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Trade and Guest Worker Programs

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▶ [Radio interview](#) (MP3 1:00) 4/19/2007

Hear Jessica Walker Beaumont of AFSC with Colin Raja of the National Network of Immigrant and Refugee Rights ([NNIRR](#)) on the Heartland Labor Forum (*Kansas City's only radio show about the workplace and the Labor Movement*) talking on trade, migration and GATS Mode 4.

[Labor Mobility and the Global Economy: Should the World Trade Organization Set Migration Policy?](#) (PDF) _

This paper explores the GATS framework from a human rights perspective to determine whether or not the WTO is an appropriate arena for managing global labor migration and how expanding its coverage may affect development in the Global South. It explores the relationship between trade and migration, the potential development implications of promoting labor migration, and the drawbacks of the guest worker model. [More >](#)

[Migrants and Advocates Criticize Expansion of GATS Mode 4](#)

HONG KONG—As controversies over the General Agreement on Trade in Services (GATS) threaten to sink the WTO ministerial, representatives of migrant networks, unions, and advocates criticized expansion of labor migration under the framework of the GATS Mode 4, which sets rules for “temporary movement of natural persons.” [More >](#)

WTO and GATS Mode 4

Irregular migration is a hot button issue around the world. Migrant workers are often blamed for the economic insecurity of citizen workers and considered a threat to national security. The response is too often to “get tough” by increasing border enforcement and penalties rather than addressing the economic factors forcing people to risk their lives for employment.

One response has been through guest worker programs such as the infamous Bracero program between the U.S. and Mexico, or the current H2 visa programs



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for agriculture workers in the U.S., which tie migrant worker legal status to employment with a specific employer. This formula leads to the abuse of migrant workers even when wage and working condition guarantees are written into the law.

Cutting Lettuce, Lompoc - Lettuce workers are paid piecerates, bending over constantly. After years of this kind of work, they often have to have operations to fuse the vertebrae in their lower backs. - PHOTO BY DAVID BACON

Due to the failures of past guest worker programs they had been shunned in policy circles until recently. However they have gained renewed attention as a component of an emerging paradigm in immigration policy called "managed migration," which focuses on controlling migration flows for the economic benefit of host countries with the additional objective of bringing migrants under a legal framework.

The General Agreement on Trade in Services ([GATS](#)) within the World Trade Organization ([WTO](#)) is one of several trade agreements that incorporate some type of guest worker program. In this case it's GATS Mode 4 which refers to the "temporary movement of natural persons" across borders to provide services. Some developing country governments continue to push for an expansion of the types of labor covered by countries' commitments on GATS Mode 4. Many human rights groups and migrant communities believe the WTO's has no mandate to develop migration policy and believe that liberalization of GATS Mode 4 will undermine efforts for rights based migration policy worldwide.

AFSC Resources

[GATS Mode 4 Fact Sheet](#)

[Looking Back – Looking Forward: A Review of the Bracero Program Raises Questions About GATS Mode 4](#) by Bjorn Jensen

The current framework of Mode 4 boils down to negotiating a global guest worker program. To inform current Mode4 negotiations, this Trade Matters Discussion Paper explores lessons learned from the Bracero (Spanish for laborer) guest worker program between the U.S. and Mexico that began in 1942 and lasted until 1964 .

The Bracero Program is a concrete example that illustrates the potential benefits and pitfalls for guest worker programs (PDF). [More >](#)

[Missing From the Debate: the Relationship Between International Trade and Migrant Workers](#) by Bjorn Jensen, *Monday Developments*, December 19, 2005

The immigration debate often takes on a nasty tone in the U.S.



Rigoberto and Amelia Garcia, Blyth, CA (2001) - Rigoberto and Amelia Garcia, were born and married in Michoacan. Rigoberto came to the US as a bracero in the 1950s. His work contracts are spread out on the table. - PHOTO BY DAVID BACON

Undocumented migrants are blamed for the economic insecurity of others and considered a threat to national security; fear and scapegoating has even led to vigilante groups currently patrolling the U.S.-Mexico border. Indeed, it is a hot-button issue, and not just in the U.S. Yet despite the attention, missing from the popular debate are a discussion of root causes and the relationship between international trade policies and migrant workers. [More >](#)
[view PDF](#)

[Putting a Human Face on WTO Talks](#) by Amy Gottlieb

We were in Hong Kong in part because the WTO, in its services agreements, is beginning to negotiate rules that could govern trade of human beings, and we are concerned about the human rights and migration implications of these discussions. Seeing migrant women in Hong Kong, people who have been forced to seek employment far from their homes in part due to the impact of globalization on their local economies, brought down to earth the theoretical and policy discussions that we were engaged in prior to the trip. Their presence offered a visual backdrop to the high-level negotiations inside the Hong Kong Convention Center. [More >](#)

[Mode 4: Trade, Migration and Quaker Grey](#) by Tom Head

Quakers are following many issues at the Hong Kong WTO meetings, but one of the thorniest is something called Mode 4. If 'Mode 4' employment were limited to highly-skilled workers, the subject might not be all that controversial. For the most part, these professionals can take care of themselves. But if the 'Mode 4' concept is extended to unskilled workers, many fear that this will become something of a global guest-worker program with little or no protection for workers. And this is where we really get into a grey area: Is Mode 4 a trade policy or a migration policy? [More >](#)

[Trade and migration activists gather for a "discussion among colleagues"](#) by Bjorn Jensen,

On October 6th, 2005, over forty trade and migration activists and advocates gathered in Washington D.C. While both trade and migration experts acknowledge the strong connections between the two issues they are often quick to delegate responsibility for explaining those connections to the other side. The event was designed to bring trade and migration activists together to flesh out the relationships between trade and migration and initiate more cooperation and collaboration between the people in the room. [More >](#)

Non-AFSC Articles

["U.S. Immigration Policy on the Table at the WTO"](#) by Sarah Anderson, *Foreign Policy in Focus* 11/30/2005

["Communities Without Borders"](#) by David Bacon, *The Nation* 10/24/2005

["Politics of Class and Corporations"](#) by Tom Barry 08/09/2005

["Talking Points on Guest Workers"](#) by David Bacon, Truth Out/Perspectives 07/13/2005

["Services industry coalition trying, without success, to change view in congress"](#) by Bruce Stokes, *National Journal* 10/01/2005

["Debunking the Myth of Mode 4 and the U.S. H-1B Visa Program"](#) by Lori Wallach and Todd Tucker, *Public Citizen Global Trade Watch* 10/16/2005

["Migration as a Factor in Development and Poverty Reduction"](#) by Kathleen Newland, *Migration Policy Institute* 06/01/2003

Additional Resources

AFSC's work on immigrant' rights <http://www.afsc.org/immigrants-rights/default.htm>

Farm Worker Justice Fund <http://www.fjustice.org/>

Focus on the Global South, trade campaign <http://www.focusweb.org/trade/html/>

Migration Policy Institute <http://www.migrationpolicy.org/>

Migrant Rights International <http://www.migrantwatch.org/>

National Network for Immigrants and Refugee Rights (NNIRR) <http://www.nnirr.org/>

Our World is not for Sale <http://www.ourworldisnotforsale.org/>
[Polaris Institute](#)

Quaker United Nations Office (QUNO), [Labor Movement page](#)

Third World Network <http://www.twinside.org.sg/>

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