

Regulating Trade In Services In The Eu And The Wto Trust Distrust And Economic Integration

The LDC Waiver is a legal tool that enables WTO Members to sidestep their obligation to treat all services imports equally under the Most-Favoured Nation (MFN) clause through the granting preferential treatment to services and service exporters from a Least Developed Country (LDC). It is similar to the “Enabling Clause” for goods within the Generalized System of Preferences (GSP), except that the Waiver only benefits LDCs, not all developing countries. It operates thus as an “LDC-only Enabling Clause for services”. The Waiver only enables preferences, it does not require WTO Members to grant them, nor provide them with specific ideas or tools to facilitate LDCs’ exports into their markets. This paper presents the findings of the pilot study on Nepal. Focusing on a selection of services sectors of particular export interest to Nepal, this case-study assesses, where appropriate on an anecdotal basis, whether and to what extent the preferences granted by WTO Members respond to the market access, regulatory and other barriers experienced by Nepal’s services exporters in their export market(s). By converging all available sources of information, the analysis aims to identify the relevance of the notified preferences for Nepal’s services exports, possible gaps and opportunities for further development of improved market access mechanisms, as well as its utilization by LDC services exporters.

The service sector is the most important sector for most developed economies being the largest contributor to gross domestic product, production, and employment. Developing

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economies on the other hand have a comparative advantage in labor services, however, the export of many of these services is limited by many restrictions on the temporary movement of labor imposed through domestic regulation. This study provides a comprehensive overview of the international trade in services focusing on market access in foreign markets. It also explains how developing economies are dealing with the issue of trade restrictions so as to spur development of the service sector.

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.

First Published in 2004. Routledge is an imprint of Taylor & Francis, an informa company. This book brings outstanding expertise and provides insightful perspectives from nineteen authors with diverse backgrounds, including officials from international organizations, national regulators, and commercial banking, as well as academics in law, economics, political economy, and finance. The authors not only shed light on the causes of the financial turmoil, but also present thoughtful proposals that contribute to the future policy debate, and discuss opportunities that financial services can offer in funding activities which raise standards of living through initiatives in microfinance, renewable energy, and food distribution. The contributions to this volume tackle several of the thorniest issues of financial regulation in a

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post-crisis environment, such as: the mechanics of contagion within the financial system and the role of liquidity; moral hazard when large financial institutions are no longer subject to the disciplinary effects of bankruptcy; bank capital requirements; management compensation; design of bank resolution schemes; a function-centric versus institution-centric regulatory approach; subsidization and compatibility of stimulus packages with EU rules on state aid; trade finance and the role of the GATS prudential carve-out; and the role of financial services in promoting human rights or combating climate change.

The services sector is key to economic growth, competitiveness, and poverty alleviation. Comprising more than two-thirds of the world economy, services are now commonly traded across borders, helped by technological progress and the increased mobility of persons. In recent years, a number of developing countries have looked at trade in services as a means to both respond to domestic supply shortages and to diversify and boost exports. Any country can tap into the trade potential of services, but not every country can become a services hub across sectors. The opening of the services sector potentially comes with large benefits, but also fears and costs that should not be overlooked. This book provides useful guidelines for the assessment of a country's trade potential, and a roadmap for successful opening and export promotion in select services sectors. It looks at both the effects of increased imports and exports, and provides concrete examples of developing country approaches that have either succeeded or failed to maximize the benefits and minimize the risks of opening. It focuses on sectors that have been rarely analyzed through the trade lens, and/or have a fast growing trade potential for developing countries. These sectors are: accounting, construction, distribution, engineering, environmental, health, information technology, and legal services.

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This book is designed for non-trade specialists to understand how trade can help improve access to key services in developing countries, and for trade specialists to understand the specific characteristics of each individual sector. It will be a useful tool for governments to design successful trade opening or promotion strategies, and for the private sector and consumers to advocate sound domestic policy reforms accompanying an offensive trade agenda.

The Regulation of International Trade 2nd Edition introduces the rules and institutions that govern international trade. The authors base their analysis on aspects of the subject from classic and contemporary literature on trade and political economy. This new edition has been fully updated to take account of the most recent developments in International Trade. New issues covered include: trade and competition trade and labour rights the Multilateral Agreement on Investment the Basic Telecoms and Financial Services WTO Agreements an analysis of the first three years of WTO dispute rulings, including those of Appellate Body. Drawing on the success of the earlier edition, this comprehensive and up to date text will be an invaluable guide to students of economics, law, politics and international relations.

"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

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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.

Examining the regulation of services within the WTO, this title discusses the problem of reconciling a liberal system of trade in services with national governments' ability to protect social values through service regulation. It analyses the existing legal framework and assesses the potential of ongoing trade negotiations.

This book provides one of the first interdisciplinary reviews of the relationship between services, globalisation and trade liberalisation as we enter the twenty-first century. Written by

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academics and policymakers, it contains a detailed analysis of the characteristics of service trade and of recent and current service trade negotiations.

We present and discuss a set of indicators to help assess countries' trade policies. The indicators relate to three policy areas – trade in goods, trade in services, and FDI. Given concerns about the direction of global trade policy, we also consider a set of more granular measures that reflect the evolution of countries' policies since the 2008 financial crisis. We propose a simple approach to present the multidimensional aspects of trade policy that, by shedding light on relative openness across areas, can facilitate policy discussions. In the cross-section of countries, we find a diversity in the type of measures adopted, both between and (since the 2008 financial crisis) within policy areas, lending support to the approach based on multiple indicators. The indicators' time series suggest that advanced and, especially, emerging economies are moving toward more open regimes over time, although recently progress has, with some exceptions, slowed across the board. Lastly, our findings also call for stronger efforts to objectively quantify the different aspects of countries' trade regimes. More data, both across countries and in terms of policy areas that significantly affect trade, are needed for better-informed policy discussions.

Drawing on a wide variety of classic and contemporary sources, respected authors Trebilcock, Howse and Eliason here provide a critical analysis of the institutions and agreements that have shaped international trade rules. In light of the growing debate over globalization, they include special sections with examinations of topics such as: agriculture services and Trade-Related Intellectual Property Rights labour rights the environment migration competition. Drawing on previous highly praised editions, this comprehensive text is an invaluable guide to students of

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economics, law, politics and international relations. Now fully updated, this fourth edition includes full coverage of new developments including the Doha trade round, the proliferation of Preferential Trade Agreements, the debate on trade, climate change and green energy, the response of the trading system to the 2007--10 financial and economic crisis, the controversy over trade and exchange rate manipulation, and the growing body of WTO dispute resolution case law.

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).

WIPO Technology Trends 2019: Artificial Intelligence documents how AI-powered technologies

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are rapidly entering global markets and brings together viewpoints from experts at the cutting edge of AI. It is a contribution that aims to provide decisionmakers in the public and private sectors with an improved knowledge base for discussions on the future of AI and the policy and regulatory framework for this fast-moving area.

The classification of services in the digital economy proves critical for doing business, but it appears to be a particularly complex regulatory matter that is based upon a manifold set of issues. In the context of the General Agreement on Trade in Services (GATS), when the services classification scheme was drafted in the early 1990s, convergence processes had not unfolded yet and the internet was still in its infancy and not a reality in daily life. Therefore, policy makers are now struggling with the problem of regulating trade in electronic services and are in search of a future-oriented solution for classifying them in multilateral and preferential trade agreements. In late fall 2011, the authors of this study were mandated by the European Union, Delegation to Vietnam, in the context of the Multilateral Trade Assistance Project 3 (MUTRAP 3), to work out a report clarifying the classification of services in the information/digital economy and to assess the impact of any decision regarding the classifications on the domestic and external relations policy of Vietnam, as well as to discuss the relevant issues with local experts during three on-site visits.

This volume of essays explores the state of services liberalization and the regulation of international trade in services.

This volume considers how different jurisdictions are integrated economically whilst at the same time maintaining regulatory pluralism and diversity.

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

In the face of rapid development of the Korean economy, Korean trade laws and regulations have changed in many different ways over the last few decades. This comprehensive book introduces the laws and regulations affecting trade with Korea. Beginning with an introduction to the trading regime in Korea, and an overview of the basic trade laws and regulations, the expert contributors move on to cover specific topics in detail. They examine import/export measures (such as customs, rules on country of origin, import procedures, and export controls on strategic items) as well as trade remedies and trade in services. In addition, the book assesses the impact of competition laws on trade and concludes by considering the issues of foreign investment and FTAs. Written by Korean trade law scholars and practitioners with highly specialised knowledge, this authoritative book will be an invaluable guide for those needing practical knowledge of Korean trade law and systems, as well as researchers with an interest in the region or international trade with Korea.

'Regional Trade Agreements and the WTO Legal System' introduces the economic & political underpinnings of regional trade agreements, their

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constitutional functions, & their role as a locus for integrating trade & human rights.

Regional trade agreements (RTAs) have proliferated around the world in the past two decades, and now nearly all members of the WTO are party to at least one. Besides tariffs and rules of origin regulating trade in goods, many RTAs now include provisions on services, investments, technical barriers to trade and competition rules, as well as a host of issues not directly related to trade. The geographic reach of RTAs is expanding, with transcontinental agreements spreading forcefully alongside intra-regional agreements. 'Multilateralizing Regionalism' was the title of a major conference held from 10–12 September 2007 at the WTO in Geneva. Brought together in this publication, the conference papers achieve two things. First, they marshal detailed, new empirical work on the nature of the 'Spaghetti Bowl' and the problems it poses for the multilateral trade system. Second, they contribute fresh and creative thinking on how to 'tame the tangle' of regional trade agreements.

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?.

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Despite the significant growth and opportunities in trade in services, countries remain reluctant to open key service industries to unfettered competition, and regulations continue to restrict or even prevent international trade in this sector. In the Southern African Development Community (SADC) region, the service sector accounts for an increasing share of gross domestic product (GDP) and employment, but in many countries and subsectors, service firms are uncompetitive and inefficient when compared to their peers. Trade agreements can provide an external stimulus and some incentive for SADC member states to engage in services liberalisation. They may also be used to source additional expertise and resources to support domestic regulation and reform. The draft EU-SADC Economic Partnership Agreement (EPA) has the ability to take SADC countries forward in committing them to good practices and policies in a number of critical services subsectors. However, it is clearly driven by EU trade and regulatory interests. The draft SADC Protocol on Trade in Services is much less ambitious and, in its current form, is unlikely to stretch member states beyond their existing General Agreement on Trade in Services commitments. There is therefore some risk that the SADC Free Trade Agreement will be overtaken by the EPA; and that any impetus for change will come instead from an agreement crafted by Europe. The paper begins with a review of the role of the service

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industry in the SADC economy, focusing on its GDP, employment, trade and investment. It identifies three major sectors for illustrative evaluation, namely transportation, financial and telecommunications services. The paper briefly considers the state of competition and regulation across SADC in these sectors. It looks at the proposed EPA and SADC services agreement and concludes with a discussion on the likely implications of these negotiations.

A comprehensive analysis of GATS that considers its historical context, the national preferences that shaped it, and a path to a GATS 2.0. The previous two volumes in *The Regulation of International Trade* analyzed the General Agreement on Tariffs and Trade (GATT), the first successful agreement to generate multilateral trade liberalization, and the World Trade Organization (WTO), for which the GATT laid the groundwork. In this third volume, Petros Mavroidis turns to the General Agreement on Trade in Services (GATS), a WTO treaty that took effect in 1995, and offers a comprehensive analysis that considers the historical context of the GATS, the national preferences that shaped it, and a path to a GATS 2.0. Mavroidis examines the GATS through its negotiating record, considering whether the GATS as it is can appropriately address the concerns of the world trading community. The GATS deals exclusively with non-tariff barriers (NTBs)—precisely the instrument that the WTO

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has not managed to tame—and one of some significance in light of the digital revolution, which has enlarged the scope of cross-border transactions in which neither supplier nor consumer needs to travel for a service to be consumed. Mavroidis argues that the GATS has brought about a platform to liberalize services, and has locked in some pre-GATS liberalization. What is missing, he contends, is a “GATS-Think” that would generate liberalization from now on. 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

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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.

Amongst other issues, the papers in this volume explore fundamental issues for empirical research on trade in services. It highlights the specific data requirements and conceptual challenges for modelling liberalisation of services.

E-commerce is growing at an exponential rate in India. Despite this, it is still at an evolving stage as economic and regulatory frameworks pertaining to various segments of e-commerce are being put into place by the government. This book presents a comprehensive analysis of the economic and regulatory aspects of the e-commerce sector by assessing the trends and characteristics, and addressing the issues and challenges associated with it. It dwells into key issues including FDI regulations, taxation, valuation of e-commerce companies, market structure, competition, payment mechanism, blockchain and cryptocurrencies, and logistics. The issues and challenges addressed in this book frequently appear as discussion points in policy debates, research forums and popular media. However, information on these is scant and often scattered. This book bridges gaps in the available literature on e-commerce

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

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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.

This publication examines the importance of trade in services for the integration of non-EU members into the European Single Market. Further liberalisation is found to be a critical factor to deeper integration with the enlarged EU, which accounts for a quarter of global GDP and foreign direct investment. The planned Euro-Mediterranean free trade area for goods is judged as a positive first step, but additional measures are needed for deeper integration, including liberalisation of services trade. The study gives a detailed assessment of individual sectors, including core services relating to transport, telecommunication, financial markets and electricity, as well other markets such as tourism, IT and distribution services.

Regulating Trade in Services in the Eu and the Wto

Studienarbeit aus dem Jahr 2010 im Fachbereich Politik - Internationale Politik - Thema:

Sonstiges, Note: 1,7, Friedrich-Alexander-Universität Erlangen-Nürnberg, Sprache: Deutsch,

Abstract: The World Trade Organisation (WTO) is "the hub of an international political system under which governments agree to accept commonly negotiated and enforced rules to govern world trade" (Oatley, 2008, 23). It offers a stable system for governments to achieve their goals

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in the world trade. Its scope extended in the last years and this contains a lot of problems. One good example is the General Agreement on Trade in Services, briefly GATS. During the last decades, international trade in services has grown more rapidly than trade with manufactured goods (Oatley, 2008, 35). Therefore the demand of regulation increased and is now discussed since the Uruguay Round, which started 1986 (Oatley, 2008, 26). Other examples are agriculture, intellectual property rights or competition policy. This development contains a lot of capabilities, but it leads to prolonged discussion rounds like we see at the Doha Conference. The reason is a growing conflict of interests between industrial and emerging countries. An agreement within the WTO, where unanimity has to be achieved, is getting more and more difficult. That is one of the reasons why a lot of countries prefer regional trade agreements. These agreements often extend into areas of domestic disciplines or cover service sectors. Thus they regulate more than only tariff concessions. First this paper gives an overview what Regional Trade Agreements (RTAs) are exactly, then it describes the different existing forms following the chances and risks of the current development. Then the importance of RTAs for the WTO is resolved and if the WTO should encourage them?"

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

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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. This title provides a comprehensive introduction to the key issues in trade and liberalization of services. Providing a useful overview of the players involved, the barriers to trade, and case studies in a number of service industries, this is ideal for policymakers and students interested in trade.

This dissertation examines the links between productivity in services, services trade and services regulation for both the import and export side. On the export side, productivity differences are reflected in an economy's comparative advantage structure in services. Imports matter too. Increased services imports have productivity enhancing effects because these services allow for an optimal allocation of existing and new resources, and also facilitate increased external competition within the domestic

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economy. The three chapters in this dissertation represent some of the first contributions to the services trade literature with an approach rooted in today's policy concerns. In particular, they contribute to a more precise understanding how mainly developed countries can take advantage of higher services exports capitalizing on favourable domestic country structures and hence exploiting sectoral productivity differences. In addition, this dissertation provides a clearer understanding how domestic regulation targeted to imports and production can affect domestic services productivity in the form of Total Factor Productivity (TFP).

The driving concept of the book's analysis, whether global or regional, is to examine the pertinent international trade regulations in services in the light of the very special nature of gambling. --

Drawing on a wide variety of classic and contemporary sources, respected authors Howse and Trebilcock here provide a critical analysis of the institutions and agreements that have shaped international trade rules. In light of the growing debate over globalization, they include special sections examinations of topics such as: * agriculture * services and trade-related intellectual property rights * labor rights * the environment * migration. Drawing on previous highly praised editions this comprehensive text is an invaluable guide to students of economics, law, politics and international relations. Now fully updated, this third edition includes full coverage of new developments including the Doha trade round, attitudes towards the Kyoto protocol and the growing body of WTO

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dispute resolution case law.

This volume assesses the viability of various theories of economic integration that take into account the legal, economic, political and social challenges of incorporating free trade with retaining the plurality of social welfare standards and consumer protection. Chapters cover the governance of trade in services at the European and global level; studies on the recent Services Directive and how this interacts with the principle of managed mutual recognition and harmonization in different sectors of trade in services (social services, financial services); the recent case law of the European Courts on the enforcement of the principle of free movement of services and how this accommodates various national public interest concerns; and the interaction of the freedom to provide services with fundamental rights, including social rights. The operation of the principle of managed mutual recognition in other economic integration regimes, in particular in the context of the WTO, is also discussed.

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