

There was also skepticism about agriculture as the key to development aspects of the Round: accelerated reform of agriculture in India or Africa, it was suggested by one observer, would create endless numbers of landless peasants.

Similarly, there was skepticism about services liberalization. The services negotiations were considered to have gone nowhere; the services offers on the table were described as "worthless". As one observer put it, if *trade in services* were a stock, the recommendation would be to "buy"; if *negotiations* on trade in services were a stock, the recommendation would be to "sell".¹⁶ The problem is intrinsic to the nature of services trade. Services offers are hard to make because there are implied domestic regulatory reforms that are hard to think through, let alone to act on due to domestic political considerations. It is simply unrealistic to expect developing countries to enter into binding agreements which could result in payments under dispute settlement when even the rich countries cannot fathom the true extent of their commitments. For example, a recent WTO panel decision found that the United States had in fact made GATS commitments in respect of gambling services that it claimed it had not intended.¹⁷ While, upon appeal, the Appellate

¹⁶ Editors' note: Corroborating this sense of the state of services negotiations, a senior WTO official reportedly described services as the "crisis item" on the agenda of the second WTO mini-ministerial meeting of 2005 in Mombasa, Kenya, at the beginning of March. See "Services, NAMA, Development Priorities At Kenya Mini-Ministerial", Bridges, *Weekly Trade News Digest*, Vol. 9, No. 7, 2 March 2005; <http://www.ictsd.org/weekly/05-03-02/WTOinbrief.htm>.

¹⁷ *United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services: Report of the Panel* (WTO WT/DS285/R, 10 November 2004). Editors' note: In this case, Antigua and Barbuda argued that a US prohibition on the cross-border supply of gambling and betting services and certain measures restricting international money transfers and payments relating to gambling and betting services were inconsistent with US commitments under the GATS. The panel found that the US GATS Schedule did include commitments on gambling and betting services and that several federal laws (the *Wire Act*; the *Travel Act* and the *Illegal Gambling Business Act*, the latter two when read in conjunction with State laws) as well as a number of individual State laws were inconsistent with these commitments. This case had a number of important features. For the WTO,