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Purpose

This paper aims to further study the panel report in *Russia – Traffic in Transit* regarding the interpretation and application of 1994 general agreements on tariffs and trade (GATT) Article XXI(b). It analyses the threshold applied by the panel in applying Article XXI(b)(iii) and further discusses the potential problem that may arise in the future dispute. This study also investigates the notion of emergency and security interest and its development in international law.

Design/methodology/approach

This normative research uses a qualitative legal methodology. This study conducts desk analysis of primary legal materials and existing literature to assess the concept of security interest within the World Trade Organization (WTO) framework.

Findings

This paper finds that the panel in *Russia – Traffic in Transit* applied subjective and objective test in reviewing Russia's invocation of GATT Article XXI(b)(iii). Despite the adjectival self-judging clause and the political tension of the dispute, the panel is capable to review its application. This study further finds that the term security interest and emergency in international relations still leaves the possibility of open interpretation.

Research limitations/implications

Because of the normative research approach, the research results lack empirical data and implications. Therefore, future research is encouraged to inquire on the empirical research.

Originality/value

This paper fulfils the need to study and explore security exception clause within the WTO framework as a normative rule of law and in the wider conceptual notion of security and emergency in international law.

Keywords

WTO Interpretation Russia – Traffic in Transit Security exception

Citation

[Bismono, R., Priyono, J., and Trihastuti, N.](#) (2022), "The problems of interpreting GATT Article XXI(b)(iii) in *Russia – Traffic in Transit*", *Journal of International Trade Law and Policy*, Vol. 21 No. 1, pp. 65-78. <https://doi.org/10.1108/JITLP-10-2021-0054>

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Abstract

Purpose

This paper aims to indicate that the foreign investment system in Jordan includes many provisions that create an appropriate environment for encouraging foreign investments and grant a distinctive treatment for the foreign investor that allows them the status equal to the national investor.

Design/methodology/approach

This study deals with the protection provided by the Jordan Government for foreign investments to attract foreign investment by studying the guarantees given by Jordan including many legal principles that encourage investment. The legal guarantees for the foreign investor enhance the confidence of the foreign investor in the host country.

Findings

The system provides a lot of guarantees with respect to non-commercial risks to which the foreign investor may be exposed.

Originality/value

The paper also clarifies that the role played by bilateral agreements in the field of investments, as these agreements give foreign investments a measure of protection through the guarantees and they are considered as incentives for the investor.

Keywords

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Acknowledgements

The author is very thankful to all the associated personnel in any reference that contributed to/for the purpose of this research.

Funding: This research is not funded by any resource.

Research funding: This research did not receive fundings from any source.

Availability of data and materials: The data sets used and analyzed during the current study are available from the corresponding author on reasonable request.

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