

## ACP Secretariat recommends actions for the UK government to facilitate physical market access of ACP Service providers to the UK market, following evidentiary session to the House of Commons International Trade Select Committee

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7 Aug 2019 - 14:45 |  ACP Press



Brussels 6 August 2019/ACP: The ACP Group of States was recently invited to give evidence before the House of Commons International Trade Select Committee to speak about the movement of natural persons in the delivery of temporary services (Mode 4 of services supply).

In preparation for Brexit, the International Trade Committee of the House of Commons has, since November 2018, launched an inquiry into UK Trade in Services to examine the main barriers faced by UK services exporters. This reflection on how the UK should liberalize international trade in services, includes how to negotiate international agreements and the implications for potential domestic policy.

Francoise Guei, Expert on Multilateral Trade Matters at the ACP, participated in a panel of witnesses, with Professor Joanna Jacobsson, International and European Law from IE University and Mickaël Laurans, Head of International, the Law Society of England and Wales before the Committee on June 26<sup>th</sup> at The House of Commons in London, England. Ms. Guei shared the ACP's experience regarding the temporary movement of natural persons for providing services to the EU market including the UK market in particular, where according to her, more needs to be done: "It appears that limited progress has been made so far in the liberalization of temporary movement of natural persons with a view to achieving meaningful and effective market access for ACP service providers on developed countries' markets in particular."

Under the WTO Agreement on Trade in Services (GATS), services can be traded internationally in four different ways — known as the four modes. Mode 4 refers to the presence of persons of one WTO member in the territory of another for the purpose of providing a service. In this context, the presence of the service supplier in the host country is granted on a temporary basis only, in contrast to migration for work which has a more permanent standing. Ms Guei pointed out that many ACP service providers experience difficulties to export their services in the EU market under Mode 4 due to the refusal of developed countries to acknowledge the difference between the two approaches. In many countries this creates a situation whereby immigration regimes regulate in the same way, the conditions of entry and stay in their territories for Mode 4 service suppliers and persons seeking permanent immigration.

Administrative procedures, defined as measures related to entry and stay in other territories, are serious obstacles to

temporary movement of persons, with problems related both to lack of transparency and to procedural delays and hurdles. These challenges, prevalent in most actual and potential export markets include restrictions on the entry and stay of service providers and the lack of recognition of professional/equivalent qualifications. As a result, physical market access, namely obtaining visas and/or work permits is possibly the single most important impediment to ACP services exports.

Following the Session, the Secretariat recommended a number of actions that the UK Government could undertake to facilitate physical market access by ACP service providers to the UK market. These included:

- Extend the eligibility to apply for visas under existing schemes that allow for relatively easier access to visas to ACP service suppliers (e.g. UK ancestry visas)
- Create visa categories that satisfy the needs of *bona fide* service suppliers. This would facilitate:
  - Greater ease for repeat visits
  - Entry and stay of lower-skilled service suppliers such as seasonal workers
  - Easier movement for suppliers of services not directly related to agriculture (i.e. remove the preference for highly skilled service suppliers)
  - Lengths of stay of appropriate duration
- Commit to the preservation, for specified periods of time, of visa schemes of particular interest to ACP service providers to the UK
- Provide clear and written reasons for visa refusals and highlight visa categories that might be open to ACP service suppliers who are initially refused a visa
- Facilitate recognition of qualifications for purposes of satisfying visa requirements.

Links to the video and full transcript of the session are available below.

**Video** <sup>[1]</sup>

**Full Transcript of the Session** <sup>[2]</sup>

**Written evidence** <sup>[3]</sup> submitted by the ACP Secretariat

Tags: **General Public documents** <sup>[4]</sup>

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**Source URL:** <http://www.acp.int/content/acp-secretariat-recommends-actions-uk-government-facilitate-physical-market-access-acp-ser>

**Links:**

[1] <https://parliamentlive.tv/Event/Index/8442d56f-a41c-45eb-8172-4c462085e52e>

[2] <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-trade-committee/trade-in-services/oral/103425.pdf>

[3] <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-trade-committee/trade-in-services/written/103873.pdf>

[4] <http://www.acp.int/category/acp-document-group/acp-public-documents/general-public-documents>