

DOMESTIC REGULATION & SERVICE TRADE LIBERALIZATION

Editors

Auditya Mattoo • Pierre Sauvé



Domestic Regulation And Service Trade Liberalization

Aik Hoe Lim



Domestic Regulation And Service Trade Liberalization:

Domestic Regulation and Service Trade Liberalization Aaditya Mattoo, Pierre Sauvé, 2003-01-01 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 *Domestic Regulation and Service Trade Liberalization* Aaditya Mattoo and Pierre Sauvé, 2003

Domestic Regulation and Service Trade Liberalization Pierre Sauvé, Aaditya Mattoo, 2003-08-29 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 **WTO Domestic Regulation and Services Trade**

Aik Hoe Lim, Bart De Meester, 2014-03-13 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 **WTO Domestic**

Regulation and Services Trade Aik Hoe Lim, 2009 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

National Regulation and Trade Liberalization in Services

Markus Krajewski, 2003-01-01 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 conflict of interest has emerged 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 incompatibilities between 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 concluding theses the author investigates such relevant concepts 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 the notions of 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 the WTO's dispute settlement 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 ongoing GATS 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 cannot effectively use the flexible elements of GATS and could reach an agreement which they may later regret

Trade Liberalization Vs. Domestic Regulation of Services

Ese Stephen Owie, 2010
International Trade in Services and Domestic Regulations Panagiotis Delimatsis, 2007-12-27 In 2005 the WTO Appellate body ruled that the United States total prohibition on cross border gambling services was unlawful under the General Agreement on Trade in Services GATS The questions raised by the case whether and how a Government could block service provision on moral grounds went to the heart of key controversies surrounding international economic law How do you reconcile a liberal system of international trade in services with national governments desire to protect social values through service regulation How much control are the WTO members willing to transfer to the WTO How much regulatory diversity can the international trading system withstand This book provides a comprehensive analysis of the regulation of services under the WTO's GATS Agreement Through a thorough examination of the GATS negotiation history substantive provisions judicial interpretation and ongoing reform process the book presents a clear picture of how the multilateral

trading system justifies and tolerates regulatory diversity In this respect the book focuses on the core general principles of necessity and transparency which would allow the assessment of the consistency with the GATS of domestic regulations in services at a horizontal cross sectoral level In addition the book reviews with a critical eye the ongoing GATS negotiations on the creation of rules on domestic regulations *Trade and Regulatory Reform Insights from Country Experience* OECD,2001-07-23 This conference proceedings presents national experiences of regulatory reform and trade in order to foster consensus building on best practices Such practices include enhanced transparency non discriminatory due process independence of regulators and active implementation of competition policy Preferential Trade Agreement Policies for Development Jean-Pierre Chauffour,Jean-Christophe Maur,2011-06-22 The Handbook offers an introduction to the key elements of Preferential Trade Agreements PTAs addressing the practical economic and legal aspects of the regulatory policies in PTAs Liberalizing Trade in Services Bernard M. Hoekman,2006 Abstract Since the mid 1980s a substantial amount of research has been undertaken on trade in services Much of this is inspired by the World Trade Organization or regional trade agreements especially the European Union but an increasing number of papers focus on the impacts of services sector liberalization This paper surveys the literature focusing on contributions that investigate the determinants of international trade and investment in services the potential gains from greater trade and liberalization and efforts to cooperate to achieve such liberalization through trade agreements It concludes that there is increasing evidence that services liberalization is an important source of potential welfare gains but relatively little research has been done that can inform the design of international cooperation both trade agreements and development assistance so as to more effectively promote development objectives **Liberalization of Trade in Legal Services** Gilles Muller,2013-08-01 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.

Services Trade and Domestic Regulation Henk Kox, Hildegunn Kyvik Nord, 2007

Trade Law, Domestic Regulation And Development Joel P. Trachtman, 2015-04-08

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."

Services Trade Liberalisation and Facilitation Sherry Stephenson, Soonhwa Yi, 2002

Written for service sector policy makers, this book describes the key issues related to the World Trade Organization's current round of service negotiations. It discusses the core principles of GATS, migration, credit for reforms, domestic regulation, transparency and recognition, and regional options.

Pacific Initiatives for Regional Trade Liberalization and Investment Cooperation Mari Pangestu, 1993

Services Trade and Domestic Regulation Rupa Chanda, 2007

The service sector has become increasingly important in national output and employment of developing and least developed countries (LDCs). For many of these economies, services constitute a fast-growing and often dominant sector in gross domestic product (GDP) with important forward and backward linkages to the economy. However, growing trade and investment flows in services and the liberalisation and deregulation of trade and investment regimes also pose regulatory challenges and raise many concerns. This issue of Trade Hot Topics summarises the cross-country experience with domestic regulation of services and liberalisation of services trade and investment based on a multi-country study of six developing

countries Bangladesh The Gambia India Jamaica Kenya and Zambia It outlines how the service sector has evolved and been impacted by trade and investment liberalisation and sectoral reforms in these countries the contribution of services to these economies some of the negative outcomes associated with liberalization the regulatory challenges that have shaped the liberalisation process and how the national experiences have in turn shaped the multilateral commitment strategy of these countries under the WTO negotiations on services under the General Agreement on Trade in Services or GATS **Service Provision and Migration** Simon J. Tans, 2017-07-03 This book investigates how liberalization of service provision related to movement of natural persons takes shape within EU and WTO law It provides an overview and analysis of the implementation of the identified obligations derived from EU law and the GATS in the Dutch legal order and that of the United Kingdom A thorough investigation of the chosen strategies in each legal order is provided including a comparison of the differences and similarities between these strategies The resulting overview leads to insight into the tension that exists between the international obligations related to service mobility of the two investigated states on the one hand and their migration law and access to the labour market legislation on the other *Ten Years of ASEAN Framework Agreement on Services (AFAS)* Trí Thành Võ, 2006 GATS 2000 Pierre Sauve, Robert M. Stern, 2010-12-01 With the negotiation of the General Agreement on Trade in Services GATS the policies affecting access to and conditions of competition in service markets are today firmly rooted in the multilateral trading system Written with policymakers and practitioners in mind the essays in this volume address some of the most pressing questions arising in services trade today some of which were not addressed by the first generation of GATS negotiators

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