The WTO and international health worker mobility

- A brief overview -

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Relevant WTO instrument

The General Agreement on Trade in Services (GATS) is the relevant WTO Agreement …

because of the way it defines TRADE in SERVICES
# Trade in Services – 4 modes of supply

<table>
<thead>
<tr>
<th>Mode of supply</th>
<th>Examples for health services</th>
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<tbody>
<tr>
<td><strong>Mode 1: Cross-border supply</strong></td>
<td>Telemedicine; e-health, health-related outsourcing (billing, medical transcripts, insurance, etc.)</td>
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<td><strong>Mode 2: Consumption abroad</strong></td>
<td>“Medical tourism” - patients travelling across borders for diagnosis and treatment</td>
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<td><strong>Mode 3: Commercial presence</strong></td>
<td>Establishments of hospitals, clinics through FDI, joint ventures, alliances, mergers</td>
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<tr>
<td><strong>Mode 4: Presence of natural persons</strong></td>
<td>Certain doctors and nurses practising in other countries</td>
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Mode 4

Mode 4 deals with the (temporary) presence of foreign natural persons supplying services:

- as self-employed suppliers, or
- as employees of a foreign services company

Mode 4 does not deal with:

• job seekers
• measures regarding citizenship, residence or employment on a permanent basis
Mode 4 and health worker mobility – specific commitments

- WTO Members *may* undertake guarantees of mode 4 access in the health services sector → “specific commitments”

- GATS commitments:
  - set out the extent of access granted to foreign health workers
  - apply to health workers from any WTO Member
  - are legally binding
  - provide for minimum guaranteed access conditions; actual regimes may be more open (but less certain)

- Several WTO Members have also undertaken relevant commitments in Regional Trade Agreements (RTAs)
Welcome to I-TIP Services

I-TIP Services is a joint initiative of the World Trade Organization and the World Bank. It is a set of linked databases that provides information on Members’ commitments under the WTO’s General Agreement on Trade in Services (GATS), services commitments in regional trade agreements (RTA), applied measures in services, and services statistics.

GATS Commitments and MFN exemptions

The module on GATS contains information on the Members’ market access commitments and exemptions to the obligation of most-favoured-nation (MFN).

RTA Commitments

The RTA module allows to access and search for information on Members’ commitments in regional trade agreements notified under Article V of the GATS. Currently, the database covers a good proportion of services RTAs (see list attached).

Applied Services Trade Policy

The Applied Services Trade Policy module provides information jointly compiled by the World Bank and the WTO on regulatory frameworks for 23 services sectors in 70 Members. The information has been collected through a survey conducted by the World Bank and WTO in 27 Members, and, in the case of the remaining 43 Members, through secondary sources, including in particular the OECD STRI regulatory database. Links to other useful sources of information on applied policies are also provided (e.g. WTO DG monitoring reports, trade policy reviews).

Statistics

The Services Statistics module accompanies the GATS, RTA and Applied regimes modules by providing relevant trade in services and related statistics.

http://i-tip.wto.org/services/
I-TIP and health-related services

Trade in Health-related services information available in I-TIP

• GATS and RTAs/bilateral trade commitments for:
  • Professional services: Medical and dental services; Services provided by midwives, nurses, physio-therapists and para-medical personnel
  • Hospital Services
  • Other Human Health Services
• Sporadic information on applied regulations
• Covers the 4 modes of supply (including mode 4)

Current and future work

• Release of new Module on Applied Services Trade Policy + More countries, more sectors (current testing for health services)
• Complement RTAs/Module in I-TIP (100 agreements already included)
• Find more synergies with other specialised organizations & associations
THANK YOU