

## Wto Domestic Regulation And Services Trade Putting Principles Into Practice

Artificial intelligence (AI) technologies are transforming economies, societies, and geopolitics. Enabled by the exponential increase of data that is collected, transmitted, and processed transnationally, AI has significant important implications for international economic law (IEL). This volume examines the dynamic interplay between AI and IEL by addressing an array of critical new questions, including: How to control AI? How to analyze AI for purposes of IEL? How is AI affecting established concepts and rubrics of IEL? Is there a need to reconfigure IEL, and if so, how? Contributors also respond to other cross-cutting issues such as inequality, data protection, algorithms and ethics, the regulation of AI-use cases (autonomous vehicles), and systemic shifts in e-commerce (digital trade) and industrial production (fourth industrial revolution). Available as Open Access on Cambridge Core.

Like tariffs and other border measures, national regulatory barriers impede international trade. Unlike tariffs, however, such barriers usually indicate an important domestic policy choice. This 'control' is seen as a crucial issue in international law, particularly with regard to services, such as telecommunications and health services. This study is the first to analyze the potential impact of incompatibility of national regulatory regimes and the rules and obligations imposed by the General Agreement on Trade in Services (GATS). In the process of arriving at his challenging conclusions, the author investigates such issues as the following: the political and ideological dynamics of GATS negotiations services trade liberalization in regional integration systems, particularly in EC law policies common to diverse national regulatory systems; 'deregulation' and 'privatization' the human rights implications of international trade law the GATS obligations of market access, national treatment, and most-favoured-nation treatment the role of national regulatory organs GATS transparency obligations Professor Krajewski's study is of enormous significance to specialists in regulatory policies and instruments at all national and sectoral levels, especially in the context of trade negotiations. As the author warns: Unless GATS negotiators and national regulators have a thorough understanding of the relationship between GATS obligations and regulatory policies and instruments, they will not use the flexible elements of GATS and could reach an agreement which they may later regret.

This is a detailed guide to reading WTO Schedules of Commitments for Goods and Services.

This book examines the regulation of services within the WTO. It examines the problem of reconciling a liberal system of trade in services with national governments' ability to protect social values.

The book analyses the existing legal framework and assesses the potential of ongoing trade negotiations.

Trade Policy Review Honduras 2010

Research Handbook on Trade in Services

Rationale and Practice in the GATS and Preferential Trade Agreements

Domestic Regulation and Service Trade Liberalization

Facing the Facts

The Urgency and Opportunities for Developing Countries

The Trade Policy Review Mechanism, a permanent feature of the World Trade Organization (WTO), is designed to contribute to improving adherence by all WTO members to rules, disciplines, and commitments made under the Multilateral Trade Agreement. This volume in the series provides information on the trade policies, practices, and macroeconomic situations of Honduras. Each Trade Policy Review is expertly prepared after in-depth analysis of an individual nation by the WTO's Trade Policy Review Board."

Innovative, interdisciplinary, practitioner-oriented insights into the key challenges faced in addressing the services trade liberalization and domestic regulation interface.

This book discusses the law of safeguard measures as laid down in the WTO agreements and cases decided by the Panel and the Appellate Body. It sets out a comprehensive treatment of safeguard measures covering the history and evolution of the law, as well as the procedural requirements and the application of safeguard measures. In addition to measures under Article XIX and the Safeguards Agreement, the book includes coverage of safeguard measures for agricultural products, Special Safeguard Measures for developing countries, safeguard measures for textiles and proposed safeguard measures under General Agreement on Trade in Services (GATS) as well as special safeguard clauses against China. Recognition and Regulation of Safeguard Measures Under GATT/WTO considers safeguards from a developing country's perspective drawing on Joseph E. Stiglitz's argument that developing countries require these trade remedy measures to protect their domestic industries and ensure their development. Sheela Rai considers this view and goes on to examine how beneficial the provisions relating to safeguard measures and their interpretation given by the Panel and Appellate Body have been for developing countries.

The WTO is today dealing with an issue that lies at the interface of two major challenges the world faces, trade liberalization and international migration. Greater freedom for the "temporary movement of individual service suppliers" is being negotiated under the General Agreement on Trade in Services (GATS). Conditions in many developed economies - ranging from aging populations to shortages of skilled labor - suggest that this may be a propitious time to put labor mobility squarely on the negotiating agenda. Yet there is limited awareness of how the GATS mechanism can be used to foster liberalization.

Disruption, Regulation, and Reconfiguration

Current Issues and Debates

Wto - Trade In Services

Liberalization of Trade in Legal Services

WTO Obligations and Opportunities

Development, Trade, and the WTO

This handbook aims to provide a better understanding of GATS and the challenges and opportunities of the ongoing negotiations. For users who are familiar with the General Agreement on Tariffs and Trade (GATT), similarities and differences are pointed out where relevant. Likewise, for users who are familiar with the balance-of-payments definition of 'trade', departures from the Agreement's coverage are explained. To stimulate further thinking about the core concepts and implications of the Agreement, several text boxes have been included to provide 'food for thought', and at the end of each chapter test questions have been added to recapitulate and ensure understanding of the core content. This book is based on a colloquium that was organised jointly by the Vrije Universiteit and the University of Hull in 2006. The essays collected here explore the theme of the legal implications of the WTO rulemaking and the challenges it represents not only for the WTO itself, but also regional trading blocs, governments, companies and citizens.

The Mode 4 commitments of WTO Members are narrow and shallow. Even though trade negotiations for enhanced Mode 4 access started well before the launch of the DDA-prospects for success are thin. These negotiations followed a traditional mercantilist approach- with limited attention to the underlying difficulties countries face in letting people into their borders, either generally, or on the basis of a WTO GATS commitment. This Book argues that this approach alone will not succeed. It proposes a focus not on trading market access concessions only, but on discussions aimed at understanding each other's regulatory approaches. To date, in terms of the literature available, we know very little about how WTO Members are managing their Mode 4 commitments. We know even less about how the WTO could learn from clearly more advanced steps in regional liberalization processes. This Book addresses these issues- through case studies of market access and national treatment commitments, and regulatory approaches in Economic Integration Agreements of a select group of WTO Members.

International rules on trade in services and intellectual property are new additions to the multilateral trading system, but both have played an important role in the system since their entry. Accompanied by a detailed introduction, this volume contains essays which cover not only the law and jurisprudence of these topics but also the underlying economics and politics behind their incorporation into the multilateral system and continued prominence. The volume provides readers with a comprehensive overview of the development of these controversial and increasingly important areas of international trade law.

Balancing Domestic Regulation and Trade Liberalisation Under the World Trade Organisation's Multilateral Rules on Trade in Services

The Regulation of International Trade, Volume 1

A Handbook on the GATS Agreement

The Legal Impact of the General Agreement on Trade in Services (GATS) on National Regulatory Autonomy

Artificial Intelligence and International Economic Law

A Technical Barriers to Trade Agreement for Services?

**This book synthesises recent work by the OECD analysing services trade policies and quantifying their impacts on imports and exports, the performance of manufacturing and services sectors, and how services trade restrictions influence the decisions and outcomes of firms engaged in international ...**

**Trade Law, Domestic Regulation and Development is about the relationship between trade, regulation and development. By combining law and economics perspectives on the international trading system, Trachtman takes an interdisciplinary approach in analyzing the topic of globalization and economic development. In a developing economy, as globalization proceeds, a critical factor is the relationship between liberalization of movement of goods, services, and people, on the one hand, and the right to regulate, including the right to regulate for development, on the other hand. In the context of market access, all countries need the right to restrict imports of goods or services that may hurt consumers or the broader society, and developing countries sometimes need the ability to subsidize their own goods and services, or sometimes to restrict imports of goods or services, in order to promote development. Nonetheless, both developed and developing countries often fall into the trap of regulating for protectionist or corrupt reasons. Finding the right balance between market access and regulation is the subject of analysis in this collected volume of 16 papers by Trachtman, and presented in a manner that is accessible and interesting to both law and economics readers. In Trachtman's own words, "The purpose of [international] trade law in this context [globalization] seems to be to allow states to agree to avoid creating these inefficient policy externalities, not to force all states to dance to the same tune." Errata(s) Errata (24 KB) Contents:IntroductionTrade Law and Domestic Regulation:Philippines — Taxes on Distilled Spirits: Like Products and Market Definition (with Damien Neven)Brazil — Measures Affecting Imports of Retreaded Tyres: A Balancing Act (with Chad P Bown)Continued Suspense: EC–Hormones and WTO Disciplines on Discrimination and Domestic Regulation (with Bernard Hoekman)Embedding Mutual Recognition at the WTOIncomplete Harmonization Contracts in International Economic Law: Report of the Panel, China — Measures Affecting the Protection and Enforcement of Intellectual Property Rights, WT/DS362/R, adopted 20 March 2009 (with Kamal Saggi)Canada–Wheat: Discrimination, Non-Commercial Considerations, and the Right to Regulate Through State Trading Enterprises (with Bernard Hoekman)Regulatory Jurisdiction and the WTOThe World Trading System, the International Legal System and Multilevel ChoiceTrade Law and Development:Incorporating Development among Diverse MembersDoing Justice: The Economics and Politics of International Distributive JusticeThe WTO and Development Policy in China and IndiaLegal Aspects of a Poverty Agenda at the WTO: Trade Law and 'Global Apartheid'Systemic Concerns Regarding WTO Law:The WTO CathedralJurisdiction in WTO Dispute SettlementNegotiations on Domestic Regulation and Trade in Services (GATS Article VI): A Legal Analysis of Selected Current IssuesToward Open Recognition? Standardization and Regional Integration under Article XXIV of GATT Readership: Advanced postgraduate students in law taking modules in international trade and developmental**

economics, and also vice versa. **Key Features:** Provides a unique economic analysis of legal problems of globalization Examines the problem of the "right to regulate" in detail Explains the relationship between trade liberalization and development **Keywords:** Trade; WTO; International Law; Globalization; Right to Regulate; Development

Domestic regulation of services sectors has a significant impact on services trade liberalization, which is why General Agreement on Trade in Services (GATS) disciplines are negotiated in the WTO. With the help of analyses and case-studies from academics, regulators and trade experts, this book explores the scope and limits of WTO legal principles to promote domestic regulatory reform. Case-studies discuss country-specific challenges and experiences of regulating important service sectors, such as finance, telecommunications, distribution, legal, education, health, postal and logistics services, as well as the role of regulatory impact assessments. The findings will interest trade officials, policy-makers, regulators, think tanks and businesses concerned with the implications of domestic regulation on access to services markets, and with the opportunities for formulating trade disciplines in this area. It is also a useful resource for academics and students researching regulatory approaches and practices in services sectors.

The negotiations relating to domestic regulations in services are entering their final phase. While the implementation of their results will depend on overcoming the current stalemate in the Doha negotiating round, it becomes increasingly clear that Members will want to capitalize on the progress made in this area regardless of the fate of the Doha round. Whereas important principles of good governance and transparency are being 'multilateralized' through these negotiations, WTO Members appear reluctant to endorse in the final text of these negotiations a necessity test. Necessity is a principle of constitutional value within the WTO, well-known from long-established case-law under Article XXIV GATT, requiring that WTO Members avoid creating unnecessary barriers to trade by choosing those domestic measures which have the least trade-restrictive effect possible. Who's afraid of necessity? This Note aims to discuss this very question drawing lessons from older and more recent interpretations given to the concept of necessity under the WTO agreements.

**Trade Law, Domestic Regulation and Development**

**National Regulation and Trade Liberalization in Services**

**GATT**

**The Regulation of Subsidies Within the General Agreement on Trade in Services of the WTO**

**The Trade and Climate Change Nexus**

**International Trade in Health Services and the GATS**

Publisher's description: Developing countries are increasingly confronted with the need to address trade policy related issues in international agreements, most prominently the World Trade Organization (WTO). New WTO negotiations on a broad range of subjects were launched in November 2001. Determining whether and how international trade agreements can support economic development is a major challenge. Stakeholders in developing countries must be informed on the issues and understand how their interests can be pursued through international cooperation. This handbook offers guidance on the design of trade policy reform, surveys key disciplines and the functioning of the World Trade Organization (WTO), and discusses numerous issues and options that confront developing countries in using international cooperation to improve domestic policy and obtain access to export markets. Many of the issues discussed are also relevant in the context of regional integration agreements. Separate sections of the handbook summarize what constitutes sound trade policy; the major aspects of the WTO from a development perspective; policy issues in the area of merchandise trade and the liberalization of international transactions in services; protection of intellectual property rights and economic development; new regulatory subjects that are emerging in the agenda of trade talks; and enhancing participation of developing countries in the global trading system.

"The General Agreement on Trade in Services (GATS) extends the multilateral trading system to services. Little is said in the GATS about subsidies, beyond stipulating that subsidies are subject to the existing provisions, including the most-favoured-nation and national-treatment principles, and that Members shall enter into negotiations with a view to developing the disciplines necessary to avoid the trade distorting effects of subsidies." "This timely book provides a comprehensive analysis of services subsidies under the GATS. It begins with a description of services and trade in services, and of the salient characteristics that make regulation of services subsidies more complex than those associated with agricultural and industrial goods. It then analyzes the economic arguments underpinning the need for regulation, as well as the need for governments to retain sufficient latitude to implement non-trade-related policy measures. A description of the information available on services subsidies is followed by a classification of services subsidies according to their distortive effects, and by a detailed analysis of those elements that may form a definition of services subsidies for the purpose of a future regulatory framework." "A key section is devoted to the analysis of those existing provisions of the GATS that may exert a certain measure of discipline on services subsidies, and to the question of the desirability and technical feasibility of countervailing measures. Rules on services subsidies contained in regional trade agreements and the need for special and differential treatment for services subsidies by developing countries are also discussed. Finally, and prior to the conclusion, two sectoral studies deal with the question of subsidies aimed at attracting foreign direct investment and subsidies to the audiovisual sector." "This work represents the first extensive and comprehensive analysis of the issue of services subsidies in the context of the GATS, and includes numerous references to relevant European Union State Aid legislation and jurisprudence."

--Book Jacket.

With the establishment of the WTO, trade in services became part of the world trade order. Volume 6 is dedicated to these rather recent developments. It covers the core agreement, the General Agreement on Trade in Services (GATS) with annexes, as well as the additional instruments, which have been

adopted later on to govern the liberalization in specific sectors. Those are the Understanding on Commitments in Financial Services, the Second Protocol on Financial Services, the Third Protocol on the Movement of Natural Persons, the Fourth Protocol on Basic Telecommunications and the Fifth Protocol, which contains further rules for financial services. This volume will be a valuable reference tool for the WTO community as a whole, as well as for professionals and researchers, who deal with one of the sectors concerned, e.g. financial services and telecommunications. Furthermore, it is highly relevant in view of those sectors, which are the subject of ongoing liberalization efforts or earmarked for future negotiations, namely accounting, legal services, transport, tourism, environmental services, legal and educational services.

The World Trade Organization's General Agreement on Trade in Services (GATS) sets out a framework and rules for the liberalization of international trade in services. Paragraph 2(a) of the GATS Annex on Financial Services is generally known as the Prudential Carve-Out (PCO). Notwithstanding GATS obligations, it allows WTO Members to pursue prudential regulatory objectives. This book studies the GATS PCO in light of its negotiating history and economic rationale as well as PCOs in all preferential trade agreements notified to the WTO Secretariat up to the summer of 2017. The author clarifies the state of play of international cooperation on financial services regulation; provides a current understanding of the GATS PCO; analyses how PCOs are drafted in preferential trade agreements and, finally, he seeks to understand whether alternative approaches to the mainstream understanding of the PCO are possible and suggests options for reform.

Services Liberalization in the EU and the WTO

The Political Economy of Trade in Services Agreements

Trade in Services: Negotiating Issues and Approaches

Services Trade Policies and the Global Economy

The Prudential Carve-Out for Financial Services

Recognition and Regulation of Safeguard Measures Under GATT/WTO

***Both in WTO law and EU law there is a dichotomy between liberalisation based on market access and targeting domestic regulation. Consequently, both regimes share the problem of distinguishing national measures impairing market access and those that do not have such effect. Looking at the provision of services, a cornerstone of EU substantive law, in the EU and the WTO this book offers a comprehensive evaluation of the current legal status quo on transnational services provision on a global level. Based on thorough analysis of both EU and WTO law, policymakers are provided with concrete proposals for fostering the consistency and effectiveness of the current regime. A final chapter discusses possible approaches to regulation such as home state rule, host state rule and mutual recognition from a comparative perspective. Written by a highly respected author team, this is essential reading for EU internal market specialists and WTO law scholars alike.***

***Serving Whose Interests? explores the political economy of trade in services agreements from a critical legal perspective. The controversy surrounding the General Agreement on Trade in Services (GATS) and its variants at the regional and bilateral levels can, it is argued, be seen as a clash between two paradigms. For most of the twentieth century, under welfare states and state socialism, these services were viewed from a local and national perspective as embodying a mix of economic, social and cultural dimensions and were managed by the state through strong regulation and direct ownership and delivery. That socially based and state-centred approach has been progressively displaced since the 1980s through neoliberal policies of privatisation, deregulation and liberalisation, the transnationalisation of finance and production, and new technologies. The internationalisation of services markets has thus become a driver of contemporary capitalism. The explicit aim of 'trade in services' agreements is to lock in national regulations and policies that enhance the profitability of international services markets. They are exclusively the tools of contemporary global capitalism, yet are represented as the new pathway for development. It is argued here, however, that there is a fundamental contradiction between the global market model and the intrinsically social nature of services, whether they are social services like education, media and midwifery, or inputs to capitalist production such as finance, transport, energy, and telecommunications. This book examines and draws out these tensions and contradictions through a combination of theoretical analysis and a series of truly global case studies that include the market in internet gambling, education, pensions, electricity privatisation, supermarkets, tourism, oil, culture, temporary migrants, private finance initiatives and call centres. The product of extensive research by an internationally renowned expert in the area, yet written in an accessible manner, Serving Whose Interests? combines a technical and political analysis that will be of interest to informed trade specialists, academics and students working in the areas of international trade and international trade law, and others with interests in the organisation and regulation of the global economy.***

***This Research Handbook explores the latest frontiers in services trade by drawing on insights from empirical economics, law and global political economy. The world's foremost experts take stock of the learning done to date in services trade, explore policy questions bedeviling analysts and direct attention to a host of issues, old and new, confronting those interested in the service economy and its rising salience in cross-border exchange. The Handbook's 22 chapters shed informed analytical light on a subject matter whose substantive remit continues to be shaped by rapid evolutions in technology, data gathering, market structures, consumer preferences, approaches to regulation and by ongoing shifts in the frontier between the market and the state.***

***Trade in services, far more than trade in goods, is affected by a variety of domestic regulations, ranging from qualification and licensing requirements in professional services to pro-competitive regulation in telecommunications services. Experience shows that the quality of regulation strongly influences the consequences of trade liberalization. WTO members have agreed that a central task in the ongoing services negotiations will be to develop a set of rules to ensure that domestic regulations support rather than impede trade liberalization. Since these rules are bound to have a profound impact on the evolution of policy, particularly in developing countries, it is important that they be conducive***

**to economically rational policy-making. This book addresses two central questions: What impact can international trade rules on services have on the exercise of domestic regulatory sovereignty? And how can services negotiations be harnessed to promote and consolidate domestic policy reform across highly diverse sectors? The book, with contributions from several of the world's leading experts in the field, explores a range of rule-making challenges arising at this policy interface, in areas such as transparency, standards and the adoption of a necessity test for services trade. Contributions also provide an in-depth look at these issues in the key areas of accountancy, energy, finance, health, telecommunications and transportation services.**

***Moving People to Deliver Services***

***Opening Markets for Foreign Skills: How Can the WTO Help?***

***A Guide to the GATS Debate***

***Putting Principles into Practice***

***The Principle of Necessity in the WTO - Lessons for the GATS Negotiations On Domestic Regulation***

***Challenges of Implementation***

This text is in response to the many misinformed, often exaggerated arguments leveled against the WTO. Kent Jones explains in persuasive and engaging detail the compelling reasons for the WTO's existence and why it is a force for progress toward economic and non-economic goals worldwide.

This book was originally published in 2007. Developing countries make up the majority of the membership of the World Trade Organization. Many developing countries believe that the welfare gains that were supposed to ensue from the establishment of the WTO and the results of the Uruguay Round remain largely unachieved. Coming on the heels of the 9/11 terrorist attacks, the ongoing Doha Development Round, launched in that Middle Eastern city in the fall of 2001, is now on 'life support'. It was inaugurated with much fanfare as a means of addressing the difficulties faced by developing countries within the multilateral trading system. Special and differential treatment provisions in the WTO agreement in particular are the focus of much discussion in the ongoing round, and voices for change are multiplying because of widespread dissatisfaction with the effectiveness, enforceability, and implementation of those special treatment provisions.

The internationalization of legal services and the development of corporate law firms have led to profound changes in the practice of law, giving it a more commercial and international focus. These changes, coupled with a general intolerance of restrictions to competition, have led governments to reconsider the way they regulate the profession. Liberalization of trade in legal services takes place both at the multilateral level within the World Trade Organization's General Agreement on Trade in Services (GATS) and at the regional level within preferential trade agreements (PTAs). This book analyses the liberalization process that takes place at both levels. It is the first publication to undertake an in-depth analysis of the obligations contained in these agreements. Starting from an overview of the regulations related to legal services – and focusing on barriers to cross-border legal services that result from these regulations – the analysis goes a long way towards pinpointing which regulations should be removed and which adopted or preserved in order to facilitate international trade in legal services. Insightful considerations explore the cross-border features of such elements as the following: cross-border mergers and acquisitions; intellectual property rights; new financial instruments; business-to-business dispute resolution mechanisms; business permits; company formation; tax burdens; regulatory compliance; transparency rules; residency and local presence requirements; restrictions on (e.g.) ownership, investment, entry, fee-setting, and advertising; and extension of accountancy disciplines to legal services. Noting that the most successful global law firms are not those that impose one single culture but rather those that harmonize many cultures around shared core values and a consistent approach to clients, the author has produced a timely and far-reaching work that is highly relevant for international legal practice. It is sure to be warmly welcomed by legal practitioners, government officials and policymakers in the legal services sector, and advisors at governments and international organizations, as well as by academics and researchers.

A detailed examination of the GATT regime for international trade, discussing the negotiating record, policy background, economic rationale, and case law. The General Agreement on Tariffs and Trade (GATT) was created alongside other towering achievements of the post-World War II era, including the United Nations, the World Bank, and the International Monetary Fund. GATT, the first successful agreement to generate multilateral trade liberalization, became the principal institution to administer international trade for the next six decades. In this book, Petros Mavroidis offers detailed examination of the GATT regime for international trade, discussing the negotiating record, policy background, economic rationale, and case law. Mavroidis offers a substantive first chapter that provides a detailed historical background to GATT that stretches from the 1927 World Economic Conference through Bretton Woods and the Atlantic Charter. Each of the following chapters examines the disciplines agreed to, their negotiating record, their economic rationale, and subsequent practice. Mavroidis focuses on cases that have influenced the prevailing understanding of the norm, as well as on literature that has contributed to its interpretation, and the final outcome. In particular, he examines quantitative restrictions and tariffs; the most favored nation clause (MFN), the cornerstone of the GATT edifice; preferential trade agreements and special treatment for products originating in developing countries; domestic instruments; and exceptions to the obligations assumed under GATT. This book's companion volume examines World Trade Organization (WTO) agreements regulating trade in goods.

International Trade in Services and Domestic Regulations

Determining the Necessity of Domestic Regulations in Services

The World Trade Organization and Trade in Services

A Look at South Africa's Telecommunications Sector

Trade Liberalization Vs. Domestic Regulation of Services

Necessity, Transparency, and Regulatory Diversity

While trade exacerbates climate change, it is also a central part of the solution because it has the potential to enhance mitigation and adaptation. This timely report explores the different ways in which trade and climate change intersect. Trade contributes to the emissions that cause global warming and is itself also affected by climate change through changing comparative advantages. The report also confronts several myths concerning trade and climate change. The Trade and Climate Change Nexus: The Urgency and Opportunities for Developing Countries focuses on the impacts of, and adjustments to, climate change in developing countries and on how future trade opportunities will be affected by both the changing climate and the policy responses to address it. The report discusses how trade can provide the

goods and services that drive mitigation and adaptation. It also addresses how climate change creates immense challenges for developing countries, but also new opportunities to promote trade diversification in the transition to a low-carbon world. Suitable trade and environmental policies can offer effective economic incentives to attain both sustainable growth and poverty reduction.

Health ministries around the world face a new challenge: to assess the risks and respond to the opportunities of the increasing openness in health services under the World Trade Organization's (WTO) General Agreement on Trade in Services (GATS). 'International Trade in Health Services and the GATS' addresses this challenge head-on by providing analytical tools to policymakers in health and trade ministries alike who are involved in the liberalization agenda and, specifically, in the GATS negotiations. This book informs and assists policymakers in formulating trade policy and negotiating internationally. There is ongoing and animated international debate about the impact of GATS on public services in general and health in particular. In response, the book offers different perspectives from more than 15 leading experts. Some of the authors stress opportunities linked to trade in health services, others focus more on the risks. The book offers: Detailed legal analysis of the impact of the agreement on health policy An overview of trade commitments in health-related services New empirical evidence from nine country studies A simple 10-step explanation on how to deal with GATS negotiations. 'International Trade in Health Services and the GATS' is a must-have resource for policymakers and other practitioners working in the trade and health sectors.

The World Trade Organisation plays the primary role in regulating international trade in goods, services and intellectual property. Traditionally, international trade law and regulation has been analysed primarily from the trade-in-goods perspective. Services are becoming an important competence for the WTO. The institutional, legal and regulatory influence of the General Agreement on Trade in Services (GATS) on domestic economic policymaking is attracting increasing attention in the academic and policymaking literature. The growing importance of services trade to the global economy makes the application of the GATS to trade in services an important concern of international economic policy. The GATS contains important innovations that build on the former GATT and existing WTO/GATT trade regime for goods. This book fills a void in the academic and policymaking literature by examining how the GATS governs international trade in services and its growing impact on the regulatory practice of WTO member states. It offers a unique discussion of the major issues confronting WTO member states by analysing the GATS and related international trade issues from a variety of perspectives that include law, political economy, regulation, and business. Moreover, the role of the WTO in promoting liberalised trade and economic development has come under serious strain because of the breakdown of the Doha Development Round negotiations. The book analyses the issues in the Doha services debate with some suggested policy approaches that might help build a more durable GATS framework. The book is a welcomed addition to the WTO literature and will serve as a point of reference for academics, policymakers and practitioners.

A necessity test is a tool that reflects the balance between each country's prerogative to regulate in its own jurisdiction and the multilateral interest in progressive liberalization of services trade. Experience gained in goods trade indicates that the principle of necessity can be a useful proxy allowing the judiciary of the World Trade Organization (WTO) to draw the dividing line between legitimate regulation and protectionist abuse. This article explores the possibility of creating a necessity test that would be applicable to all services sectors. Such a horizontal test may yet emerge from the current negotiations within the Working Party on Domestic Regulation (WPDR), which aim to fulfil the legal mandate contained in Article VI(4) of the General Agreement on Trade in Services (GATS or the Agreement). At the core of this mandate, as clarified by various negotiating documents, lies the requirement that Members ensure that domestic regulatory measures relating to licensing, qualifications, and technical standards do not constitute unnecessary barriers to trade in services.

Serving Whose Interests?

Who's Afraid of the WTO?

The Future of Maritime Transport

The Best is Yet to Come

WTO Domestic Regulation and Services Trade

The Regulation of Services and Intellectual Property

*The aim of this work is to analyse the current provisions on domestic regulation contained in the GATS, as well as to examine the negotiations on future disciplines currently being worked on by WTO members. In particular it aims to see what impact these rules will have on the licensing of telecoms services. In addition the study seeks to investigate whether, on a proper analysis and understanding of the legal texts on domestic regulation, the claims made by some civil society organisations and NGOs are valid.<sup>59</sup>*

*This text addresses two central questions: what impact can international trade rules on services have on the exercise of domestic regulatory sovereignty, and how can services negotiations be harnessed to promote and consolidate domestic policy reform across highly diverse sectors?.*

*The papers in this volume, produced as part of the OECD Trade Directorate's services project, explore fundamental issues for the WTO services negotiations.*

*Contains GATT, GATS, TRIPS, the new dispute settlement procedures and the legal framework of the WTO.*

*The Legal Texts*

*Problems and Prospects*

*The Results of the Uruguay Round of Multilateral Trade Negotiations*

*The WTO Global Agreement on Trade in Services (GATS) and Health Equity in Southern Africa*

*A Handbook on Reading WTO Goods and Services Schedules*

*Services are regulated for a variety of reasons. Regulation is typically influenced by political economy forces and may thus at times reflect protectionist motivations. Similar considerations arise for goods, but the potential for protectionist capture may be greater in services as many sectors are self-regulated by domestic industry. There are specific disciplines on regulation of goods (product standards) in the WTO Agreement on Technical Barriers to Trade (TBT). This encourages the use of international*

*standards and requires that norms restrict trade only to the extent necessary to achieve the regulatory objective. WTO disciplines on domestic regulation of services are weaker and differ in key respects from those for goods. We discuss reasons for this discrepancy and assess whether consideration should be given to seeking to adopt the TBT-type disciplines that apply to trade in goods.*

*A Handbook*

*WTO Law and Developing Countries*

*A WTO Secretariat Publication*

*Concepts, Standards and Regulatory Approaches*

*Lessons from the EU and Uganda's Regional Services Deals*