



RESEARCH ARTICLE

Legal regulation of tourism services in the framework of the general agreement on trade in services

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Abstract

The research paper analyses the General Agreement on Trade in Services (GATS) of the World Trade Organization (WTO) as one of the contractual sources of international law. Emphasizing the main aspects of the GATS, the author describes tourism services as one of its regulatory spheres. Moreover, in the research paper, it has been learned about the practices of foreign developing countries in the process of joining the WTO, as well as critical issues related to it. It is known that the membership of the Republic of Uzbekistan in this organization will create the responsibility for a comprehensive analysis of the issues of its participation in the future, which will play an important role in the further integration of the country into the world community. In this regard, the research aims to identify and underline topical issues for Uzbekistan concerning the regulation of tourism services within the WTO as well as law enforcement practices that Uzbekistan should consider during the process of accessing this international organization. Therefore, the research paper emphasizes the experience of the WTO member countries, the regulation of tourism services, and the analysis of its specific aspects.

Keywords: Tourism, General agreement on trade in services, World trade organization, Economic development, Uzbekistan, Legal regulation.

Introduction

General Agreement on Trade in Services (GATS) is the first legally binding global agreement about trade in services. This represents a significant step forward in international economic cooperation. It reflects a growing realization of the economic importance of trade in services and the need for closer cooperation among nations in a world with growing interdependence (WTO, 1995).

One of the most significant trade agreements, particularly for developing nations, is GATS, which aims to liberalize trade in the services sector. GATS made achieving a progressively

higher level of liberalization through the removal or reduction of trade barriers, promoting the interests of all participating countries in a mutually beneficial manner, and securing an overall balance of rights and obligations—all while paying appropriate respect to national policy objectives—the main goal of the negotiations on services. The Republic of Uzbekistan wholeheartedly supports these goals and thinks that more global liberalization and the removal of obstacles in the services sector will boost global economic growth, significantly increase trade in services, attract foreign investment, and improve and the enhancement of productivity in the manufacturing sector (WTO, 2000).

In this regard, the research aims to identify and analyze the legal assessment of the General Agreement on Trade in Services, in particular from the perspectives of developing countries, topical issues for the Republic of Uzbekistan concerning the regulation of tourism services within the World trade organization (WTO), as well as law enforcement practices that Uzbekistan should consider during the process of accessing this international organization.

Methodology

The majority of research on GATS and tourism has taken place in multidisciplinary fields such as economics, tourism, international relations, and international law. As a result, while researching this topic, all of these spheres, sources,

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and methodologies intersected. The study looks at how GATS and WTO have affected Uzbekistan's tourist legislation and regulations. The research was carried out based on the answers to the following questions: "What are the motivations and preparations for signing the GATS?"; "How the GATS agreement regulates the sphere of tourism?"; "How far do governments and supply sectors understand how to use the GATS to achieve their goals?"; "What are the challenges in domestic regulation and market access in tourism services in developing countries?"; "What will be the impacts of GATS?"

International legal aspects of the research were analyzed from the treaty and legal points of view (Anthony Aust, 2010; Jochen von Bernstorff et., 2010; Andreas F. Lowenfeld Herbert and Rose Rubin, 2002; Mitsuo Matsushita *et al.*, 2009; Peter Van Den Bossche, 2011). Based on the multidisciplinary nature of the research, GATS's service-related aspects (Hockman, 1996; Juan A. Marchetti and Petros C. Mavroidis, 2011; Pierre Sauve, 1995; Darren Hoad, 2002) and tourism-related issues (Cleverdon, Robert and Angela Kalisch, 2000; Cornelissen, 2002; Handszuh, H. 1995; Meethan, K., 2001) were analyzed in mutual proportion. Furthermore, the research has been conducted by analyzing and referencing the international legal norms of the (WTO), and the official databases of the World Bank.

To search for the answers to research questions from a legal perspective it was used qualitative data from primary and secondary sources. The methods of data collection have been used in comparative and legal analyses of international-legal norms in the sphere of GATS and tourism. The research papers and written books (secondary sources) that have been conducted on some aspects of this particular research have been analyzed and systematized. Considering the novelty of the topic for Uzbekistan the analyses of conducted research and practices of other developing countries positively helped and eased the research. To engage the practicability of the research, different analysis methods such as content analyses and comparative-legal, and normative-legal analyses of international agreements, are used. The content of the international legal norms is analyzed and forms an integral part of the research.

The important method for the research, semi-structured, in-depth interviews from the experts, researchers, and practitioners (both international and Uzbek) was organized to develop qualitative data for the research. It was prepared The general questions on WTO and GATS, and specific questions considering the specialty of interviewers also were posed. The implementation of the particular methodology served to make the research more effective and enrich its scientific and practical values.

Results

It is worth noting that WTO membership is "an absolute priority" for Uzbekistan (WTO, 2023). Uzbekistan's accession

process was officially resumed in July 2020 with the 4th Working Party meeting. Two additional meetings took place in June 2022 and March 2023. As a result, Uzbekistan provided the most recent legislative advances based on an updated Legislative Action Plan, as a follow-up to the last iteration submitted in July. It emphasized consistent progress toward the adoption of WTO-compliant laws in customs fees, TBT, SPS, trade facilitation, transit, intellectual property, import licensing, and other sectors. In the lead-up to the conference, Tashkent also published a consultation document with information on the process of legislative adoption and the hierarchy of legal instruments, itemizing 23 elements, including 14 drafts, in addition to 16 pieces of legislation submitted in July (WTO, 2023).

"It should be emphasized the positive impact of joining the WTO for the Republic Uzbekistan's international image and ranking", mentioned during the in-depth interview Sokhib Muminov, Head of the Service Sector Regulation Department for accession the World Trade Organization under the Ministry of Economy and Finance of the Republic of Uzbekistan. As an expert and participant in these proceedings, during his interview, S. Muminov underlined that "Uzbekistan is open for negotiations with interested countries in all spheres, including the GATS agreements of the WTO. At the same time, the government of Uzbekistan considers the successful practices of selected states and tries to make commitments considering the national interests and legislation of the country. As for the sphere of tourism, Eastern countries are interested in pilgrimage ("Ziyarah") tourism development in Uzbekistan, and during negotiations, they emphasized (Indonesia, and Turkey) this aspect. In general, tourism services are one of the softest spheres in the GATS and in WTO, which countries try to come easily into consideration. The national legislation allows to opening of branches of International tour companies, tour operators, and functions in the territory of Uzbekistan. However, some restrictions regarding the protection of national interests should be followed during these proceedings".

Moreover, the results of the conducted in-depth interview with Prof. Jaroslaw Pietras (information about interviewers is provided in reference) examined some practical pieces of advice for Uzbekistan during the accession process:

- While creating the restrictions to the schedules for the list of commitments, it is important to analyze the foreign companies' accession process to Uzbekistan's internal market and vice versa Uzbekistan's entities' functioning abroad;
- Uzbekistan government should pay more attention to the implementation of modes of supply; In terms of domestic regulation to allow foreigners to move without requirements;

- The country should follow the principle of non-discrimination and implement it for and by foreign entities;
- To organize the list of commitments (limitations) by taking into consideration national legislation and practice;
- The process of modification of national legislation should function in parallel with organizing the restrictions;
- The steps in the process should be arranged methodically as follows: Examine national legislation, execute an open economic policy to facilitate the entry of foreign enterprises into the market, and make decisions (additional regulations).
- Most favored nation treatment should be used properly by the Republic of Uzbekistan.

The supply chain that connects financial services, air travel, transportation services, and business services associated with tourism is thought to include the tourism services sector. Since small and medium-sized firms make up the bulk of travel and tourism-related businesses in Uzbekistan, there will be significant variations between those multinational foreign organizations and domestic ones in terms of their operating systems and financial soundness. Because they are sufficiently competitive in terms of both quality and quantity of services, domestic businesses may not be able to remain in the market once the government fully opens up the tourism sector to international companies.

According to Anna Wrobel (interviewer), about whom was mentioned above, a developing country, Uzbekistan before accessing the WTO should precisely respond to the question of whether this sector is ready for more competition. For the presence of foreign investors? It can serve to increase its offer and improve its efficiency. However, it can also threaten local companies.

It is important to underline the answers from another interviewer, Umida Haknazar (interviewer), regarding for the semi-structured interview questions (“What measures Uzbekistan should regulate in tourism services before signing the GATS? And what do you think will be the perspectives for the development of the tourism industry after the signing of the GATS?”) are followings:

- Taking into consideration that the tourism sphere is one of the free and soft sectors on the international scale, it is advised to minimize the Uzbekistan government’s interference in this sector;
- Liberalization of measures for licensing and certification of tourism activities in national legislation and practice, with a proper assessment of the threats that can be expected from the tourism sector;
- Unification of the national legislation related to the opening of foreign legal entities with the implementation of international legal norms;

- During the process of bilateral negotiations, without restriction from competition, to pay more attention to the development of training of Uzbek specialists in foreign centers;
- To include in the “offer” suggestion on training the national tour operators, and staff in this sector;
- Considering the high potential of the young labor force in Uzbekistan, it is appropriate for the country to make plans to use the opportunities of the GATS in the future;
- In general, the service sector and the tourism services sector are currently considered to be the most innovative sectors and the most profitable spheres in the world. Based on this, it is recommended that Uzbekistan use the opportunities of GATS by establishing a real market economy and competitive conditions (Usmanova, 2024).

Hence, the main issue facing Uzbekistan’s tourism sector is that it isn’t big enough or specialized enough to compete on a global scale. In Uzbekistan, the travel industry—including airlines and travel agencies—focuses more on outward than on inbound travel markets. As a result, the government attracts investors to take part in Uzbekistan’s sustainable tourism growth, which is made possible by GATS membership. It is no longer sufficient for policymakers and the supply sector to think about their policies in isolation from global market policy if Uzbekistan signs the GATS agreement and opens the tourism market to foreign competition. They must admit that liberalization carries the inherent risk of influencing not just their policies but also their businesses and the growth of tourism in the country.

Discussion

Formation of international legal regulation of trade in tourism services within the framework of GATS. Tourism-related services are typically labor-intensive, with numerous links to other major segments of the economy, such as transport, cultural and creative services, tourist guides and other related services, or financial and insurance services.

GATS refers to the travel and tourism sector. According to the World Trade Organization (WTO, 1998), tourism and travel related services (TTRS), category 9 of the GATS services sectoral classification list, has a notably limited scope. The category is broken into four sub-sectors. Services provided by travel firms and tour operators include hotels, restaurants, and catering. Tourist guiding services, among others. According to Malyanova, the GATS recognizes member states’ authority to regulate the provision of services through their policies and regulations. Furthermore, the GATS agreement establishes a framework of norms aimed at ensuring that service trade rules are free of unnecessary barriers. The primary goal of the GATS is to create and implement multilateral rules aimed at liberalizing trade in services. However, in practice, most states apply various types of restrictions to protect the interests of national service providers. The GATS establishes the rules and

procedures for applying the permissible restrictions on trade in services (Malyanova, 2008). Therefore, the states, which have joined the GATS undertake obligations that can be divided into two groups: General obligations assumed by states unconditionally and specific obligations relating to the particular conditions of access to the market for services of a certain state.

Paragraph 2 of Article 1 of the GATS distinguishes four ways of international delivery of services:

- Cross-border delivery is the mode of delivery when the service moves across the border.
- Consumption abroad - the mode of supply in which the consumer of the service moves across the border.
- Commercial presence - the mode of delivery in which the company providing the service opens a branch abroad.
- The movement of individuals - the mode of delivery in which the specialist providing the service moves across the border for delivery services (WTO, 1994).

The General Agreement on Trade in Services was largely untested. A high number of commitments had been made in the tourism sector, particularly in mode 2 (the consumer traveling to the territory of the supplier). Fewer commitments have been made for data processing and software, and still fewer for the construction sector and health services. Looking from the point of view of the 4 modes (Section 6.3 (a)), commitments have been easiest to secure in respect of mode 1-cross-border supply of services and mode 2- consumption abroad, most difficult in mode 4 presence of natural persons, which is typically linked in horizontal commitments to mode 3- commercial presence, and limited to technical specialists and senior executives (Andreas and *et al.*, 2002).

In the interview with Umida Haknazar, she emphasized the vital role of clarification of restrictions and commitments in modes and horizontal issues during the proceedings of the negotiation on services in WTO accession. The analogical view has been approved by Professor Anna Wrobel, who also emphasized the connectedness of tourism services with other service sectors, such as transportation services, telecommunication services, financial services, etc.

There is no clear description for the "others" group, and the classification is somewhat loose. The Group on antitrust treaties (GATS) consists of the framework agreement, annexes, and schedules of specific commitments on market access and national treatment. Over 133 WTO members have committed to travel, more than any other service industry. This demonstrates that the majority of members wish to expand their tourism industry and draw in more foreign direct investment (FDI) to promote economic growth. GATS highlights and covers specific services based on the territorial presence of the supplier and the customer at the time of the transaction.

The interview with Jaroslaw Pietras indicated that the GATT regulations are studied more clearly and precisely than

the GATS regulations. Compared to GATS, the agreement itself is more standardized, intelligible, and beneficial to member states both de jure and de facto. Furthermore, under the GATT, the parties can observe and monitor the flow of goods; but, the movement of services cannot be followed because it appears to be abstract. No legal document defines the General Agreement on Tariffs and Trade (GATTS). Nevertheless, the agreement process ensures that customers can purchase goods and services from both domestic and foreign businesses.

The primary goal of Article IV of the GATS is to incentivize developing countries to increase their trade in services. It's critical to keep certain commitments in a way that promotes growth nations in enhancing their capacity to offer domestic services and gaining access to industries and supply chains that are relevant to their exports.

Legal Analyses of Domestic Regulation and Market Access in Tourism Services

Assume for example, that a country wishes to stop imports of hairdressers services. How could such a measure be enforced without heavy policing of all its citizens passing the border, without putting into question constitutional values and some sort of extra-territorial enforcement? More importantly, most of the trade in services takes place intra-territorially and this is why restricting domestic regulation becomes an important aspect of trade liberalization. Trade liberalization in services consequently, becomes a matter of negotiation on restricting domestic regulation. In a sense, the GATS resembles the GATT story after border protection had been substantially addressed through international negotiations (Matsushita *et al.*, 2009).

GATS will make licensing, patents, technical service agreements, franchising, and management contracts easier in the hotel industry. International businesses will have the ability to relocate and station their employees abroad. The EC and NAFTA experiences indicate that opening service markets to foreign providers may need more than just applying concepts like nondiscrimination and national treatment. The GATS negotiations have demonstrated how liberalized travel is already. Not a single nation has implemented travel restrictions, sometimes known as consumption abroad. Travelers should also be free to purchase foreign currency to make payments. In this regard, negotiations have not resulted in total deregulation.

To provide and market services, member nations can create a commercial presence abroad. This is known as a commercial presence. The agreement covers every aspect, that a service provider may lawfully enter the market, including agency, branch, subsidiary, and joint venture. The GATS agreement will remove barriers that impede businesses that offer services to enable travel, as well as government prohibitions on the transfer of funds into and out of the relevant nation.

The presence of natural persons permits service supply personnel to temporarily enter and remain in international marketplaces. The stringent regulations about work permits, visas, and residence can provide a challenge for professionals, managers, and technicians relocating among member countries.

By offering a framework for the negotiation of temporary employees leaving one member nation to work in another member country, the GATS agreement makes an effort to address this problem. Nonetheless, the agreement does not exclude individual nations from regulating the entry and duration of foreign laborers for purposes related to economic, health, or security. Furthermore, since the liberalization of personnel does not address the unrestricted flow of labor across national boundaries, changes to national immigration laws are not necessary. This has consequences for the tourism industry in that the knowledge, abilities, and experience of business owners and staff frequently determine the quality of the services provided (Misoon Lee *et al.*, 2002).

Articles III (transparency), IV (increasing participation of developing countries), V (economic integration), XII (measures to safeguard the balance of payments), XV (subsidies), XIX (negotiation of commitments), and XXV (technical cooperation) of the GATT (1994) list the parties' level of economic development. Additionally, a separate Article on technical cooperation in the telecommunications industry can be found in the appendix on telecommunications. According to the World Bank (1995b), Article IV and XXV are the only two clauses that deal only with developing nations. According to UNCTAD (1997a), Article IV, "Increasing participation of developing countries," is a three-paragraph section that is the first to directly address the circumstances facing developing nations. According to the first, rich nations must support the growing involvement of developing countries, the first provision that deals directly with the situation of developing countries, has three paragraphs. The first states that the developed countries have to assist the increasing participation of developing members by making market access commitments in sectors and modes of supply, in which the developing countries have an export interest.

According to the second section of Article IV, developed nations must establish contact points within two years of the agreement's implementation to help developing country service providers access information about the technical and commercial aspects of particular services, the prerequisites for registering, being recognized, and obtaining professional qualifications, as well as the accessibility of services technology. The last clause of Article IV specifies that the least developed nations shall be given special consideration when the first two paragraphs are put into practice. Given the potential that electronic commerce offers for the delivery of labor-intensive, long-distance services, Sauve emphasizes that special attention must be paid to the cross-border method of service supply (Hoekman *et al.*, 1995).

The GATS's most significant norm will probably be related to market access (Article XVI). Its entire consequences, however, have yet to be fully investigated. If it follows the GATT tradition to the letter, it will be concerned with border restrictions on the entry of foreign services into domestic markets. Such limitations invariably treat foreigners unfairly and discriminatorily. Market access and national treatment are so very similar. But there is also a more expansive use of the term "market access." Non-discriminatory limitations must also be removed if foreigners are to have effective access to domestic markets. There are hints that this type of home regulation would be reduced under the GATS standard.

Some regulation restricts the opportunities for both foreigners and locals to enter markets and engage in market activities. As we shall see, the language of the GATS is by no means conclusive. With the negotiation of specific commitments, it speaks of 'effective market access' for instance but also of submitting restrictions on 'trade' to the scrutiny of this norm (Article XIX). Insight into its intent is offered by the Article enumerating measures that cannot be maintained, once a sector is inscribed and exposed to the disciplines of the agreement (Article XVI:2). Measures that restrict foreign investment and discriminate against foreigners are included in the list. It includes actions that limit the kind of business that can provide the service, whether or not they discriminate. It includes new regulations that ostensibly impact both domestic and international suppliers, such as limiting the number of vendors allowed to participate in a services market (WTO, 2010).

Regarding the mode of supply, the "presence of natural persons" mode has the lowest level of commitment to national treatment and the highest amount of market access offered for consumption abroad. Regarding the level of commitments made by the subsector, there is more deregulation for lodging and dining establishments (commitments for this subsector are found in all national schedules), which is followed by a decreasing level of commitments from tour operators, travel agencies, and other (Cornelissen, 2002).

However, one of the issues in GATS is strong protectionism, particularly in developing countries. Stated differently, the GATS classification scheme fails to acknowledge the intricacy and multiplicity of travel and tourism. However, according to Handszuh, the definition of tourist services only seeks to make things clear and encourage a thorough and creative interpretation of the facts, which is crucial for tourism policy (Handszuh, 1995). The GATS classification replaces "tourism services" with "tourism and travel-related services," or services associated with travel and tourism. This definition of tourism, as given by the UN/WTO, includes "The activities of persons traveling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business, and other purposes" (Handszuh, 1995).

The analyses of selected developing countries' practices on tourism services regulation.

During the GATS discussions, several nations revealed the restrictions on their market access. On the other hand, establishing basic liberalization thresholds might mitigate this. So far, only Egypt has made any detailed mention of environmental protection regulations. As part of their commitment timeline, Egypt limited the number of carriers allowed to operate on the Nile to prepare for the effects of the liberalization of tourism. Restrictions, both quantitative and qualitative, are a vital component of sustainable tourism and environmental conservation in regions like the Great Barrier Reef, the Red Sea Coast, and the Antilles. However, they may be discriminatory. Common regulatory actions include limiting the number of dive boats that can be used on coral reefs, capping the number of tourists who can attend natural events or receive subsidies, and concessions to environmentally friendly firms could be viewed as violating market access commitments and free trade (Hoad, 2002).

In the context of developing countries, a frequently cited concern is the need for some form of government intervention to ensure that markets contribute to poverty reduction and to help bring about inclusive and sustainable development (Cook *et al.*, 2011).

Although the tourism industry has more obligations than other GATS sectors, member states appear to generally agree that their home economies are delicate and should be shielded from unwarranted competition (Cook and Nair, 2005). This is seen in the restrictions that are usually imposed on responsibilities related to tourism, including unbound commitments. These include restrictions based on license and citizenship requirements, the implementation of economic necessity tests (e.g., in the case of foreign enterprises launching bars and restaurants), and the denial of new foreign investments due to "Technical unfeasibility." Moreover, agreements frequently stipulate that only hotels of a specific size are permitted to have a commercial presence in, say, the hotel industry (WTO, 2001).

The GATS definition extends to measures taken by non-government bodies in the exercise of powers delegated by central, regional, and local governments (Art. I:3). Such an ambit brings into contention the relationship between member government measures and the private sector practices which are seen as impeding market access by foreign suppliers. To what extent will trade agreements place the onus on government members to remove private barriers to trade? The GATS extension is cautious. It envisages a situation in which the non-government body is acting on behalf of the government. In that sense, the government remains the source of the non-conforming measure. Responsibility is extended through the obligations concerning monopoly and exclusive service suppliers (WTO,

2010). The GATS says that where governments formally or in effect create monopolies or oligopolies, the governments are bound to ensure that they do not act in a manner inconsistent with the commitments that the governments have made to national treatment or market access (Art. VIII).

Article XIX:2 further provides concerning the position of developing country Members in the negotiations on the liberalization of trade in services that: "There shall be appropriate flexibility for individual development. Members for opening fewer sectors, liberalizing fewer types of transactions, progressively extending market access in line with their development situation, and, making access to their markets available to foreign service suppliers, attaching to such access conditions aimed at achieving the objectives referred to in Article IV.

It is thus accepted that developing country members undertake fewer and more limited market access commitments than developed-country members. "Full reciprocity" is not required from developing-country members. These members are only expected to undertake market access commitments commensurate with their level of development (Peter Van Den Bossche, 2011).

Negotiating guidelines and processes must be developed for every round of multilateral discussions on the liberalization of trade in services, as stipulated in Article XIX:3 of the GATS. Participating developing countries in the process of liberalizing trade in services was one of the main objectives of the Uruguay round. The developing world was worried by the current discrepancy in the expansion of services between wealthy and developing economies. They were worried that trade liberalization in services would result in wealthy nations spending much on them before they had a chance to develop their own domestic services. Rich nations, on the other hand, felt that certain developing countries already had competitive and liberalized services sectors, and that these sectors should be guaranteed full liberalization at the very least (Hoekman *et al.*, 1999).

Simply said, a lot of nations forbid foreigners from owning more than 50% of businesses, buildings, or shares. In underdeveloped nations compared to developed nations, these limitations could be more severe. For instance, India used to forbid foreigners from owning any shares at all, but it has now loosened its regulations to allow them to possess no more than 48% of the company, preventing foreigners from controlling the bulk of it (Misoon Lee *et al.*, 2002).

The need for an economic practicability test is a common justification used by states to justify limiting market access. Since they think the term "Economic expediency" can be broadly defined to serve their interests, many WTO member states disagree with this position. Twice, in 1999 and 2001, developed and developing country annexes on tourism were developed with the specific goal of regulating the travel industry within the GATS. These materials consist of

eight sections and a list of the sphere's services. The proposal was made to create an institutional organization called the Council for Trade in Services. However, because this proposal disregarded the concerns of developing countries, they rejected it. Furthermore, geographical restrictions on the unrestricted trade of services were a barrier (Abayeldinov and Kala., 2016).

There have been continuous recommendations and criticism from the tourism fraternity to include more services that are directly linked to tourism services and also to expand the coverage of the Annex proposed. Moreover, as for the adoption of the Annex on tourism services, according to Jaroslaw Pietras, Professor and expert on WTO, it is not necessary because many questions regarding consumer protection, tourism services provision, and others may be negotiated during the accession process.

The liberalization of international trade in services is the primary concern for developing nations. The global tourist business will shift as a result of the GATS, which was created to lower trade barriers between nations. Due to the tourist sector's rapid expansion in comparison to the overall domestic economy, it already employs a significant number of people in emerging nations, and its significance is only growing.

The obvious benefits of GATS to developing countries related to tourism development are as follows:

Enhancing underdeveloped nations' capacity to provide domestic services by giving them economic access to technology. For numerous developing nations, the most advantageous aspect of joining GATS is having more access to technology and expertise. Furthermore, it will assist in lessening barriers to entry for foreign businesses into the market since emerging nations may come to understand that international businesses contribute cutting-edge knowledge and technology to their nation.

Facilitating developing nations' access to information networks and distribution outlets. Access to computerized data and reservation networks is crucial in the tourism industry, so poorer nations can easily access the resources and services that developed nations own and administer.

GATS may help developing countries become more competitive by placing restrictions on their promises to open their markets and requiring the transfer of technology and expertise (WTO, 1996a). Nevertheless, many developing countries initially reacted negatively to GATS, fearing a Foreign invasion.

So, what should developing countries do to overcome trade barriers?

Future multilateral attempts to enhance market access for services are probably going to be influenced by regional trade agreements about services. Last, but not least this paragraph is topical to point out the answers to the conducted semi-structured in-depth interview with

Professor Anna Wrobel. In particular, for the question "How true is it that protectionism is said to be a bigger issue in developing countries than in developed countries in the WTO GATS?", she emphasized that: This is true and is due to the level of development of the service sector. Developed countries became service economies as early as the 1970s and 1980s. In developing countries, the sector still plays a smaller role than in developed ones. There are, of course, some exceptions, for example, in the case of India, the service sector plays an important role in foreign trade. Indian corporations have a presence abroad and compete with companies from highly developed countries. For example, Infosys has a subsidiary in Poland in Lodz. India has, for example, a strong IT sector, BPO.

Furthermore, for the question regarding issues on market access and domestic regulation in the GATS in developing countries, she responded as follows: The main issue in the liberalization of international trade in services is the inefficiency of negotiations at the WTO. Due to the WTO crisis, trade liberalization is now mainly based on Free Trade Agreements. It has some progress, but it is a second-based solution As for domestic regulations, they are not a problem only for developed countries. They are a huge challenge even in the EU. Through various internal regulations, the service market in the EU is not fully liberalized.

In summary, for developing country service subjects to prosper in an increasingly competitive global services environment and fully capitalize on trade liberalization opportunities, they will need opportunities to continuously upskill, stay current with professional and technical advances, meet and exceed international service quality standards, and incorporate information technology into the provision of their services.

Conclusion

The government must have a clear plan for domestic reform if they are to engage in the GATS negotiations effectively and reap the greatest benefits. They also need to be aware of the main obstacles preventing them from exporting. The government of Uzbekistan should ideally seek better access to export markets while pursuing domestic changes through multilateral trade agreements, which are desired in any case. Given the foregoing, it is evident that, while taking into consideration the features of Uzbekistan's tourism industry and its stage of growth, it is imperative to comprehend, investigate, and evaluate the effects of the GATS and WTO processes on Uzbekistan's tourism development.

The analysis revealed that GATS will help Uzbekistan's tourist industry in some ways, including. The creation of tourism services. The freedom of movement of individuals associated with these services. The global and sustainable development of tourism. The establishment and adoption of an open and fair competition system as the cornerstone of

economic growth. The creation of more job opportunities. The increase in demand for tourism-related activities through meetings, conventions, incentive and business travel, exhibitions, and other events; -GATS will support Uzbekistan's tourism sector in adapting to emerging global tourism trends and in assisting its member nations in responding quickly and effectively to such trends. If Uzbek companies participate more actively in the globalization process, they would have a greater position in the global market.

GATS will support the growth and development of human resources. The industrial structure will shift faster as a result of globalization, which will raise the need for new, highly skilled personnel. It's also critical to focus on another crucial component of the problem. There is a close relationship between the regulation of tourism services under the GATS and other significant service industries. In addition to focusing on specific sectors, it is important to perform changes in adjacent areas when holding negotiations on the Republic of Uzbekistan's tourism services. These specifically include financial services, internet services, telecommunication services, political issues (visa issuance), transportation (in the case of airlines), and legal regulation of the operations of legal entities. The state ought to consider the tourism services sector as a supply chain sector in connection with other services.

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