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WAYS OF IMPROVING TRADE IN JORDAN WITHIN THE FRAMEWORK OF INTERNATIONAL COMMERCIAL LAW

ABSTRACT

The main purpose of the article is to identify ways to improve the trading system in the framework of the development of international commercial law. The object of research is the trading system and commercial law in Jordan. The scientific task is to form a model for improving the trading system in the framework of the development of international commercial law in Jordan. The main method used in the article is the IDEF3 method, which allows, through a system of flowcharts, to model the directions for improving the trading system in the framework of the development of international commercial law. As a result of the study, the key stages of improving the trading system in Jordan in the framework of the development of international commercial law were identified and characterized, including the use of digital technologies, the expansion of rights and freedoms in trade, and the use of smart contracts. The value of the obtained results lies in modelling and improving the efficiency of trade operations in Jordan taking into account the norms and rules of international commercial law. The limitations of the study concerned taking into account the specifics of trade and law only in Jordan because the author of the article belongs to this country.

Keywords: trade, trade operations, law, commercial law, international activity, models

JEL Classification: L81, K22, K33

INTRODUCTION

In the modern world, one of the main driving forces of economic development is international trade, which is a sphere of international economic relations and is a combination of external trade in products, services, products of intellectual labour of all countries of the world. It currently accounts for 80% of all international relations.

International trade is a characteristic feature of the existence of the world market, which is the sphere of commodity-money relations between countries based on the international division of labour and other factors of production. A product that is in the world market in the exchange phase performs an information function since it reports the average values of aggregate supply and demand. Therefore, countries can evaluate and adapt the parameters of their products and production (ie, how much, for whom to produce) to the requirements of the world market.

The influence of the processes taking place at the intersection of international trade and investment and commercial law on national, primarily economic and legal regulation remains insufficiently studied in legal science. Depending on the sectoral focus of the relevant studies, their authors focus either on the national legal or international legal levels of regulation, and the relatively few works that study both national legal and international legal regulators primarily pursue comparative goals. However, the international determinants of the regime of trade and investment activity are necessarily interconnected and interact with national determinants, their isolation from the aggregate reality is only relevant for analytical purposes. Thus, international legal prescriptions that restrict the regulatory freedom of states to take protectionist measures concern, first of all, not foreign, but national business entities. In addition, in the global economic space, the boundary between foreign and national business entities is becoming more

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and more conditional: their distinction is made according to a formal criterion - incorporation, which does not provide a real connection between the enterprise and the economic system.

In general, the "core themes" of the trade regime are shared welfare, efficiency, liberalization, exchange of market access and trade concessions, but not business rights. The political economy of international investment agreements is quite different. Traditionally, bilateral investment agreements provide protection for foreign investment already present in the host country. The parties to these agreements seek to create favourable conditions for investment activity by introducing international minimum standards, in particular expropriation, fair and equitable treatment and non-discrimination.

In light of the convergence between international trade and investment law, policymakers and legislators need to keep in mind that trade regulatory action can have unintended consequences in the investment arena through claims by foreign investors, which would mean significant waste to the government. This requires increased attention to the choice of specific regulatory measures and methods of their application, maximum consideration of the concepts of both international trade and investment and commercial law and the study of arbitration practice in order to develop productive tactics for protecting public interests in relevant disputes.

LITERATURE REVIEW

As Skvarciany, (2020) and Kita, (2012) rightly noted, the development of world trade at the turn of the XX-XXI centuries was characterised by a change in priorities in the conceptual approaches to the selection of foreign trade models. This is due to a number of reasons, in particular, the destructive impact of the global financial and economic crisis on reproduction in open economies and the complication of institutional forms of global production and marketing cooperation. The influence of these factors is important in a certain range of directions and manifestations.

As Pascoa, (2018), Polovtsev, (2023) and Sylkin (2021) note, in order to form a national regulatory policy adequate to the challenges of the current stage of world development, it is important to study the deep processes of globalization and related determinants of international cooperation in the field of trade, systems of state regulation of foreign trade relations in countries with different levels of economic and social development, their institutional structures.

As Devlin, (2005), Celebi, (2019) and Zitkus (2011) and Shtangret, (2021) note, modern world economic thought is expanding the research field of macroeconomic decisions on the choice of a foreign trade model as a factor that can affect the level of development of productive forces, science and technology, enhance the degree of maturity of market relations, innovation and other parameters that characterize a country's position in the international coordinate system. The study of scientific developments on the influence of the external component model on economic development shows that, as several centuries ago, the thesis still dominates that the liberal model of foreign trade as a whole has greater opportunities to ensure positive economic dynamics than protectionism. There are debatable questions regarding the degree of combination of liberal and protectionist levers to protect the country's national interests and comply with its obligations to the world community to open the domestic market. At the same time, it should be noted that discussions on the macroeconomic effects of trade liberalization under commercial law are part of the problem, which consists in the contradictory effect on the economic growth of the free cross-border movement of goods, capital and labour.

As Fomina, (2022), Ivanova, (2021) and Saslavsky (2012) note, the polarization of the economic development of countries integrating into the global economic and trade space gives rise to a whole wave of alternative views to the classical and neoclassical mainstream, which focus, in particular, on such a problem as the macroeconomic effects of the participation of developing countries from their participation in international trade, including from an economic point of view.

As Shepherd, (2017), Buhel, (2021), Ortynskiy (2021) and Kryshtanovych, (2023) have noted over the past decades, the processes of integration and globalization have contributed to the growth of the scale of international trade and economic relations and objectively led to the formation of appropriate systems for regulating the exchange of goods and services. Within these systems, the use of certain tools and methods of regulating international trade within the framework of commercial law is gradually being limited, which narrows the ability of states to protect national economic interests in foreign markets and entails the need to transform their regulatory policy. One of the mechanisms that make it possible to take into account the imperatives of globalization and protect national economic interests is the national regulatory policy in the field of foreign trade within the framework of commercial law. For Jordan, as Drou, (2020); Alazzam, (2020) and Silih, (2020) noted, which has a high level of external openness and is under the restrictive influence of institutional and structural factors inherited from the command-administrative system, it is an effective foreign trade policy that can become the most important factor in increasing international competitiveness.

As Saleh, (2020), Alshunnaq, (2022) and Shakhathreh (2023) note, commercial law, as a branch of law that has a great influence in the sphere of the state economy, remains the most priority area for study, since it is civil law that includes many regulations and laws that affect the regulation of not only economic relations and trade, but also many other spheres of human life and social relations. In Jordan, as in many other countries of the Romano-Germanic legal family, the delegated legislation procedure has spread, which, in turn, means that the legislature can entrust the executive authorities with the issuance of regulations governing trade relations in accordance with general legislation. Of course, the basis of trade relations and the most common type is entrepreneurial activity.

As Gani, (2017), Bazyliuk, (2019) and Marti, (2014) note, since both entrepreneurial activity and trade in general are the basis for the emergence of various social relations, as a rule, there are several main ones. 1. On-farm, regulated, as a rule, by local regulations, issued on the basis of a common regulatory framework. 2. Commodity-money property relations carried out within the framework of entrepreneurial activity and constituting the area of civil law regulation. 3. Entrepreneurial, emerging on the basis of the relationship between business entities and management bodies. Based on the foregoing (Sylkin, 2018), it should be noted that the basis for the formation of legislation in the field of trade and entrepreneurship should be such a criterion as the scope of entrepreneurial activity. Only in this case, the most effective development of the system of legal regulation of trade relations will be possible. Of course, the state takes far from the last role in regulating trade.

According to Huba, (2020), Lypovska, (2022) and Kornieieva, (2022) one of the most important issues related to e-commerce is the issue of its taxation. It is worth saying that this type of trade is a very promising object of taxation, which, as the trends towards digitalization intensify, promises to bring an increasing amount of income to the budgets of countries through taxes. But in the process of taxation of electronic commerce by world states, double taxation of the subject of electronic commerce most often occurs. The development of e-commerce in the context of digitalization, despite the obvious advantages, leads to problems in the legal regulation of its various aspects. From the foregoing, it can be argued that in order to eliminate the problematic issues caused by electronic commerce, it is outlined that it is necessary to develop an effective taxation system for electronic commerce, based on a balance of regulatory and fiscal goals, and to reform legislation in this area. Also, due to the high level of development of electronic commerce, it is necessary to revise the list of goods and services whose remote sale is prohibited, as well as to establish legal regulation of cryptocurrencies.

AIMS AND OBJECTIVES

We set the goal to determine ways to improve trade and trade operations in Jordan by taking into account the rules and regulations of international commercial activity. The main scientific tasks include the characterization of ways to improve trade and trade operations in Jordan; the presentation of a methodical approach to achieving the goal of the article; formation of processes and objects focused on achieving the goal and improving trade.

METHODS

Modelling in the IDEF3 notation is part of the structural analysis of systems and can be used as an addition and refinement of the IDEF0 model. The IDEF3 methodology is based on a graphical process description language. The system (not necessarily informational) is described as an ordered sequence of events with a simultaneous description of objects related to the process being modelled. IDEF3 modelling can be implemented in two ways: Process Flow Description (PFD) - Description of technological processes, indicating what happens at each stage of the technological process. Object State Transition Description (OSTD) - description of object state transitions, indicating what intermediate states exist for objects in the simulated system. The same two models will be presented in the results of our study.

In addition, summarizing was used a number of other methods: analysis and synthesis; systematization and deduction an abstract method is used to form conclusions. The graphical method made it possible to present a number of research results.

RESULTS

Jordan is a country in southwest Asia, the territory of which is seven times smaller than the territory of Ukraine, and the population is 4.4 times. In the economic dimension, the gap between countries is smaller: Ukraine's nominal GDP in USD is only 3.5 times higher than Jordan's GDP, and in terms of per capita GDP, this difference is even smaller, and not always

in favour of Ukraine. In USD at current prices, Ukraine's GDP is USD 3.7 thousand per person, which is less than Jordan's GDP, which is USD 4.4 thousand.

The Association Agreement between Jordan and the EU provides for the formation of a comprehensive framework for cooperation in politics, trade, economics and finance. It requires free access for Jordanian producers to European markets and aims to facilitate both the export of Jordanian enterprises to the EU and the business of EU companies in Jordan. The second most important is the free trade zone between Jordan and the United States, an agreement which was signed on October 24, 2000, and entered into force on December 17, 2001. This free trade agreement for the first time included separate blocks of provisions on trade and the environment, trade and tetanus, and e-commerce. Other provisions relate to the protection of intellectual property rights, balance of payments, rules of conduct, guarantees, and procedural matters such as consultation and dispute resolution. The agreement eliminated tariffs on almost all trade between the two countries for 10 years. Tariff reductions will take place in four phases: current tariffs of less than 5% are cancelled after two years; tariffs of 5-10% - after four years, tariffs of 10-20% - after 5 years, tariffs above 20% - after 10 years.

The key scenarios for realizing these gains are to achieve liberalization of Jordanian market access by reducing both import duties and non-tariff barriers to trade. At the same time, even the full liberalization of Ukraine's import duties in trade with Jordan will have very little impact on real GDP and welfare, as well as on other macroeconomic indicators. The model estimates that the largest increase in income will be for the unskilled labour force, however, it is these workers who are also most affected by the shift in the equilibrium in the economy and will look for new jobs. However, the scale of redistribution of factors of production between sectors will be insignificant. The increase in exports will exceed the increase in imports, due to Jordan's higher level of protection compared to Ukraine, as well as the structure of trade. Within the framework of the proposed scenarios, an expansion of the positive trade balance can be expected.

In modern conditions, the problem of unification of the law of international trade in Jordan is quite relevant. After all, the unification of commercial commercial law is a necessary condition for integration, since there is a process aimed at creating a single legal space. Currently, there is a serious contradiction between the global nature of international trade turnover and the legal mechanism within which trade relations are mainly regulated. This situation gives rise to a complex of problems, the main of which is the creation of uniform rules for the participants in these relations. The "unification" of the commercial law of international trade refers to the process of developing and adopting legal norms that promote the development of international trade. The difference between the regulation of business turnover and the legal orders of countries often creates unjustified legal obstacles for cross-border trade. Many legal orders do not adequately take into account the current level of business turnover. As a result of applying different norms of commercial law of different states to the same relations, conflicts and disagreements arise. As a result, international agreements are deprived of a reliable legal basis.

But the unification of law is not only the only thing to talk about in terms of improving trade. Processes and objects are the keys, for this we will present the corresponding, process (PFD) and object-oriented (OSTD) trade improvement diagrams. In our opinion, this approach will better achieve the goals and objectives. Modelling will take place in several stages, each characterized by the formation of the corresponding diagram according to the methodology used (Figure 1).

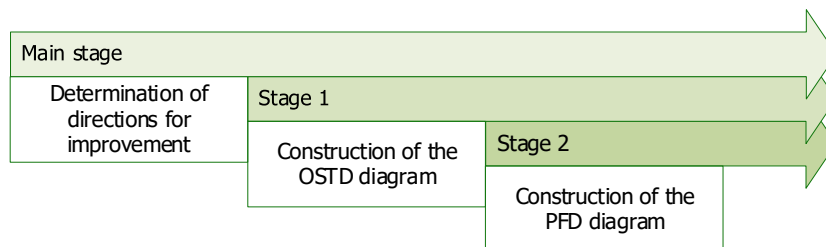


Figure 1. Chart construction according to the modelling method.

First, let's imagine an OSTD diagram that includes the key objects to be achieved. They are presented in the form of trade development improvement blocks. We will conventionally designate them as O1-O3 (Figure 2).

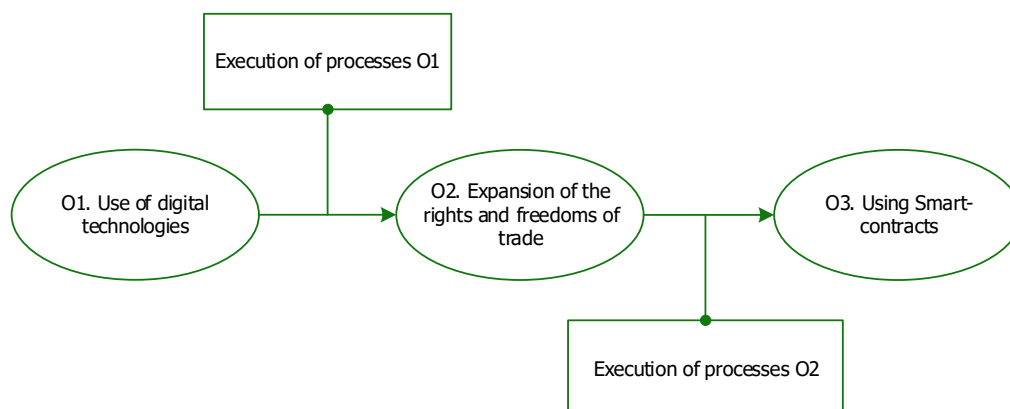


Figure 2. The OSTD diagram.

Currently, the development of Jordanian legislation tends to adapt to the existing legal norms in accordance with modern information technologies. This process involves the harmonization of international legal regulation as a way to reduce contradictions between the norms of the national legislation of different countries that create certain barriers in international electronic commerce. The effectiveness of the mechanism of legal regulation of electronic trade in services is an urgent task for modern states, including regulatory authorities, as well as international regulatory organizations and consumers of services implemented through electronic communication, including legal entities and individuals engaged in trading activities using the Internet. It should be borne in mind that the establishment of contractual relations for transactions on the Internet is a kind of contractual relationship in general. Based on this, the general classification of contractual civil law relations should be applied to them. But a specific feature, such as the presence of an electronic element, poses quite serious problems in the field of legal regulation of electronic commerce.

States that have adopted model laws or conventions on the use of electronic communications in international contracts have, in fact, contributed to the creation of a single legal space for cross-border e-commerce. These regulations are based on the principle of neutrality, the technology of non-discrimination of electronic communications and functional equivalence. But, despite the existing progress in the formation of legislation governing electronic agreements, there are still three problems. First, the regulatory acts govern in some detail the issues of electronic signatures (e-signature), and their components (authentication), but the issues of other important contractual conditions, such as the time and place of sending and receiving, confirmation of receipt, place of signing and use of automated messaging systems, are not sufficiently elaborated. Likewise, most e-transactions laws do not address an important international aspect of e-commerce, such as the choice of applicable commercial law, which is one of the grounds for potential conflict in cross-border e-commerce. In addition, even if there are provisions in some laws on cross-border recognition of electronic signatures, in many cases the provision is not implemented, since a rather burdensome system of their mutual recognition is needed.

As part of our study, a number of aspects of trade in Jordan should be detailed in order to better understand the essence of the problems. Secondly, there are differences in the implementation of the basic principles in the national legislation of Jordan, in particular, technological neutrality in the use of electronic signatures. Some countries have adopted specific technologies based on electronic signatures, such as public key infrastructure. The regulatory requirement to create a national authority for the certification of electronic signature systems may not be realized due to the lack of specialists and high financial costs, especially in developing countries where these authorities can be established for a long time. In such cases, electronic agreements cannot be recognized as a legally significant fact requiring the intervention of a national certification body to confirm the validity of this agreement. In addition, the requirement to use certain cryptographic systems when conducting e-commerce or e-government transactions can be a barrier to online transactions.

The next step will be to determine how to achieve each of the proposed steps in Figure 2 through the appropriate processes. To do this, we will build a PFD diagram, which was presented in the research methodology (Figure 3).

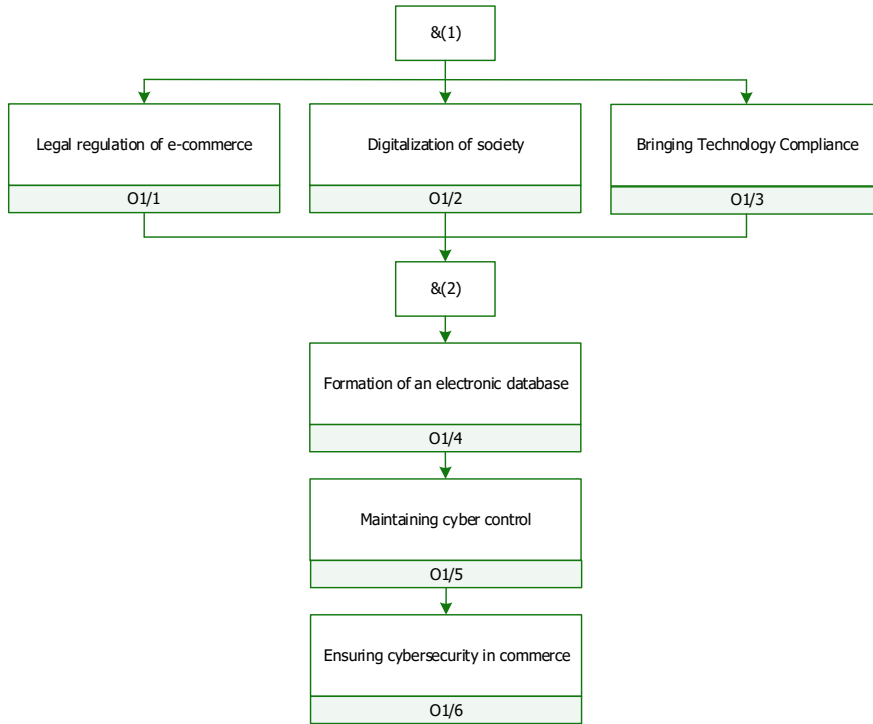


Figure 3. The PFD diagram for O1. Note: & means that each process must execute simultaneously and in parallel for subsequent steps.

Similarly, a diagram should be presented for the implementation of processes related to the trade improvement block - O2 (Figure 4).

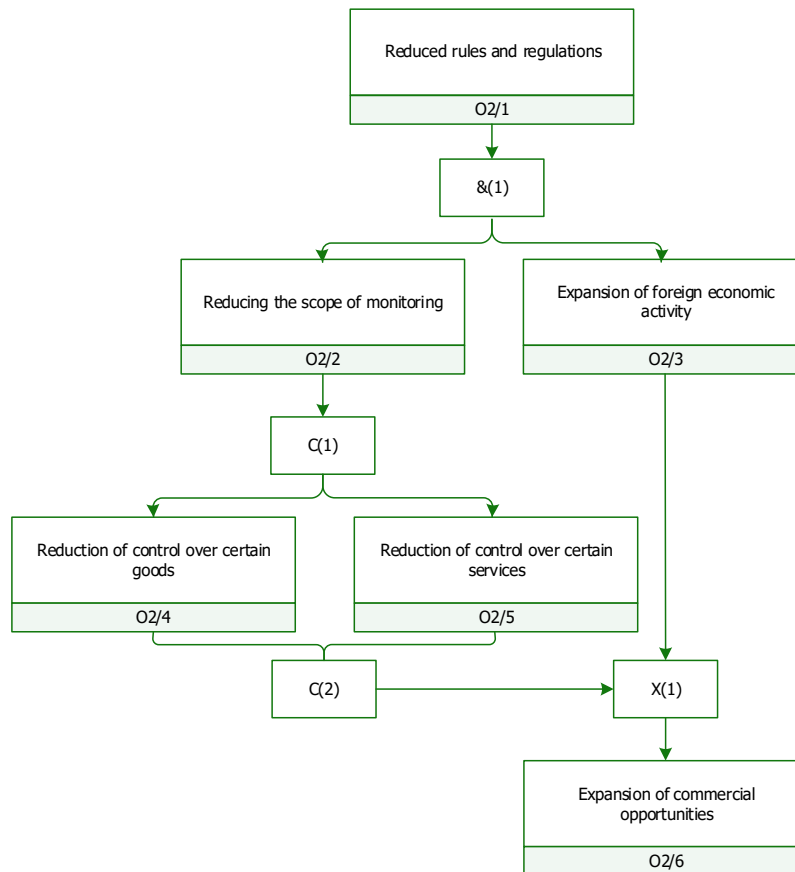


Figure 4. The PFD diagram for O2. Note: C means that at least one of the processes must be running, otherwise there is no further progress.

Hundreds of thousands of economically active citizens buy every day. Recent years have been characterized by fundamental changes in the field of information technology in Jordan. Over the past ten years, there has been a trend in the field of trade, when the seller and the buyer do not make a deal face to face, but the purchase or sale is made via the Internet. The combination of Internet services, web page design and usability, and a plethora of mobile computing devices has created a radically new generation of commerce: e-commerce or e-commerce. E-commerce is a commercial agreement in which the parties interact exclusively electronically, without using the process of physical exchange. This agreement can be made either by the electronic ordering of a "normal", tangible thing that will be delivered by traditional means (postal services or courier services), or the transaction can be made entirely in an electronic field when the order, payment and "delivery" of the goods are made on the Internet (for example, the purchase of software, entertainment content). The basis of electronic commerce is a commercial agreement (transaction) that is the basis of electronic commerce carried out between individuals and legal entities without any state borders. Currently, the e-commerce market continues to develop: the number of online stores, and online auctions are growing, and the number of consumers using the Internet to purchase goods and services is increasing. It should be noted that such largest online auctions and online stores as eBay, Amazon, AliExpress, Alibaba, and Taobao play an important role in the field of e-commerce.

The main elements of the tariff regulation mechanism are customs duties, which determine the amount of payment for export and import goods, for which there are customs tariffs. Customs duties are among the most traditional and at the same time actively taken measures to regulate the import and export of goods. At the same time, duties to the greatest extent allow maintaining a healthy competitive environment. Customs duties are considered the most adequate instrument for regulating exports and imports in an open economy.

Non-tariff restrictions on import and export operations are a set of prohibitive and restrictive measures that complicate the process of penetration of foreign goods into the domestic markets of the country and are aimed at protecting national markets. The growing importance of the use of non-tariff methods of regulation in world trade began after the end of World War II, as they have a number of advantages over tariff methods. Their advantages are that the system of non-tariff barriers has a fairly extensive network, so the greatest efficiency is achieved. Non-tariff barriers are a set of direct or indirect restrictions on foreign economic activity with the help of a multidisciplinary system of economic, political and administrative methods. Traditionally, non-tariff instruments for regulating exports and imports are any instruments of regulation related to the use of a customs tariff. The purpose of these measures is not only to strengthen the competitive position of companies in the importing country but also to protect the national industry, protect the environment, the life and health of the population and the national security of the state.

Most often, a licensing mechanism is used to implement quotas, which should regulate the ratio of supply volumes and quotas. The mechanism of distribution of licenses has a significant impact on the results of quotas. There are three main ways to distribute a license: on the basis of an auction, and on the basis of clear advantages according to the cost method. No method of enforcing quotas is perfect, and introducing them almost always comes with additional costs and increased potential for abuse. None of them excludes the possibility of monopolization of supplies by both importers and exporters. Technical barriers are a traditional type of non-tariff restrictions associated with the presentation of requirements for the technical characteristics of a product, which can be used as a means used to restrict the access of various goods to the domestic market of the country. Technical barriers, both in nature and in their manifestations, are very diverse. Among the technical barriers, several specific areas are usually distinguished - sanitary, veterinary and phytosanitary norms and rules. These areas of regulation are closely connected with the preservation of the population, farm animals and plants.

Let's talk about the O3 position in the model. A smart contract in Jordan concluded between users is written with a blockchain code. At the same time, both parties to the agreement remain anonymous, and the contract becomes public. At the same time, the parties remain anonymous and, importantly, the developed smart contracts are concluded without the use of intermediaries, that is, the parties are relatively independent. You can always check the justification of the contract, that is, make sure that it is not fraudulent. They compare the terms of the contract with the situation on the market. The agreement between the parties is in the distributed (between the parties to the agreement) registry in encrypted form. No one can change it at their own discretion. The fundamental logic here is to automate the principle of choosing options while abandoning the original option: "if then - then" on a self-fulfilling basis. In the specialized literature, an example of a conventional vending machine is often given as an original form of a smart contract. At its core, its engine calculates and distributes changes as well as product selection by the customer. The sources of the transaction are the participants in the transaction themselves. No need to involve lawyers use executive and supervisory functions. The electronic data processing system is responsible for this, so any manipulations and "frauds" are excluded. The positive aspect of a smart contract is that it simplifies transactions: it takes a lot of time to work with contracts on paper, and when using smart contracts, everything is simplified and accelerated. All business processes due to this are much faster. When one of

the parties does not fulfil its obligations under the contract, the exchange is not made, and after a while, it is generally recognized as invalid.

There is a wide range of applications for smart contracts, ranging from contracts that simply automate the implementation or execution of contracts (such as issuing payments on a contract) to contracts that are written entirely in code. While smart contract code adds new dimensions to legal analysis, it is much easier to see how contract law would apply when parties simply use code to implement natural language contracts, since a natural language contract is still a complete agreement.

The development of contract law in the field of e-commerce contracts provides important answers and recommendations on how this law will apply to smart contracts. Over the past decade, regulators and courts have begun to accept electronic contracts in the financial services industry. An example of a reduction in financial and time resources is the conclusion in 2016 of a smart contract for the supply of cheese and butter from the Irish producer Ornuia to a Seychelles company in the amount of USD 100 thousand, the transaction was completed in 4 hours, although traditionally this process takes from seven to ten days due to the difficulties of processing related documentation, including the exchange of original documents using courier services.

As for other countries, for example, in Ukraine, it works as follows. The parties to such a smart contract in Ukraine are the seller, the buyer and the banking institution. All of them must have access to a distributed computer network, in which the software algorithm for the implementation of this contract is fixed, as well as an electronic signature certifying the consent of the parties to the terms of the contract. The subject of the agreement in this smart contract is a set of actions that must be performed upon the occurrence of the specified conditions: re-registration of the apartment as the property of the buyer, transfer of this apartment to a banking institution for a mortgage, obtaining a loan by the buyer and transferring funds to the seller of the apartment. The essential terms of the contract are the identification of the apartment itself, which is the object of sale, the price of the apartment, the payment term for the apartment, the interest rate and the loan repayment period. At the same time, in order to automatically fulfil the contract, the program must be able to automatically change the owner of the apartment in the State Register of Rights to Real Estate, automatically impose an encumbrance on real estate in the State Register of Mortgages, and also automatically debit funds from the accounts of a banking institution in favour of the seller, as well as from the accounts of the buyer in favour of a banking institution.

Despite the obvious advantages, the use of smart contracts today is limited by certain disadvantages. Firstly, the use of blockchain technology involves payments only in cryptocurrency. Many countries of the world allow the use of cryptocurrencies and develop legal regulations. In particular, the popular cryptocurrency Bitcoin is allowed to be used in 99 countries around the world. It is most actively used in Japan, the USA, Canada, Great Britain, Germany, Denmark, and Sweden. In Jordan and Ukraine, unfortunately, the use of cryptocurrency is not legally defined, which creates a number of obstacles to the use of smart contracts. In conditions of legislative uncertainty, settlements in cryptocurrency are possible only by common agreement of all parties to the contract.

The practice of working with smart contracts has shown that a smart contract can be made independently (if the manager knows programming) or contact a specialized company. Only an information technology specialist can read a smart contract since it is written in a programming language. Sometimes the parties add comments in their native language to the code.

Smart contracts began to be used when concluding transactions on trading platforms. AliExpress is a well-known platform in the world that implements classic smart contracts (hereinafter referred to as the Platform). This example illustrates the mechanism of functioning of classic smart contracts when trading real goods. The following services are implemented on the Platform: authorization, authentication, information placement, information retrieval, and a software environment that implements smart contracts (directly fixing transaction parameters, processing payment information, etc.). The role of the Platform is a trusted third party that provides the ability to conclude transactions, mechanisms for automating execution at stages where possible, and arbitrage in the event of a failure in the process of executing transactions. The contract concluded with the help of the Platform has an observability property. Both the buyer and the seller are able to observe the main stages of the execution of the contract, often including delivery by postal services (which, when buying a tracking service, implement classic "postal" smart contracts).

The use of smart contracts in commercial activities can potentially create a more convenient environment for interaction between business structures. In many cases, conducting experiments and developing solutions in the field of smart contracts is an integral part of the use of distributed ledger technology. Smart contracts have a wide scope for application not only in the financial sector, but also in other sectors of the economy, and the widespread use of digitalization is one of the main trends in their development. However, do not expect fast and widespread adoption of smart contracts. Any innovations before their wide application must go through a certain path of development.

The fulfilment of the terms of the contract is much faster due to the automation of processes compared to the standard mechanism for fulfilling the contract. All necessary documentation (not only financial) is part of one smart contract. The necessary checks, sightings, calculations and other actions are performed instantly in the required sequence.

A high level of protection of the parties to the agreement from each other, since the terms of the contract are recorded in electronic form and the contract itself is directly stored in a distributed network. This makes it impossible to make changes to its terms without the consent of the other party. Opportunity to opt out of trusted intermediaries. The absence of intermediaries allows the participants of the smart contract to work on more favourable terms, which, in turn, translates into a reduction in time and financial costs.

Smart contracts can provide high-speed transaction execution in a variety of business use cases. Here are some examples where the execution of a contract should be simple: insurance contracts, in which the parameters of the insurance policy are written into the smart contract code and applied automatically.

Let's present the key advantages and disadvantages of smart contracts in Table 1.

Advantages	Disadvantages
Transparency - the parties can clearly see the conditions for fulfilling the obligation	Lack of flexibility, as there is no way for a party to explain to the other party the reasons for non-payment, or to agree to reschedule deadlines
Speed - the exchange of assets occurs immediately, as soon as the parties fulfil their obligations	Doubtful security, because, like any computer program, a smart contract can have certain bugs and no one excludes the possibility of the influence of computer viruses
No need to involve intermediaries	The complexity of the conclusion, since not every person has at least minimal knowledge in writing codes, not to mention the fact that a certain procedure must be followed in concluding such a smart contract
Facilitate enforcement of obligations through automation	

Advantages and disadvantages of smart contracts but there is also a problem. A smart contract does not have functional flexibility. When using traditional mechanisms for concluding an agreement, it is always possible to agree or change its terms, but when using smart contracts, it is difficult to implement such changes during its execution. If one of the parties has violated the fixed conditions, then the automatic execution of the relevant sanctions for the violation will occur immediately. For example, if the quantity of the delivered goods turned out to be less than specified in the smart contract, or its quality turned out to be worse, then the trackers that track the relevant parameters will transfer the information to the smart contract and the calculation will be made taking into account the adjustment factor defined in the smart contract code.

A smart contract basically has a program code, which, due to errors made at the stage of its writing (programming), may not function correctly, which, in turn, may lead to incorrect execution of the conditions of the smart contract or the emergence of conditions for committing fraudulent actions.

DISCUSSION

Discussing the topic raised, it should be noted that the mechanism for implementing trade and economic relations of countries at the macro and micro level includes the implementation by individual regional enterprises of marketing analysis of potential international markets and the conclusion of international agreements and contracts with business entities of other countries and regions of the world. To this level, it is necessary to attribute to the competitor the connections between the subjects of international trade and economic activity.

In the process of discussion, there is a tendency that within the framework of trade and economic relations and commercial law, special attention should be paid to the aspect of international economic integration. The integration process usually begins with the liberalization of mutual trade, the elimination of restrictions on the movement of goods, then services, and capital, and gradually, under appropriate conditions and the interest of partner countries, leads to a single economic, legal, information space within the region, in this context, in our opinion, the role and place of trade and economic relations in the process should be considered in more detail.

Consequently, the main goal of integration is to increase the volume and distribution of the range of goods and services based on and as a result of ensuring the efficiency of economic activity. Most of the integration associations emerging and developing in the modern world economy must fulfil a number of tasks, the main of which are the use of economies of

scale, the solution of trade policy problems, the promotion of economic restructuring, the support of young industries, the creation of a favourable foreign policy environment, the ability to regulate socio-economic processes at the regional level.

Discussing what exactly we support among other studies (Devlin, Yee, 2005; Shakhathreh, 2023;) is the close cooperation of Jordan with Ukraine in the framework of the development of international trade. The key scenarios for realizing these gains are to achieve liberalization of Jordanian market access by reducing both import duties and non-tariff barriers to trade. At the same time, even the full liberalization of Ukraine's import duties in trade with Jordan will have very little impact on real GDP and welfare, as well as on other macroeconomic indicators.

Unlike other studies (Žitkienė, Žitkus, 2011; Çelebi, 2019; Gani, 2017), we chose to narrow our focus on a methodical approach to improving trade operations in Jordan and take into account the specifics of international commercial law.

Discussing the obtained results, it should be noted that they differ from others. The difference is that we present not only specific ways to improve trading operations but also graphically model exactly how this can be achieved. Therefore, the scientific and practical difference lies in the very approach to the improvement of trade in Jordanian territory and within the framework of commercial law.

Not only countries but also their individual administrative-territorial units (including subjects of federated states) are increasingly involved in the processes of globalization. Even for countries with a rich experience in foreign economic cooperation with foreign partners, solving the issues of organizing international cooperation between their regions and foreign entities is a very difficult task, which requires careful processing at different levels of government in order to prevent the erosion of the foundations of a holistic foreign policy of the state, undermining national authorities, inf modern management methods, advanced technologies, etc. The involvement in the system of international relations of an increasing number of participants, including constituent territorial parts of federal countries, necessitates a serious study of the problems of developing and further coordinated implementation of a unified state foreign economic policy at the federal and regional levels.

CONCLUSIONS

In conclusion, we have that the trade and economic relations of countries occupy a leading place in the system of international economic relations, not only as important factors in the economic development of any country in the world but also as actively influencing the daily life of people and their activities around the world. International economic relations within the framework of commercial law are a set of relations that arise between entities from different countries regarding the production of material and spiritual goods and their appropriation in all areas of social reproduction (direct production, distribution, exchange and consumption). The system of international economic relations is formed as a result of the interaction of three relatively independent subsystems of technical-economic, organizational-economic and socio-economic relations.

Summing up, it should be noted that the result obtained by us will lie in the presented models of improving the Jordanian trade system in the framework of the development of international commercial law. As a result of the study, the key stages in the improvement of the trade system in the framework of the development of international commercial law were identified and characterized. The practical value of the results obtained is the presented models for improving the efficiency of trade operations, taking into account the norms and rules of international commercial law. The limitations of the study were related to taking into account the specifics of trade and the law of only one country.

ADDITIONAL INFORMATION

AUTHOR CONTRIBUTIONS

All authors have contributed equally

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ШЛЯХИ ВДОСКОНАЛЕННЯ ТОРГІВЛІ ЙОРДАНІЇ В РАМКАХ МІЖНАРОДНОГО КОМЕРЦІЙНОГО ПРАВА

Основною метою дослідження є визначення шляхів удосконалення системи торгівлі в рамках розвитку міжнародного комерційного права. Об'єктом дослідження є система торгівлі та комерційного права в Йорданії. Науковим завданням є формування моделі вдосконалення системи торгівлі в рамках розвитку міжнародного комерційного права в Йорданії. Основним методом, використаним у статті, є метод IDEF3, який дозволяє через систему блок-схем змодельовувати напрями вдосконалення системи торгівлі в рамках розвитку міжнародного комерційного права. У результаті проведеного дослідження було визначено та охарактеризовано ключові етапи вдосконалення системи торгівлі в Йорданії в рамках розвитку міжнародного комерційного права, серед яких: використання цифрових технологій, розширення прав і свободи в торгівлі, використання смарт-контрактів. Цінність отриманих результатів полягає в моделюванні підвищення ефективності торгівельних операцій у Йорданії з урахуванням норм і правил міжнародного комерційного права. Обмеження дослідження стосувалися врахування специфіки торгівлі та права лише Йорданії через приналежність автора статті саме до цієї країни.

Ключові слова: торгівля, торгівельні операції, право, комерційне право, міжнародна діяльність, моделі

JEL Класифікація: L81, K22, K33