

The GATS Mode 4—Labor Migration Nexus?

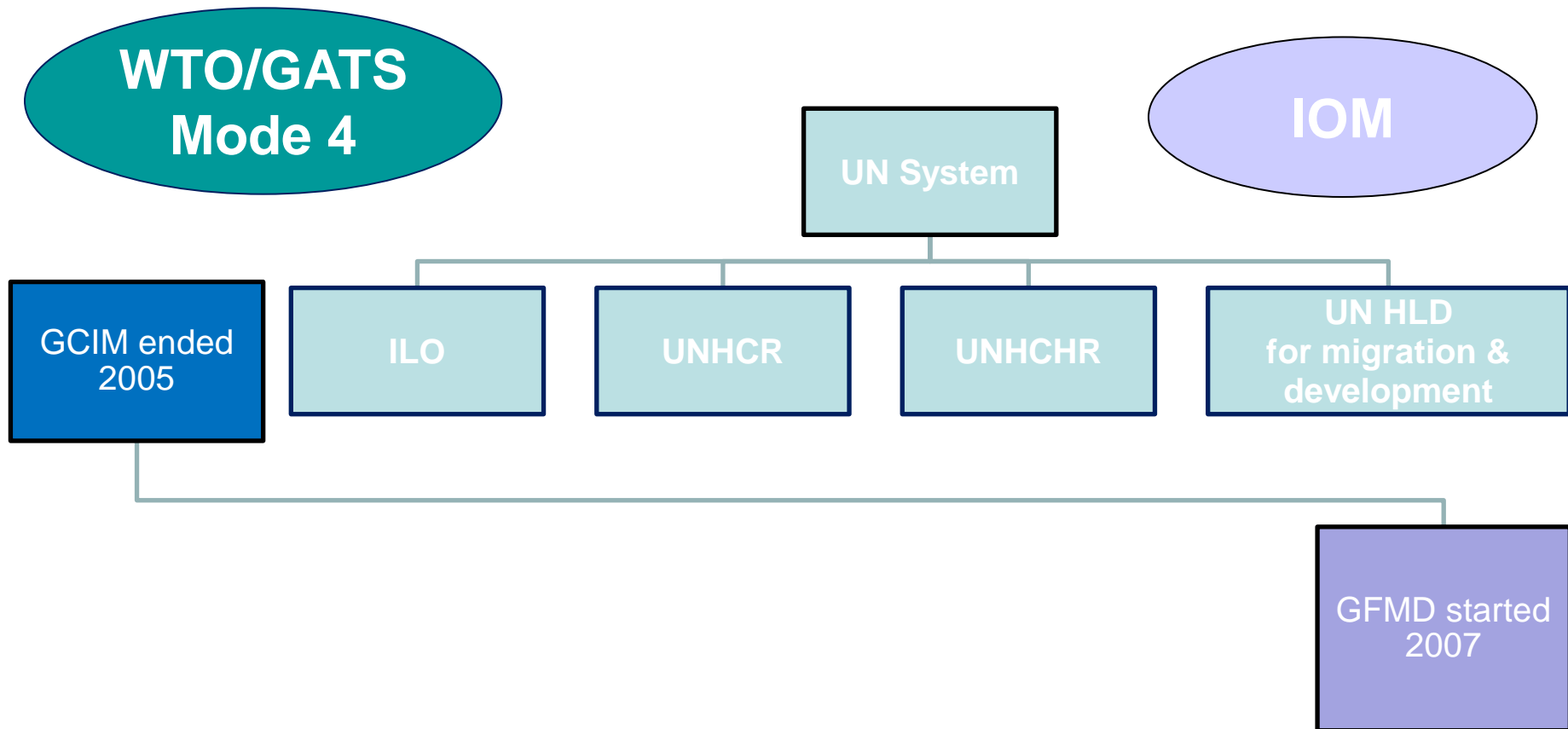


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Overview

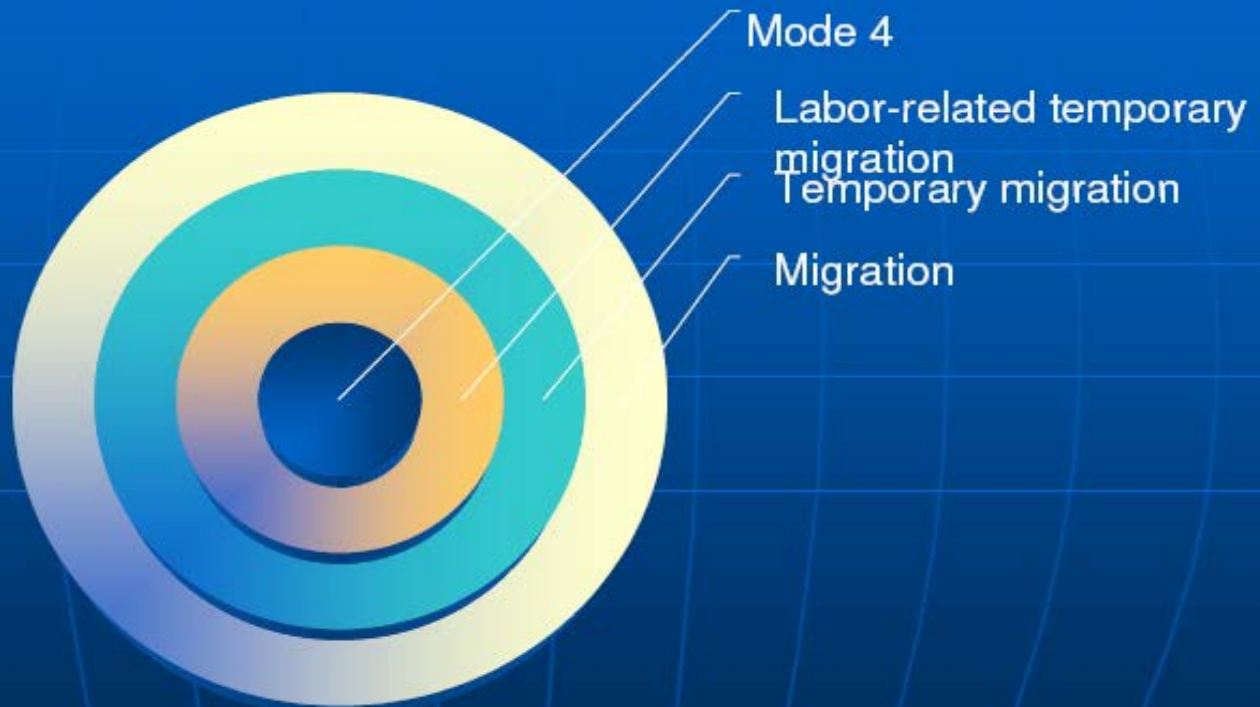
- Situating & explaining GATS mode 4
- 3 reasons why GATS mode 4 practice is development-unfriendly
 - Few commitments in low skills
 - Foreign employment outside GATS
 - Backlash against migration in countries like CH: Defaulting on DDA offers

„Diffuse“ intl responsibility for migration



What is GATS mode 4?

Mode 4 - The easy version



source: Nielson, Julia Promoting Labor Mobility: International Migration and Trade Agreements, UNITAR/UNFPA/IOM/ILO Key Migration

Workshop Series, United Nations Headquarters, March 15 2006

access to foreign labor market outside GATS

Indian IT specialist working in Switzerland as:

- ✓ self-employed (“independent professional”)
 - ✓ employee of Indian company supplying IT services in Switzerland
 - ✓ contractual worker of an **Indian/other foreign** IT company supplying IT services in Switzerland
 - ≠ employee of **Swiss** IT company supplying IT services in Switzerland
- Development unfriendly

Swiss Doha Offer on mode 4

Sector	Limitations on Market Access
For all services sectors	4) Entry and stay of foreign service suppliers in Switzerland is subject to authorization ... [Authorization is granted subject to measures fixing overall numbers of work permits allocated.]

Conflict with new 121a
Swiss Constitution