

A GENDER LENS ON TRADE POLICY



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WTO Informal Working Group
on Trade and Gender
September 22, 2022

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SUSTAINABILITY ISSUES HAVE OFTEN BEEN CONTENTIOUS IN TRADE NEGOTIATIONS

Developing countries tend to consider that addressing social and environmental issues in trade may be an arbitrary and protectionist imposition by developed countries.

Developed countries tend to consider that lower standards, flexibility or non-compliance of environmental or labor regulations is anticompetitive because they lower production costs (so-called environmental or social dumping).

Gender issues have also been contentious but different positions do not necessarily follow the traditional developing/developed country divide.

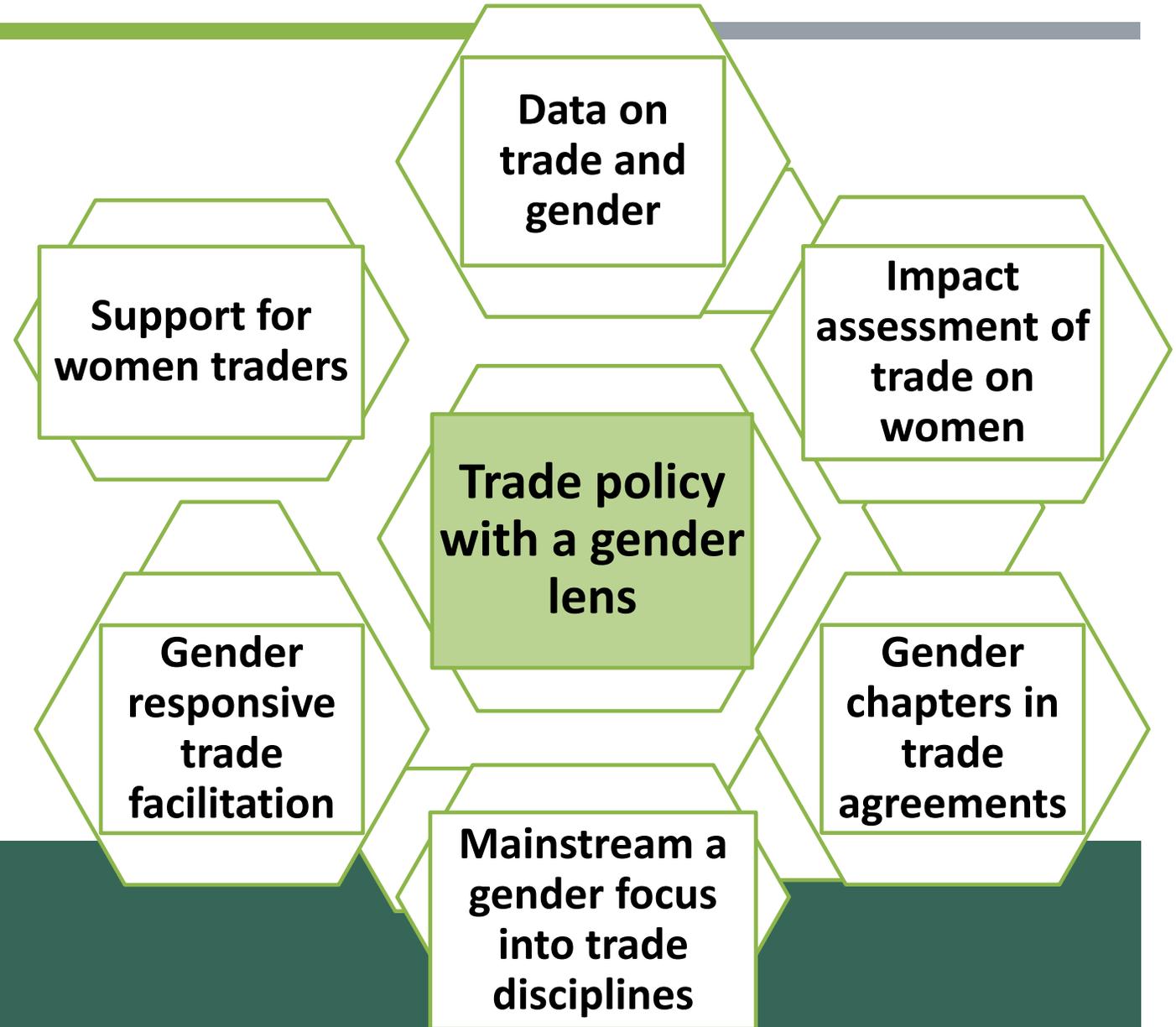
The inclusion of social and environmental provisions in trade agreements has not resulted in additional barriers to trade and can contribute to improve standards.

WHY FOCUS A GENDER LENS ON TRADE?

- Trade is not gender neutral. It reproduces the unequal roles of men and women in the economy
- Trade agreements have an ambiguous impact on women as workers, producers, traders, consumers, home-makers and care workers
- It may open up employment opportunities and bring benefits, but can also reenforce or increase existing gender gaps
- Gender gaps exist in business, in employment, in wages, in unpaid care work.
- Inequality gravely hinders economic growth and development.
- Closing, these gaps could increase GDP by US\$1 trillion in Latin America alone (IADB)
- **An inclusive trade policy can contribute to reduce these gaps**

TRADE POLICY TOOLS WITH A GENDER LENS

Parity
Consultations
Participation



IN RECENT YEARS GENDER PROVISIONS IN TRADE AGREEMENTS HAVE CONTRIBUTED TO POSITION GENDER ON THE TRADE AGENDA

- The WTO has identified 257 agreements between 1990 and 2020 which include and implicit or explicit gender provision.
- Agreements in different regions (e.g. AfCFTA) and plurilateral initiatives such as the Global Trade and Gender Arrangement (GTGA) are addressing gender as a core issue.
- In recent years, an increasing number of countries have included **stand-alone gender chapters** in their trade agreements, which focus on joint commitments on the promotion of gender equality through cooperation
- More than addressing specific trade disciplines, the focus of these chapters is on women's economic empowerment and women's rights.
- An additional step is to **mainstream gender provisions into trade disciplines**. This would be a direct means to address gender gaps and inequalities within the trade agreements

MODALITIES TO MAINSTREAM GENDER PROVISIONS IN TRADE DISCIPLINES

Provisions that do not allow for gender discrimination

- Non-discrimination between men and women
- Not fail to enforce laws that protect the equality of opportunities for men and women in order to encourage trade or investment

Affirmative action to accelerate equality between men and women

- Provisions to further women`s empowerment and equal opportunities
- Transitory provisions to promote women in trade

- Reservations for non-conforming measures to protect national legislation and policies that further women`s rights and equal opportunities

Affirmative action:
Differential
treatment
between men and
women

Differential treatment that is reasonable and objective, and aims to achieve a legitimate purpose, and adoption by Members of temporary special measures aimed at accelerating de facto equality between men and women, shall not be considered discrimination for the purposes of this provision.

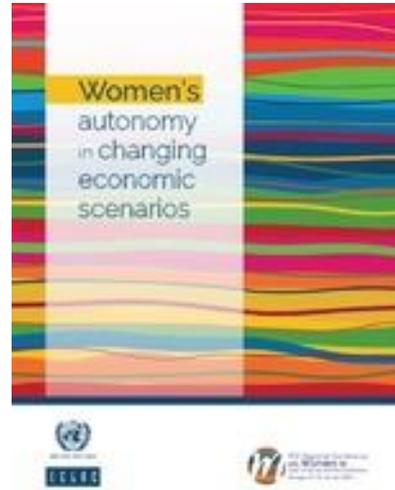
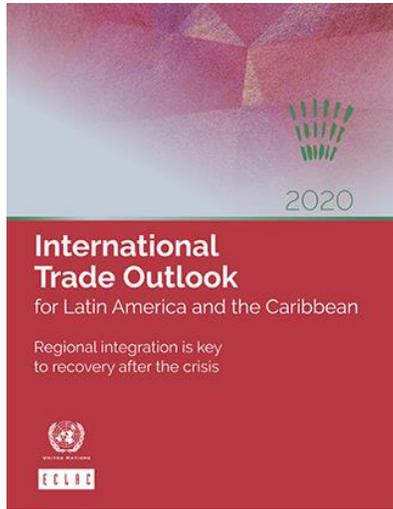
(WTO, Joint Initiative On Services Domestic Regulation. Reference Paper On Services Domestic Regulation. INF/SDR/1, 27 September 2021)

EXAMPLES OF GENDER PROVISIONS IN SERVICES AND GOVERNMENT PROCUREMENT

Issue	Objective	Mandatory non-discrimination provisions	Positive commitments to promote women in trade	Reservations for non-conforming measures
Services	<ul style="list-style-type: none"> -Increase women`s participation in services –Promote equal opportunities for men and women 	<ul style="list-style-type: none"> -Non-discrimination between men and women -Parties shall not fail to enforce laws that protect equality of opportunities for men and women to encourage trade or investment 	<ul style="list-style-type: none"> -Benefits to promote the participation of women in modern services -Trade facilitation with a gender lens in the services sector 	Reservations for non-conforming measures to protect laws and policies that further women`s rights and equal opportunities
Government procurement	Increase participation and competitiveness of women-led SMEs	Provisions about non-discrimination in tenders and awards.	Set-asides and special thresholds for women-led SMEs	-Reservations for national programs that promote procurement by women-led businesses.

SUSTAINABLE DEVELOPMENT IN THE WTO REFORM AGENDA

- The WTO needs to overcome its developmental deficit and improve coordination with other multilateral regimes
- The 2030 Agenda for Sustainable Development was approved by the 193 UN member-states in 2015. Trade is an implementing means to attain the SDGs
- SDG 5 (Gender Equality) is a core goal of the Agenda and also a cross-cutting issue within the other SDGs. It needs to be addressed in the WTO reform process
- Challenges:
 - how to address gender as well as other SDGs in WTO reform, and
 - include non-discrimination between men and women as a basic principle of WTO Agreements.



THANK YOU!

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