

THE PUBLIC INTERNATIONAL LAW OF TRADE IN LEGAL SERVICES

This book examines the international legal regime covering trade in legal services. While legal services are a vital component of the economies of many developed and emerging countries, they remain poorly liberalized with numerous restrictions undermining market access for foreign suppliers. Although some modern bilateral and regional trade agreements have begun to address barriers to trade in legal services, few go beyond the basic commitments of non-discrimination and transparency contained in the WTO GATS. This book approaches the pressing need to open the global market for trade in legal services across the four modes of supply: cross border, consumption abroad, commercial presence, and temporary movement of natural persons. It considers changes under way within the legal profession brought about by alternative business structures and technology. Both underscore the importance of reconceptualizing trade in legal services as one that should be as open as possible with a view to maximizing competition while safeguarding the needs of clients.

DAVID COLLINS is Professor of International Economic Law at City, University of London.

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ABBREVIATIONS

AARPI	L'Association d'Avocats à Responsabilité Professionnelle Individuelle
ABA	American Bar Association
ABS	Alternative Business Structure
AFAS	ASEAN Framework Agreement on Services
APEC	Asian Pacific Economic Cooperation
ASCM	Agreement on Subsidies and Countervailing Measures
ASEAN	Association of South East Asian Nations
BIT	Bilateral Investment Treaty
BPRL	United Nations Basic Principles on the Role of Lawyers
CAFTA	Central American Free Trade Agreement
CARIFORUM	The Caribbean Forum
CCBE	Council of Bars and Law Societies of Europe
CEPA	Hong Kong–China Closer Economic Partnership Agreement
CETA	Comprehensive Economic and Trade Agreement
CFIUS	Committee on Foreign Investment in the United States
CIS	Commonwealth of Independent States
CJEU	Court of Justice of the European Union
CLA	Commonwealth Lawyers Association
CPC	Central Product Classification
CPTPP	Comprehensive Progressive Trans Pacific Partnership
DETA	Digital Economy Trade Agreement
DIFC	Dubai International Financial Centre
ECHR	European Convention on Human Rights
EEA	European Economic Area
EFTA	European Free Trade Association
FIFO	Fly in Fly Out
FIRB	Foreign Investment Review Board
FLC	Foreign Legal Consultant
FTA	Free Trade Agreement
FTZ	Free Trade Zone
GATS	General Agreement on Trade in Services

GATT	General Agreement on Tariffs and Trade
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GDPR	General Data Protection Regulation
GJB	Gaikoku-Ho-Jimu-Bengoshi
IBA	International Bar Association
ICC	International Chamber of Commerce
IIA	International Investment Agreement
ISO	International Standards Organization
ITA	Information Technology Agreement
JD	Juris Doctor
JLV	Joint Law Venture
LCIA	London Court of International Arbitration
LLB	Bachelor of Laws
LLM	Master of Laws
MERCOSUR	Southern Common Market
MFN	Most Favoured Nation
MIGA	Multilateral Investment Guarantee Agency
MOOC	Massive Open Online Course
MRA	Mutual Recognition Agreement
NAFTA	North American Free Trade Agreement
NCA	National Committee on Accreditation
NDIAC	New Delhi International Arbitration Centre
NYIAC	New York International Arbitration Center
OAB	Brazilian Bar Association
OECD	Organisation for Economic Co-operation and Development
QLTS	Qualified Lawyers Transfer Scheme
RCEP	Regional Comprehensive Economic Partnership
RTA	Regional Trade Agreement
SAAS	Software as Service
SCC	Supreme Court of Canada
SIAC	Singapore Arbitration Centre
SPS	Sanitary and Phytosanitary Agreement
SRA	Solicitors Regulatory Authority
STRI	Services Trade Restrictiveness Indices
TBT	Technical Barriers to Trade Agreement
TFA	Trade Facilitation Agreement
TFEU	Treaty on the Functioning of the European Union
TISA	Trade in Services Agreement
TPRM	Trade Policy Review Mechanism
TRIPS	Trade Related Aspects of Intellectual Property Rights
TTIP	Transatlantic Trade and Investment Partnership

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UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Committee on Trade and Development
USSC	United States Supreme Court
WPDR	Working Party on Domestic Regulation
WTO	World Trade Organization

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