Gender, International Migration and GATS Mode 4

1. International Migration: the big picture

Number of migrants worldwide, disaggregated by gender

- Female Migrants (outbound)
- Male Migrants (outbound)

Number of migrants in Asia, disaggregated by gender

- Female Migrants (outbound)
- Male Migrants (outbound)

Some pros and cons of international migration

<table>
<thead>
<tr>
<th>Countries</th>
<th>Pros</th>
<th>Cons</th>
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<tbody>
<tr>
<td>Developing (outbound)</td>
<td>Remittances  Transfer of technology</td>
<td>Brain drain  Risk of exploitation of migrants</td>
</tr>
<tr>
<td></td>
<td>Transfer of capital</td>
<td>Especially women  Social impacts on families and communities</td>
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<tr>
<td>Developed (inbound)</td>
<td>Solution to labor shortages</td>
<td>National security concerns  Cultural adjustments</td>
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Migrant remittances contribute significantly to GDPs

Remittances: an alternative to aid? (for both donors and recipients)


2. Legal Framework for international migration (1)
- No global treaty or negotiation forum dealing with international migration flows - unlike for flows of goods (=> GATT) or services (=> GATS)
- Bits and pieces
  - Only multilateral treaty: General Agreement on Trade in Services (1995)
  - Some Regional Trade Agreements (e.g. ASEAN)
  - Bilateral labor arrangements (e.g. guest worker schemes)

3. GATS Mode 4: Definitions
- The General Agreement on Trade in Services (GATS) provides the framework for liberalizing the temporary movement of people for the provision of services (known as Mode 4) (Article 1.2(d) GATS)
  - Who can migrate under GATS Mode 4?
    - Natural person
    - Service provider
    - Temporary (between 3 months and 5 years)
      - e.g.: self-employed or independent service suppliers (architects, accountants, lawyers)
      - e.g. intra-corporate transferees; business visitors.
  - Who cannot migrate under GATS Mode 4:
    - People seeking access to the employment market (i.e. migrant workers)
    - People seeking residence on a permanent basis.

GATS Mode 4 Rules and Commitments
- General rules:
  - Most Favoured Nation principle
  - Transparency
- Individual commitments of members in specific sectors (e.g. health, telecoms) regarding market access and national treatment.

Does GATS Mode 4 matter? (1)
- Few commitments are made under GATS Mode 4
- Sectors where mode 4 is important (e.g., professional and health services) tend to have fewer commitments.

<table>
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<tr>
<th>GATS modes of supply</th>
<th>Approximate % of total international supply of services</th>
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<tr>
<td>Mode 1: Cross-border supply</td>
<td>25 - 30</td>
</tr>
<tr>
<td>Mode 2: Consumption abroad</td>
<td>10 - 15</td>
</tr>
<tr>
<td>Mode 3: Commercial presence</td>
<td>55 - 60</td>
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<tr>
<td>Mode 4: Presence of natural persons</td>
<td>less than 5</td>
</tr>
</tbody>
</table>

Source: J. Magdeleine, A. Maurer (WTO) (2008), Measuring GATS Mode 4 Trade Flows, p. 16

Does GATS Mode 4 matter? (2)
- Commitments relate mainly to professionals and skilled workers and movements related to business and investment.

Does GATS Mode 4 matter? (3)
- Very high market-entry barriers remain
  - Border measures: visas and work permits
  - Domestic regulatory measures: recognition and licensing requirements, labour market test, restrictions on geographic or sectoral mobility.
- Little progress in Doha Development Round negotiations

Does GATS Mode 4 benefit women?
- We don’t know!
  - No gender-disaggregated statistics on Mode 4
  - Trade in services flows are hard to quantify
  - GATS Mode 4 data approximations are inferred from balance of payments, migration, tourism
  - GATS Mode 4 probably doesn’t benefit women much
    - Some opportunities for skilled women migrants, e.g. in the health, accounting and ICT sectors
  - A much larger amount of female migration is semi- or unskilled and takes place under bilateral agreements

4. Conclusion: Research and advocacy opportunities (1)
- More data and research is needed on:
  - Male and female migration patterns
  - Patterns of remittances flows (on sender and recipient side, disaggregated by gender)
  - Impact of GATS Mode 4 on women to feed into negotiations
- GATS Mode 4 covers only a tiny portion of international migration
- It covers the least important segment of migrants in terms of remittances and development impacts

References
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Thank you

Questions?