

REVISITING THE PUBLIC MORAL/ORDER AND THE SECURITY EXCEPTIONS UNDER THE GATS

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ABSTRACT

The main purpose of the General Agreement on Trade in Services (hereinafter "GATS") framework is to support and improve international trade in services by setting rules favoring a liberal market access. National interests are covered by specific exception rules contained in the GATS. The central point of this paper is to analyze the respective provisions in Articles XIV and XIV^{bis} in view of the increasing trend to justify trade barriers with GATS exceptions. As a consequence, ideas are presented how the balance between the different policy objectives could best be achieved.

KEYWORDS: *case law, GATS, public moral exception, public order exception, security exception, trade in services*

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