

Trade, Law and Development

CALL FOR SUBMISSIONS

Special Issue on Trade in Services

Issue 12.1 | Summer '20

Founded in 2009, the philosophy of *Trade, Law and Development* has been to generate and sustain a constructive and democratic debate on emergent issues in international economic law and to serve as a forum for the discussion and distribution of ideas. In keeping with these ideals, the Board of Editors is pleased to announce ‘*Trade in Services: A Holistic Solution to New-Found Issues in Trade Law?*’ as the theme for its 12th Anniversary Special Issue (Vol. XII, No. 1).

The GATS was enforced in 1995, when global dynamics in terms of trade, political and economic relations, development and policies was vastly different from what it is today. This was meant to be the all-encompassing legal framework for trade in services. The growing trade in ‘intangible goods’ – including downloadable consumer content, software, data and other digital intellectual property – is blurring the line between goods and services. Dynamism in law and policies and an ever-changing political infrastructure requires continual research in certain aspects, the field of services being one of them.

We believe that *critical analysis* from various stakeholders, such as the government, scholars and practitioners, thus becomes important to redress issues and/or challenges plaguing the system by providing solutions for the same. Thus, this theme has a *two-fold objective*: analysing existing literature on GATS, while, *inter alia*, also assessing areas such as education, e-commerce, new regulations, and competition law issues. This issue also hopes to encourage discussion and incite debate on the Trade in Services Negotiations, which has been long pending.

An illustrative list of areas under the theme that authors could write upon is as follows:

- Digital Trade & E-Commerce: Multiple State parties to the WTO, at the WEF in Davos this year, announced an interest in e-commerce negotiations. Any resulting WTO agreement in this regard, would thus, require amendments to the General Agreement on Trade in Services (GATS) and the Trade-Related Intellectual Property Rights (TRIPS) agreements. The interplay of the GATS with digital trade, disruptive technology, tariffs and taxes, competition laws, etc. could be further explored. It also opens aspects of modernised bilateral and plurilateral agreements. Additionally, the GATS has divided services trade into four ‘modes of supply’, yet digital trade does not fit neatly into any of these categories.
- The Trade in Services Agreement Negotiations: The TiSA has been in negotiations since 2012, and aims at opening markets and improving rules in areas such as licensing, financial services, telecoms, e-commerce, maritime transport, and professionals moving abroad temporarily to provide services. However, due to political instability, it is unlikely to be finalised or enforced in the near future. It upholds ideals like those in the GATS, with a

rather all-encompassing subject matter. It raises an important point concerning the legitimacy and effectivity of the GATS in the developing world that we live in.

- **The Brexit Conundrum:** In the event of a no-deal Brexit, the UK's trade in services with the rest of the world would be governed by the GATS. The implications of the same are yet to be explored.
- **Impacts on Maritime Trade:** Efficiency in maritime trade is largely reliant on an effective rule-based trading system, therefore, relying greatly on the multilateral trade agreements under the WTO. On May 23, 2019, 59 WTO Members adopted a Joint Statement on Services Domestic Regulation which aims at improving transparency and streamlining of authorisation procedures for services suppliers. These are aimed at improving transparency and streamlining of authorisation procedures for services suppliers. However, it is still to be seen how this will effectively impact global trade.

These sub-issues are not exhaustive, and the Journal is open to receiving submissions on all aspects related to Trade in Services and its impact on the global trading system.

This Special Issue, currently scheduled for publication in **Summer 2020**, will provide an ideal platform to deliberate on the current trading system and the ways by which rules related to Trade in Services could fill a lacuna in the existing legal framework.

Accordingly, the Board of Editors is pleased to invite original and unpublished submissions for the Special Issue on *Trade in Services: A Holistic Solution to New-Found Issues in Trade Law?* for publication as 'Articles', 'Notes', 'Comments' and 'Book Reviews'.

Manuscripts may be submitted via e-mail or ExpressO. For further information about the journal please click [here](#). For submission guidelines, please click [here](#).

In case of any queries, please feel free to contact us at: editors[at]tradelawdevelopment[dot]com.

LAST DATE FOR SUBMISSIONS: MARCH 15, 2020

PATRON: P.P. Saxena | **ADVISORS:** Raj Bhala | Jagdish Bhagwati | B.S. Chimni | Glenn Wisner | Daniel B. Magraw, Jr. | Vaughan Lowe | Ricardo Ramirez Hernandez | W. Michael Reisman | M. Sornarajah | **FACULTY-IN-CHARGE:** Dr. Rosmy Joan | **BOARD OF EDITORS:** Ipsita Gupta | Radhika Parthasarathy | Gautami Govindrajan | Ayushi Singh | Apoorva Singh | Sarthak Singla | Abilash Vishwanathan | Abhinav Srivastav | Amogh Pareek | Anjali Sasikumar | Sahil Verma | Sukanya Vishwanathan | Tania Gupta | Aastha Asthana | Aniketa Jain | Neerali Nanda | Rashmi John | Shlok Patwa | Suvam Kumar | Swikruti Nayak