekend of nearly 20 people, including former Crown Prince Hamza bin Hussein, by Jordanian authorities in what is being viewed by some as a coup attempt has led to fears over the stability of the strategic Arab state.

Jordan, a key U.S. and Israeli ally, is important for Israel’s national security because it serves as a buffer against radical forces from within the country as well as those further east, Israeli Middle East experts told JNS.

“The border with the Hashemite Kingdom is Israel’s longest, and Jordan serves as a friendly buffer on the east,” affirmed Efraim Inbar, president of the Jerusalem Institute for Strategic Studies. “We should not forget that the territories east of Jordan until the border of India are in the hands of rulers under Islamist influence.”

On Saturday, Jordan’s official media outlet denied reports that Prince Hamza had been arrested, claiming that the prince had instead been asked to stop “movements and activities that are used to target” the kingdom’s stability and security. Other key figures were also detained, including at least one other Jordanian royal, as well as tribal leaders and members of the country’s political and security establishment.

Prince Hamza, the eldest son of the late King Hussein and his American-born fourth wife, Queen Noor, and the half-brother of King Abdullah, said he would defy his house arrest conditions, adding to the intrigue behind what was reported as an attempt to destabilize the country.

“For sure, I won’t obey when they tell you that you cannot go out or tweet or reach out to people but are only allowed to see the family. I expect this talk is not acceptable in any way,” Hamza said on Monday in a recording released by Jordan’s opposition, reported Reuters.

According to the report, Prince Hamza had visited tribal gatherings in recent weeks, where the government and the king had been openly blasted.

Middle East expert Hillel Frisch, a professor at Bar-Ilan University in Ramat Gan, told JNS, “I don’t think this is the beginning of the fall of King Abdullah. All the key actors are behind him.”

“Nevertheless, this is the first serious fissure in the royal family, which if it did not enjoy total unity was always sufficiently disciplined to keep major differences within the family,” he said. “What happened in Jordan seems to be a result of dynastic struggles within the ruling royal family.”

“A mainstay of Hashemite rule always lay in that it was more united than any other political actor in Jordan,” added Frisch. “This may no longer be the case.”

Indeed, Abdullah has ruled the country since King Hussein’s death in 1999 and has cultivated a very close relationship with the United States.

Hamza has had a strained relationship with his half-brother, who stripped him of his title in 2004 and later appointed his own son as crown prince. Nevertheless, Hamza has held multiple positions within the monarchy, including in the army, and commands a loyal following in Amman, where he often styles himself after his late father.

At the same time, for the past several years, Jordan has come under increasing strain due to wars in bordering Iraq and Syria, which has led to many refugees resettling in Jordan. The country has most recently has been hard-hit by the coronavirus pandemic.

The United States is “closely following” the situation in Jordan following reports of an alleged coup plot involving the former Jordanian crown prince, U.S. State Department spokesperson Ned Price said on Sunday.

The action against Hamza comes a few weeks after the Jordanian government publicly acknowledged a new defense agreement with the United States that allows free entry for American forces. It boosts Israel’s unstable eastern neighbor, providing a base from which U.S. forces can potentially act in Syria, Iraq and Iran.

The defense pact’s timing—coming soon before the government crackdown—shows how dependent Jordan is on outside support.

Weak national identity leads to instability

Jordan is estimated to have more than half of its population of Palestinian origin, with many from the West Bank, which Jordan occupied between 1949 and 1967, in addition to a significant Muslim Brotherhood presence. These are ingredients for instability.

Add to this the fact that the Jordanian state has a weak sense of national identity, as it and other Arab states were created by Western European powers after the breakup of the Ottoman Empire.

A journal article by Linda L. Layne titled “The Dialogics of Tribal Self-Representation in Jordan,” published in 1989 in the American Ethnologist, explains how the state sought to cultivate a national identity around disparate tribes.

“The symbolization of tribes has been facilitated by the Jordanian government’s policy over the last several decades to unify and integrate individual tribal identities into one broad tribal identity, that is, to promote Bedouinism in a general way rather than encouraging each tribe to maintain and develop its own individual identity,” she wrote.

One question that gets to the root of the matter is how “Jordanian” its citizens actually feel. Palestinian, tribal and Islamist elements are less loyal to the state than their ideology or kinship networks. In the Middle East, loyalty tends to be to one’s family and tribe.

**The Jordanian regime keeps its grip on power thanks to military and economic aid, mainly by the United States and the Gulf states.**

**Indeed, America is Jordan’s biggest supporter with more than $1.5 billion in aid in 2020, including $425 million in military assistance.**

The poor economic situation combined with a heterogeneous population with divergent loyalties has led to frequent unrest among a vehemently anti-Israel population.

As Frisch noted, “even though the rise of a radical regime was not in the offing, instability in Jordan is bad news for Israel.”

#### 1AC Al-Shami lists dozens of alt causes they can’t solve—COVID, family conflict, protests. Also, their ev says the economic crisis can be explained by COVID, not TRIPS-plus clauses that have been around for two decades – Blue

Al-Shami et al 4/13 “Jordan’s Thorny Spring Spells Trouble for the Middle East” Farah Al-Shami, Research Fellow, Arab Reform Initiative (ARI), Tuqa Nusairat, Deputy Director, Rafik Hariri Center for the Middle East - Atlantic Council, Paolo Maggiolini, Associate Researcher, Italian Institute for International Political Studies (ISPI) and Lecturer in History of Islamic Asia, Catholic University of Milan, Bruce Riedel, Senior Fellow, Foreign Policy, Center for Middle East Policy, Center for Security, Strategy, and Technology, Director - The Intelligence Project, Brookings, April 13, 2021 <https://www.ispionline.it/en/pubblicazione/jordans-thorny-spring-spells-trouble-middle-east-30024> SM//recut HKR-AR

Jordan's image, painstakingly built by the country’s authorities as an oasis of relative stability within a turbulent Middle East, took a hit on April 3, when former Crown Prince Hamzah bin Hussein was accused of cooperating with “foreign entities” to destabilize the state. The incident, widely presented as a family disagreement, resulted in the arrest of eighteen people and Hamzah's oath of allegiance to the Crown and the Constitution two days later. While investigations are still ongoing, the recent controversy comes as an unexpected novelty for the country. Since the Hashemite kingdom's origins, Jordan has always been seen as an island of stability in an otherwise unstable neighbourhood. At the same time, King Abdullah II has long been held in high regard in the United States, as Washington has relied on his steadying influence and views him as a highly reliable partner. Today, Amman remains one of the United States’ closest allies in the region, especially in counterterrorism operations and intelligence-sharing in the fight against al-Qaeda and the Islamic State. Nevertheless, despite its apparent stability, the country faces substantial socio-economic challenges. Jordan has been hard hit by the coronavirus (it ranks among the highest COVID-19 infection and death rates per capita in the region), while its unemployment rate reached one-fourth of the population in 2020. Furthermore, the country is currently home to over 660,000 Syrian refugees while also hosting a large community of Palestinian refugees. Hence, coming at a particularly uncertain moment for the country and combined with pre-existing structural problems, the tensions within the ruling family risk detracting attention from long-needed socio-economic reforms.

Jordan’s uneasy geopolitical position

“The kingdom of Jordan has so far been spared a visit by the Arab Spring, apart from several random and discontinuous waves of protests. For years now, economic demands have been growing and calls for less corruption, and more transparency have been rising. Against this backdrop, the ruling family is not only facing challenges on the economic front but also subtle opposition from the Muslim Brotherhood, which has been very active in other countries visited by the Arab Spring as well. Moreover, Iran and its hegemony over Iraq, Syria, and Lebanon puts Jordan in a difficult geopolitical position that requires close collaboration with GCC countries to counterbalance, especially that these countries are also ruled by monarchies. Thus, at the moment, the ruling family is trying to avoid having these geopolitical challenges spill into the local political scene and cause a serious threat to its rule via a combination of chaos and uprisings.”

Farah Al-Shami, Research Fellow, Arab Reform Initiative (ARI)

Amman’s economy needs less foreign loans and more support for structural reforms

“One positive spill-over from the incident might be bringing Jordan back to the radar of its foreign allies, who tend to take the stability in the country for granted and have been ignoring quieting of Jordanians dissatisfied with dire economic situation in the country, further exacerbated by the Covid-19 pandemic. What Jordan needs, however, is not more loans – its foreign debt already amounts to over 90% of its GDP – but development aid and technical assistance in implementation of wise economic reforms that would not further harm the already impoverished population. Austerity is not an answer at a time when the cost of living is growing, remittances – falling, and officially one in four (and realistically more) Jordanians is out of work.”

Katarzyna Sidło, Director of the Middle East and North Africa Department, Center for Social and Economic Research (CASE)

Jordan’s social mobilization limbo and the risk of a security clampdown

“**Jordan, a resource-poor country that was initially lauded for containing COVID-19, has struggled to manage the economic fallout**. Remittances and tourism have declined as has assistance from neighboring Gulf countries. With many businesses in ruins due to COVID-19 lockdowns, the government has to do more to ensure social safety net programs help vulnerable populations climb out of economic despair. The government is also struggling to support the nearly one million refugees in the country. While Jordanians have been protesting for months, recent events involving Prince Hamzah are likely to make Jordanians think twice before going out into the streets. The government must act fast to address economic challenges while avoiding a security clampdown that could make matters worse.”

#### No broken peace treaties—financial incentives, new PM, and past disputes can be explained by Israeli aggression towards Palestinians—something the aff has no chance of solving

Magid 7/29 — (Aaron Magid, Aaron Magid is a former Amman-based journalist. His articles on Jordanian politics have appeared in Foreign Policy, Foreign Affairs, and Al-Monitor., “Israel and Jordan’s Relationship Is Better Than It Looks“, Foreign Policy, https://foreignpolicy.com/2021/07/29/israel-jordan-palestine-bennett-netanyahu-abdullah-cold-peace/, accessed 10-1-2021, HKR-AR)

Although Jordanians often deemed Netanyahu’s actions as provocations—Jordan’s King Abdullah II reportedly refused to take Netanyahu’s phone calls in 2015 and 2020 due to frustrations with the Israeli premier—Abdullah has maintained diplomatic and security ties with Israel throughout his 22-year tenure, irrespective of the country’s premier. In doing so, he has prioritized Jordan’s national interests over personality-based politics. Abdullah remains sensitive to the Hashemite Kingdom’s large Palestinian population and its politics—a factor that prevents a warm peace with Israel. So he has instead settled for a cold peace to maintain the nearly $1.5 billion in annual U.S. aid Amman receives from pro-Israel lawmakers in Washington, keeping Jordan’s relationship with Israel on a relatively continuous track.

To be sure, there have been signs of improved relations between Israel and Jordan since Netanyahu’s ousting. In one of his first gestures as Israel’s new prime minister, Naftali Bennett agreed to double its supply of water to the Hashemite Kingdom, one of the world’s driest nations. On June 29, Abdullah and Bennett were said to have met in Amman, with Israeli media reporting the two countries agreed to open a “new page” in bilateral relations. Abdullah told CNN on July 25 he was “encouraged” by his meeting with Bennett.

Despite these hopes, Israel’s policies toward Palestinians in Jerusalem limit Abdullah’s potential ties with Bennett, just as they have reigned in respective premiers since the two countries signed a peace agreement in 1994. Only five days after Bennett became premier, on June 18, Jordan’s Ministry of Foreign Affairs condemned the “flagrant violations” at the al-Aqsa mosque after Israeli police fired at Palestinian worshipers, wounding nine people. The same day Israel announced the water deal with Jordan, Jordanian Foreign Minister Ayman Safadi accused Israel of committing a “war crime” should the Bennett government proceed with the eviction of Palestinians from the East Jerusalem neighborhood of Sheikh Jarrah.

After Bennett promised on July 18 to protect the “freedom of worship” for Jews on the Temple Mount, which shares a compound with al-Aqsa—a pledge even Netanyahu never made during his premiership—and allowed more than 1,600 Jews to visit the site on a single day, Jordan rebuked Israel for permitting what it called a “storming of extremists.” Israel then pledged to respect Jordan’s “special role” in overseeing Jerusalem’s Muslim and Christian holy sites per the 1994 treaty.

Furthermore, unlike Abdullah’s meeting with other world leaders, Jordan refused to release pictures from his session with Bennett and only confirmed the meeting to the media one month later—in English to a U.S. media outlet. Amman also declined to publicly congratulate Bennett on forming a new government, in contrast to numerous world leaders from Russia to India. Despite some newfound goodwill between Abdullah and Bennett, some gaps remain too large to allow for a warm alliance.

Although the United Arab Emirates has looked to publicize its ties with Israel, Jordan insists on downplaying much of its cooperation with the country. Nearly 60 percent of Jordan’s population is of Palestinian descent, so Abdullah’s public relationship with Israel is mostly marked by his support of the Palestinian cause. With unemployment among Jordanians spiking to nearly 25 percent due to the COVID-19 pandemic—and the monarchy undergoing a period of instability after the April “sedition” plot involving Prince Hamzah bin Hussein—Abdullah does not appear able to weather any more public criticism, especially of cozying up to Israel. The Jordanian government has instead attempted to deflect from many of his country’s woes by condemning the Jewish state.

Although Jordan consistently resorts to harsh language on Israel—particularly concerning the status of Jerusalem—its threatening rhetoric has often not been matched with firm action. Over the course of Abdullah’s two decade rule, Amman has accused Israel dozens of times of “violations” in Jerusalem, particularly of crossing a “red line”—a somewhat vague pledge to protect the city’s Islamic holy sites and Palestinian residents from perceived aggressions by Israeli forces. At times, the Hashemite Kingdom has also temporarily withdrawn its ambassador in Tel Aviv for consultations. But the 1994 peace treaty has endured as has intelligence cooperation—even when Israeli Jews have prayed at the Temple Mount/al-Aqsa compound, a violation of the tenuous status quo at the holy site. Jordan’s criticisms of and rhetoric on the Palestinian issue do not shake the fundamentals of its relationship with Israel, even if they ensure the two countries won’t move beyond a cold peace.

In 2017, during the Netanyahu era, the former Israeli premier angered Jordanians by hugging an Israeli guard who killed two Jordanian nationals at the Israeli Embassy’s residence in Amman. In March, Crown Prince Hussein canceled a visit to Jerusalem’s al-Aqsa mosque, with Safadi accusing Israel of changing Hussein’s travel arrangements and hindering the rights of Palestinians in Jerusalem to pray at the holy site—an incident deemed a personal insult to the royal family.

But even amid these controversies, Jordan maintained a working relationship with Israel. During Netanyahu’s final months in power, Israel had an ambassador stationed in Amman and Jordan had an ambassador serving in Tel Aviv. This means Jordan enjoys stronger diplomatic ties with Israel than Turkey does, which expelled the Israeli ambassador to Ankara in 2018. Former Israeli Foreign Minister Gabi Ashkenazi—who served under Netanyahu—met with Safadi three times from May 2020 until June of this year to discuss trade and regional developments. Last year, Jordan began receiving its first natural gas supplies from Israel after a $10 billion deal was signed in 2016. Intelligence cooperation between Israel and Jordan have also continued at a high level. The left-wing Haaretz newspaper, a frequent critic of Netanyahu, described the two countries’ security ties in 2019 as “greatly improved” and “more sophisticated over the years.”

Jordan’s demand for the establishment of an independent Palestinian state on the 1967 borders, with East Jerusalem as its capital, has long been a core feature of its foreign policy. But although he is a relative newcomer, it is highly improbable Bennett, a former director of a settler lobbyist group, will end Israeli control over the West Bank and evacuate large settlements to appease the Hashemite Kingdom. Bennett has also maintained a relatively forceful policy on the al-Aqsa/Temple Mount compound, sending in security forces at least twice to maintain “order” during his short time as premier.

If Israel was to take a far-reaching step, such as annexing large parts of the West Bank, Jordan would likely be more compelled to annul its diplomatic ties with Israel. However, as Bennett’s coalition includes the Islamist United Arab List faction and left-wing Meretz party, it appears highly improbable his government would adopt such dramatic measures.

The United States, a strategic partner of both Jordan and Israel, has prioritized improving ties between the two countries. Jordan and Egypt, the first Arab states to sign peace deals with Israel, are among the largest recipients of U.S. foreign assistance. The authoritarian Abdullah, who oversees an extensive patronage system and bloated public sector, is increasingly dependent on this U.S. aid to bolster his rule. Abdullah understands he needed a functioning relationship with Israel to keep approximately $1.5 billion in annual U.S. aid to the Hashemite Kingdom flowing—especially as Jordan experiences record public debt of $45 billion. If Abdullah was to cut ties with Israel as Venezuela and Bolivia did during the 2009 Gaza War, the generous aid package to Jordan would likely face difficult questions from pro-Israel U.S. lawmakers.

#### No impact to Israel-Jordan peace treaties anyway—demographics, popular discontent

Tamimi 14 — (Azzam Tamimi, Azzam Tamimi is a Palestinian British academic and author of Hamas: Unwritten Chapters., “Why peace with Israel was bad for Jordan“,10-26-2014, Available Online at https://www.aljazeera.com/opinions/2014/10/26/why-peace-with-israel-was-bad-for-jordan, accessed 10-1-2021, HKR-AR)

The people of Jordan, just like the majority of Arabs and Muslims, do not recognise the legitimacy of Israel’s occupation of Palestine. Israel’s very existence on a land that was usurped by force continued to be regarded as an aggression against the entire Ummah. Generation after generation, Arabs, foremost among them the Jordanians – who until recent years did not see Palestine and Jordan as separate entities – aspired to see Palestine liberated and the Zionist project aborted. Jordanian children like their fathers before them, grew up learning by heart details of what happened to Palestine and its people, several millions of whom ended up living in Jordan permanently either as refugees or as Jordanian citizens. Invariably, Jordanians have strong reasons for rejecting Israel; for some people these are nationalistic, for others they are religious and for a great many they are personal.

#### 1AC Lazaroff starts from the assumption Netanyahu annexes the West Bank because of Israeli anger at Palestinian protests—the aff cannot solve the Israel-Palestine conflict by the way – inserted in blue

Lazaroff 20 “Will annexation destroy Israeli-Jordanian peace, set kingdom aflame?” Tovah Lazaroff is the Deputy Managing Editor of The Jerusalem Post May 1, 2020 <https://www.jpost.com/middle-east/will-annexation-destroy-israeli-jordanian-peace-set-kingdom-aflame-626104> SM

The possible collapse of the Israel-Jordan Peace Treaty and potential destruction of a stable regional ally, the Hashemite Kingdom, is one of the stronger arguments against Prime Minister Benjamin Netanyahu’s plan to annex West Bank settlements this year.

The 1994 peace treaty with Jordan, as well as the 1979 treaty signed with Egypt, have been a foundation cornerstone of Israeli regional security and gateway to the Arab world.

The value of the two treaties, in an otherwise hostile region, has only increased in relation to the growing threats from Iran and ISIS and other Islamic fundamentalist terrorist groups.

So the idea of an Israeli plan, either unilateral or in conjunction with the US, that would risk those treaties and the stability of Israel, after a decade of regional turmoil, has to give one pause.

“Unilateral annexation will damage stability in the Middle East” and harm Israel, said former Shin Bet (Israel Security Agency) director Ami Ayalon.

“The peace treaty with Egypt and the peace treaty with Jordan are in a way the two cornerstones of our [regional] policy and our security for the last 30 to 40 years,” he said.

A retired admiral, Ayalon is among a group of more than 220 former security officers who have embarked on a campaign against the move through the group Commanders for Israel’s Security.

Last week, he and two other high-level former security officials, Maj.-Gen. (ret.) Gadi Shamni and former Mossad director Tamir Pardo, published an article in US-based Foreign Policy magazine, warning about the implications to Jordan and Egypt.

There are many rational reasons for the two countries to maintain ties with Israel, Ayalon told The Jerusalem Post.

Egypt relies on Israel for intelligence and security cooperation when it comes to fighting al-Qaeda and ISIS in Sinai. Jordan has water and gas deals with Israel. Both countries also rely heavily on financial assistance from the United States, which is tied to the peace deals.

Still, those factors would not be enough to offset the danger to the Kingdom from the street, Ayalon said.

In the aftermath of the Arab Spring, however, regional leaders cannot afford to ignore public opinion, particularly on a topic where emotions run high, such as the Israeli-Palestinian conflict, he said.

Rulers in both Egypt and Jordan “have to listen to the voices of the street because they understand that power,” he said.

Egyptian President Egyptian President Abdel Fattah el-Sisi has more flexibility than Jordan’s King Abdullah, Ayalon said.

Jordan is home to a large number of Palestinians, and there are also many young people who are radicalized, Shamni said.

“**They will never accept Jordanian silence with regards to annexation**,” he said. “To survive, the king will have to take extreme steps that might even severely damage the Israeli-Jordanian peace agreement.”

Throughout the years, Israeli actions in the West Bank, Jerusalem and Gaza have had a destabilizing influence, Ayalon said.

“But there is a huge difference between incremental change” and a large unilateral act, such as annexation, particularly one that is against the declared will of all Arab leaders, he said.

Shamni, who was also Israel’s former military secretary to the US and a military adviser to former prime minister Ariel Sharon, said the plan creates unnecessary turmoil and security problems.

At issue is Israel’s eastern border, which is its calmest out of the five borders, he said. There are hostilities along the Lebanese, Syrian and Gaza borders, and even the Egyptian border can be problematic because of terrorist groups in the Sinai Desert, he said.

But the combined efforts of Israeli and Jordanian security forces have kept violence at bay, Shamni said.

Jordan acts as an additional security buffer for Israel and provides a strategic safeguard against terrorism and other security threats, he said. Jordan’s location, bordering Iraq on the other side, makes peaceful relations with Israel particularly significant, he added.

Coordination with Jordan is crucial for Israel’s safety along this critical stretch, Shamni said.

### Case: ME War

#### No Mid East escalation

* Proxy wars stay localized

They are cheaper to change the status quo

Gives countries the opportunity to deny conflict

Non-state actors can’t escalate because of institutional capacity

* Consensus of international scholars and data conclude

Imran 2/6/19 [Myra Imran, writer for The News International. Citing the international seminar on “Strategic Dimensions of Peace and Conflict in South Asia and the Middle East”. Seminar on ‘Strategic dimensions of peace and conflict in South Asia, Middle East’. 2/6/19, https://www.thenews.com.pk/print/428298-seminar-on-strategic-dimensions-of-peace-and-conflict-in-south-asia-middle-east]

Islamabad : There is a need to study the causes of proxy wars, and what are the potential impacts of such wars on the overall conflict. These thoughts in a daylong international seminar on ‘Strategic Dimensions of Peace and Conflict in South Asia and the Middle East,’ organised by Pak Institute for Peace Studies (PIPS), an Islamabad-based think tank, participated by prominent national and international scholars.

Prof. Shahram Akbarzadeh, Deakin University, Australia, argued there is significant gap in the literature on non-state actors. He called for empirical research, along with concrete policy suggestions, on the topic, so as to mitigate the conflicts in the region, in particular South Asia and Middle East.

Speakers grappled at the notion of non-state actors and proxy wars: PIPS director Muhammad Amir Rana said non-state actors often evoke memories of violent elements. This despite that as per definition, non-state actors include organizations working for human rights.

Prof. Syed Rifaat Hussain, Department of Government and Public Policy, NUST, said the term “proxy wars” is a contested notion. There is no universal agreement on its definition, nor on the set of circumstances behind such wars. Interestingly, he said, proxy wars are as old as the phenomena of conventional war itself.

Speakers noted proxy wars are instruments of state power. As to why states go for it, it was argued, it is because they are often cheap undertaking to change the status quo.

Participants noted over the decades, much of the conflict involves non-state actors. Interstate conflict, on the other hand, has declined. In recent times, he said tit-for-tat tactics on behalf of such actors have reduced their appeal.

Dr. Ibrahim Fraihat, Doha Institute of Graduate Studies, Doha, termed proxy war as an arms conflict between two parties, though one of them is not directly involved. This way, domestic conflicts are escalated by external power intervention. At the same time, proxy war, if unresolved, can take the shape of conventional war, the most significant example was of Vietnam War. In contemporary times, he lamented, the Middle East has been rendered a stock market of proxy organizations.

William Gueriache, Associate Professor American University in the Emirates Dubai, said on surface, all states support open diplomacy and multilateralism. Yet the survival of patronage has paved the way for foreign intervention during conflicts in the whole Middle East.

Dr. Marwan Kablan, Director Policy Analysis at the Arab Center for Research and Policy Studies Doha, also hinted multiplicity of actors involved in Syrian conflict, calling it as mother of conflicts in the region. It was said that wars cannot be ended unless patron states achieve their interests.

Dr. Shaheen Akhtar, Professor National Defence University Islamabad focused on the apprehension of Pakistan about India’s involvement in Afghanistan. She said Pakistan’s uneasy relationship with Kabul reinforces a perception of encirclement while growing US-India strategic cooperation further aggravates these apprehensions.

Dr. Muhammad Riaz Shad, National University of Modern Languages (NUML) Islamabad, said fighting through proxies gives states an opportunity of deniability.

#### No strikes – Israel would never

* They’d have done it by now – preemptively attacked Iraq and Syria within weeks of finding single reactors
* A strike would make the bomb more likely by emboldening Iran, they’d leave the NPT, kick out IAEA watchdogs, and sanctions support collapses – funds nuke mod in Iran
* It hurts Israel by eroding regional allies and Iran gets a face lift – independently messes up US-Israel ties and erodes assurances
* Veto players – Netanyahu needs approval from the IDF and security cabinet and they all hate him

Keck 15 [Zachary Keck is the Wohlstetter Public Affairs Fellow at the Nonproliferation Policy Education Center. Before that, he was a researcher at the Belfer Center for Science and International Affairs. "5 Reasons Israel Won't Attack Iran." https://nationalinterest.org/commentary/five-reasons-israel-wont-attack-iran-9469?page=0%2C1]

Although the interim deal does further reduce Israel’s propensity to attack, the truth is that the likelihood of an Israeli strike on Iran’s nuclear facilities has always been greatly exaggerated. There are at least five reasons why Israel isn’t likely to attack Iran.

1. You Snooze, You Lose

First, if Israel was going to strike Iran’s nuclear facilities, it would have done so a long time ago. Since getting caught off-guard at the beginning of the Yom Kippur War in 1973, Israel has generally acted proactively to thwart security threats. On no issue has this been truer than with nuclear-weapon programs. For example, Israel bombed Saddam Hussein’s program when it consisted of just a single nuclear reactor. According to ABC News, Israel struck Syria’s lone nuclear reactor just months after discovering it. The IAEA had been completely in the dark about the reactor, and took years to confirm the building was in fact housing one.

Contrast this with Israel’s policy toward Iran’s nuclear program. The uranium-enrichment facility in Natanz and the heavy-water reactor at Arak first became public knowledge in 2002. For more than a decade now, Tel Aviv has watched as the program has expanded into two fully operational nuclear facilities, a budding nuclear-research reactor, and countless other well-protected and -dispersed sites. Furthermore, America’s extreme reluctance to initiate strikes on Iran was made clear to Israel at least as far back as 2008. It would be completely at odds with how Israel operates for it to standby until the last minute when faced with what it views as an existential threat.

2. Bombing Iran Makes an Iranian Bomb More Likely

Much like a U.S. strike, only with much less tactical impact, an Israeli air strike against Iran’s nuclear facilities would only increase the likelihood that Iran would build the bomb. At home, Supreme Leader Ali Khamenei could use the attack to justify rescinding his fatwa against possessing a nuclear-weapons program, while using the greater domestic support for the regime and the nuclear program to mobilize greater resources for the country’s nuclear efforts.

Israel’s attack would also give the Iranian regime a legitimate (in much of the world’s eyes) reason to withdraw from the Nuclear Non-Proliferation Treaty (NPT) and kick out international inspectors. If Tehran’s membership didn’t even prevent it from being attacked, how could it justify staying in the regime? Finally, support for international sanctions will crumble in the aftermath of an Israeli attack, giving Iran more resources with which to rebuild its nuclear facilities.

3. Helps Iran, Hurts Israel

Relatedly, an Israeli strike on Iran’s nuclear program would be a net gain for Iran and a huge loss for Tel Aviv. Iran could use the strike to regain its popularity with the Arab street and increase the pressure against Arab rulers. As noted above, it would also lead to international sanctions collapsing, and an outpouring of sympathy for Iran in many countries around the world.

Meanwhile, a strike on Iran’s nuclear facilities would leave Israel in a far worse-off position. Were Iran to respond by attacking U.S. regional assets, this could greatly hurt Israel’s ties with the United States at both the elite and mass levels. Indeed, a war-weary American public is adamantly opposed to its own leaders dragging it into another conflict in the Middle East. Americans would be even more hostile to an ally taking actions that they fully understood would put the U.S. in danger.

Furthermore, the quiet but growing cooperation Israel is enjoying with Sunni Arab nations against Iran would evaporate overnight. Even though many of the political elites in these countries would secretly support Israel’s action, their explosive domestic situations would force them to distance themselves from Tel Aviv for an extended period of time. Israel’s reputation would also take a further blow in Europe and Asia, neither of which would soon forgive Tel Aviv.

4. Israel’s Veto Players

Although Netanyahu may be ready to attack Iran’s nuclear facilities, he operates within a democracy with a strong elite structure, particularly in the field of national security. It seems unlikely that he would have enough elite support for him to seriously consider such a daring and risky operation.

For one thing, Israel has strong institutional checks on using military force. As then vice prime minister and current defense minister Moshe Yaalon explained last year: “In the State of Israel, any process of a military operation, and any military move, undergoes the approval of the security cabinet and in certain cases, the full cabinet… the decision is not made by two people, nor three, nor eight.” It’s far from clear Netanyahu, a fairly divisive figure in Israeli politics, could gain this support. In fact, Menachem Begin struggled to gain sufficient support for the 1981 attack on Iraq even though Baghdad presented a more clear and present danger to Israel than Iran does today.

What is clearer is that Netanyahu lacks the support of much of Israel’s highly respected national security establishment. Many former top intelligence and military officials have spoken out publicly against Netanyahu’s hardline Iran policy, with at least one of them questioning whether Iran is actually seeking a nuclear weapon. Another former chief of staff of the Israeli Defense Forces told The Independent that, “It is quite clear that much if not all of the IDF [Israeli Defence Forces] leadership do not support military action at this point…. In the past the advice of the head of the IDF and the head of Mossad had led to military action being stopped.”

#### Past economic crisis disprove their impact – but their economy is reliant on US aid which means disad turns because case does

Schaer 7/19 Cathrin Schaer . "Jordan and the US: An alliance too important to fail | DW | 19.07.2021." DW, 19.07.2021 , www.dw.com/en/jordan-and-the-us-an-alliance-too-important-to-fail/a-58291101.

"Given the various crises that Jordan has been dealing with recently, it's of great symbolic importance," Ratka said, referring to recent political plots within the Jordanian royal family, the country's ongoing economic and water crises and the impact of the COVID-19 pandemic. The past few years haven't been easy on the small Middle Eastern state, or its alliance with the US. Washington's friendly relationship with Jordan dates back to the end of World War II. But it was not until the 1950s that the kingdom became truly important for the American government — which saw it as a safe, moderate country and a bulwark against communism and Arab nationalism in the region. Over the decades, Jordan has also played a long-running role in negotiations between the Israelis and the Palestinians. It was the second Arab nation to make peace with Israel in 1994, but also lobbies strongly for the Palestinian people. Many Jordanians have Palestinian roots. Palestinian Authority President Mahmoud Abbas and Jordan's King Abdullah High hopes for Biden: Palestinian Authority President Mahmoud Abbas (left) and King Abdullah met in June US-Jordan relations at a 'low point' Still, none of this prevented the previous US president, Donald Trump, from sidelining Jordan. Trump seemed to favor the strongman leaders of other countries like Saudi Arabia and Egypt over Jordon's King Abdullah. "He [Trump] really didn't care about Jordanian interests at all," said Ratka. "It was very difficult for Jordan under Trump. The relationship was really at a low point." At the same time, Jordan is not as stable as it once was. In an analysis by the Brookings Institution's Doha Center, the country of 10 million was described as a "soft dictatorship" with minimal democracy. Simply put, despite elections and a parliament, the royal family are in charge. Jordanians have now begun to question their legitimacy. Recently, against the backdrop of an economic recession and what are seen as broken government promises, Jordan experienced grassroots Arab Spring-style protests. Demonstrators hold up posters in front of Jordanian policemen during a protest near the prime minister's office in Amman in 2018 Although anti-austerity protests may have been quelled, Jordan's financial woes persist These were quickly repressed — but this April, the country made international headlines after what appeared to be a possible coup within the palace, allegedly led by King Abdullah's half-brother, Prince Hamzah, a would-be reformer. Multiple crises Due partially to the impact of the COVID-19 pandemic, conditions have failed to improve in the resource- and water-poor country. According to the World Bank, the Jordanian economy shrank 1.6% over the course of the last year while unemployment has risen to nearly 25%. Youth joblessness is even worse, at around 50%. Jordan also has major water woes and at the sam time is experiencing a severe drought. As a result of these factors, Jordan remains heavily dependent on foreign aid — most of which it receives from the US — amounting to around $1.5 billion (€1.26 billion) annually. According to a July Congressional Research Service's report, Jordan received $22 billion (€18.6 billion) from the US between 1946 and 2018. "Currently, Jordan is the third-largest recipient of annual US foreign aid globally, after Afghanistan and Israel," the briefing noted. A Jordanian farmer hows a branch of a tomato plant that has dried out due to severe drought Jordan is experiencing one of the worst droughts in its history Jordan gets military aid from Washington, too. The US Department of Defense (DoD) says the kingdom has received $1.5 billion in military assistance since 2015. The funding allows the kingdom to buy and maintain military equipment like F-16 fighter jets. There are also currently around 3,000 American soldiers stationed in the country.

#### Draw-in is irrelevant—all based around an Israeli first-strike on Iran drawing in all the players in the Middle East