



GENDER and TRADE

Overview Report

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Acronyms

ACP	African, Caribbean and Pacific Group of States
AFTA	ASEAN Free Trade Area
AoA	Agreement on Agriculture
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ATC	Agreement on Textiles and Clothing
BPFA	Beijing Platform for Action
BTA	Bilateral trade agreement
CAFRA	Caribbean Association for Feminist Research and Action
CAFTA	Central American Free Trade Agreement
CARICOM	Caribbean Community and Common Market
CBTPA	Caribbean Basin Trade Partnership Act
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CIDA	Canadian International Development Agency
COMESA	Common Market for Eastern and Southern Africa
CSP	Country Strategy Paper
CSR	Corporate social responsibility
DAWN	Development Alternatives with Women for a New Era
DBS	Direct budget support
DDA	Doha Development Agenda
DTI	Department of Trade and Industry
ECOWAS	Economic Community of West African States
EFTA	European Free Trade Association
EPA	Economic Partnership Agreement
EPZ	Export Processing Zone
EU	European Union
FDI	Foreign direct investment
FTA	Free trade agreement
FTAA	Free Trade Area of the Americas
GAD	Gender and development
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GDP	Gross domestic product
GERA	Gender and Economic Reform in Africa
GMO	Genetically Modified Organism
GRBI	Gender-responsive budget initiative
GTIA	Gender Trade Impact Assessment
HIPC	Heavily Indebted Poor Countries
ICT	Information and communication technology
IFC	International Finance Corporation
IFI	International finance institution
IGTN	International Gender and Trade Network
ILO	International Labour Organization
IMF	International Monetary Fund
IPR	Intellectual property rights
ITC	International Trade Centre
JITAP	Joint Integrated Technical Assistance Programme
LDC	Least Developed Country
MDG	Millennium Development Goal
MERCOSUR	Southern Common Market
MFA	Multifibre Agreement
MFN	Most Favoured Nation
MTS	Multilateral Trading System

NAFTA	North American Free Trade Agreement
NFIDC	Net food-importing developing country
NGO	Non-governmental organisation
NTAE	Non-traditional agricultural exports
NWM	National Women's Machinery
OECD	Organisation for Economic Co-operation and Development
PEAP	Poverty Eradication Action Plan
PRGF	Poverty Reduction and Growth Facility
PRSP	Poverty Reduction Strategy Paper
PSIA	Poverty and Social Impact Analysis
RTA	Regional trade agreement
SADC	Southern African Development Community
SIA	Sustainable Impact Assessment
SME	Small and medium enterprise
S&DT	Special and differential treatment
SPS	Sanitary and phytosanitary agreement
SWAP	Sector-wide approach
TIR	Trade impact review
TNC	Transnational corporation
TPRM	Trade Policy Review Mechanism
TRCB	Trade-related capacity building
TRCB/TA	Trade-related capacity building and technical assistance
TRIMS	Agreement on Trade-Related Investment Measures
TRIPS	Trade-Related Aspects of Intellectual Property Rights
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNIDO	United Nations Industrial Development Organization
UNIFEM	United Nations Development Fund for Women
VAT	Value added tax
WAEMU	West African Economic and Monetary Union
WEDO	Women's Environment & Development Organization
WEFIG	Women Entrepreneurs for Industrial Growth
WHO	World Health Organization
WIBDI	Women in Business Development Incorporated (Samoa)
WID	Women in development
WIDE	Women in Development Europe
WIEGO	Women in Informal Employment: Globalizing and Organizing
WTO	World Trade Organization

Executive summary

Gender is a key factor in the complex relationship between trade, growth and development – and yet there is a widespread assumption that trade policies and agreements are class, race and gender neutral. This report points to the crucial need to ensure that trade liberalisation does not undermine women's rights and poor people's livelihoods, and supports the gender equality agenda. First and foremost, this requires the explicit recognition of women's contribution to the economy through both their productive and their unpaid reproductive work.

Trade, trade policy and development

Trade as an activity of economic exchange has a long history that far precedes its regulation within World Trade Organization (WTO) rules that we see today. Trade liberalisation entails the reduction of barriers to trade, such as import tariffs, in order to promote international trade and competition. While the conventional wisdom simply assumed that trade liberalisation was itself the key factor that would automatically ensure the growth and development of poor countries, there is an emerging consensus that trade liberalisation does not always reduce poverty and often increases inequality. Analysis of the gendered impacts of trade agreements underscores the critical links between trade and both the production and reproduction spheres. Moreover, as trade has an impact on gender equality, underlying gender inequality may have a decisive impact on the outcomes of trade policies by limiting productivity, output and growth.

Ten years of WTO negotiations

The WTO was set up in 1995 during the Uruguay round of international trade negotiations. However, only four years later, in its Third Ministerial meeting in Seattle, mass protests erupted at the perceived inequalities and injustices of trade liberalisation and the lack of a developing country perspective in negotiations. A human rights approach to trade has been promoted by civil society activists, developing country governments and other actors over the past decade. They have argued that poverty and livelihoods must be placed at the centre of trade debates – an approach that has led to conflicts between richer countries and developing countries. At the Fourth WTO Ministerial meeting in 2001, the Doha Development Agenda (DDA) was established with a progressive range of measures that in theory would be beneficial to poor countries. However, despite this ambitious agenda, there has been little success in securing agreement between rich and poor countries in subsequent negotiations in Cancún and Hong Kong.

Approaches to gender and trade

The human rights approach has also provided a strategic entry point for gender advocates in governments, civil society and donor agencies to promote gender equality in and through trade. However, the human rights approach is not always gendered and must be understood in conjunction with the gender and development (GAD) approach developed by gender advocates in civil society, government and donor agencies in the late 1990s. The GAD approach seeks to understand the

gender roles and relations of unequal power which influence impacts of and responses to trade – including the role of social reproduction. This report also argues for the development of an alternative, political economy approach, which puts rights and understandings of gender and other power inequalities in the wider global context of developed and developing countries.

The gendered impacts of trade

Trade policies affect men and women differently due to gender inequalities in access to and control of economic and social resources and decision-making. Their impact is also mediated by the different roles that men and women have within societies – in particular, the gendered division of labour. Trade liberalisation has no doubt led to an increase in employment opportunities for women – particularly in export-oriented sectors such as textiles. Earning an income externally to the household can lead to greater empowerment for women, both in the home and in the wider community. However, trade liberalisation can also lead to unemployment and the restructuring of labour markets – a situation that tends to affect poor and marginalised groups of women more than men. In fact, occupational and wage segregation is widening and bad working conditions are rife in many export industries. The need for flexible workers to respond to market fluctuations has led to a rise in the numbers of informal sector workers, of which a high percentage are women.

Work to date on gender and trade

At the macro level, women advocates in organisations like the International Gender and Trade Network (IGTN), Women in Development Europe (WIDE) and the Women's Edge Coalition have used impact analysis tools to lever gender considerations into trade agreements. Research tools such as value chain analysis, which examines the different value ascribed to each player in the process of producing a commodity, have also been used by national actors, researchers and non-governmental organisations (NGOs) to help understand the links between trade and gender inequality.

Some donor agencies, for example, the Canadian International Development Agency (CIDA), have developed trade-related capacity building (TRCB) initiatives that include a gender component, and multilateral agencies such as the International Labour Organization (ILO) have implemented gender mainstreaming policies in their activities to strengthen the rights of workers. The ILO, the International Finance Corporation (IFC) and the International Trade Centre (ITC) are all involved in measures to promote women's entrepreneurship and support their entry into international markets. There are also associations of businesswomen being established in many countries to support networking, training and market access.

Recommendations

This report calls for a rights-based and political economy approach to gender and trade issues.

- Greater coherence is needed between the macroeconomic environment and processes at the national, sectoral, and micro levels, as well as between trade agreements and other international conventions and commitments to human rights, development and gender equality.
- Gender analysis and perspectives should be systematically integrated into the trade policies of national governments and into TRCB programmes of international finance institutions (IFIs), bilateral donors and intergovernmental organisations.
- The existing mechanisms (under, for example, the Millennium Development Goals (MDGs), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Trade Policy Review Mechanism (TPRM) processes) and tools (such as Sustainable Impact Assessments (SIAs), Gender Trade Impact Assessments (GTIAs) and Poverty and Social Impact Analysis (PSIAs)) should be used to monitor the gendered impacts of trade policies and agreements and to hold governments accountable for their commitments to gender equality and women's empowerment.
- The participation of women and gender experts in trade policy-making and negotiation processes should be promoted at all levels, and multi-stakeholder mechanisms should be established to reorient the trade agenda in support of a pro-poor and gender-aware development framework.
- There is also a need to build on the momentum created by the global mobilisation against poverty – most notably around the MDGs – along with the opportunities offered by the DDA and the growing public support for fairer trade regimes (as evidenced in the ongoing debate over agricultural subsidies) and the increased participation of civil society and other stakeholders in trade arenas.
- Multi-faceted and multi-level strategies, as well as strategic alliances between gender equality advocates and key stakeholders, should be developed to address the multiple dimensions of gender and trade issues at the macro, meso and micro levels in the different arenas.

1. Introduction

Over the last five years, there has been increased interest in the gender dimensions of trade among development practitioners, policy-makers and civil society. While the complex relationships between trade and gender equality¹ are no longer a complete unknown, the growing number of civil society organisations working on trade still lack concise and easy-to-digest information on the key gender issues in trade, as do policy-makers at the local, national and international levels, including in development cooperation. Among the key questions that ought to be addressed are: how does trade advance or impede gender equality? What effects does gender equality have on trade? What are the implications of these effects for policy and practice at the macro, meso and micro levels? What entry points and strategies are available to make trade policy and practice more gender-equitable?

Research has increasingly pointed to the ambiguous nature of the impacts of trade on women and men. Trade can have positive effects on employment, growth and empowerment and can therefore increase wealth and well-being. It can also have negative affects – particularly on the lives of poor people and those marginalised by gender, race and class or caste. However, many gender advocates have argued that, despite the evidence, the policies and institutions which govern trade at national, regional and international levels are in fact ‘gender blind’.²

This Overview Report aims to identify the possible ways and means for ensuring that the trade and gender equality agendas support each other. This is particularly relevant in the context of the decade review of the implementation of the Beijing Platform for Action (BPFA) and the Millennium Review in 2005, both of which raise critical questions about the implications of international trade relations and the role of trade policy in the achievement of the MDGs and gender equality. It is also ten years since the establishment of the WTO in 1995.

The report is aimed at trade, development and GAD actors who have some economics background and either work or want to work on trade *or* work in a connected field (such as employment, migration, investment, budgets, macroeconomics, livelihoods or agriculture). It highlights successful examples and best practices, which demonstrate that gender-aware trade policies and institutions can effectively support the achievement of gender equality goals and accelerate economic growth and sustainable development. Section 2 describes the concepts behind the relationship between gender, trade and development. Section 3 outlines the historical context and the institutional structure of the Multilateral Trading System (MTS), and discusses the main issues arising from the conceptual framework of the MTS.

¹ Gender refers to the differences and commonalities between women and men that are set by convention and other social, economic, political and cultural forces. In this report we are particularly concerned with roles, relations, power dynamics and inequalities between women and men.

² The tendency to ignore gender relations and gender-based differences in policies and institutions.

Section 4 looks at the implications for gender equality and gender relations of trade agreements and rules. Section 5 highlights the links between gender, trade and development along with the key features of the development policy environment. It also outlines the trends in thinking behind the women in development (WID), GAD, human rights and political economy approaches to work on gender.

Section 6 reviews the work to date on gender and trade by various actors at different levels in the development context. It highlights the strategic entry points and discusses key challenges related to the gender dimensions of trade-related capacity building and technical assistance, labour standards and corporate social responsibility/accountability. The final section provides some ways forward in promoting a gender-aware framework for trade policy. Strategic and practical recommendations are laid out for a wide range of stakeholders: civil society and women's organisations, women entrepreneurs and business associations, donors and other development partners, machineries for gender and women's issues, policy-makers in trade and finance ministries and trade negotiators.

It is hoped that this report will serve as a practical tool to help these stakeholders in their daily work to promote equitable international trade relations and 'a globalization which puts people first; which respects human dignity and equal worth of every human being' (ILO 2004).

2. Gender, trade and development

2.1 Trade, trade policy and development

2.1.1 *What is trade?*

Neither trade as an economic activity nor attempts to manage trade in the form of policy are new concepts. However, attempts to manage trade at the international level in terms of policy and liberalisation are relatively recent interventions. Trade is an activity of exchange that appears in different forms, and takes place in different locations. It could be two people in a village market or two nations trading their cash crops on the international stage. Moreover, those indirectly participating in trading activities can be paid or unpaid workers, business-owners, importers, exporters and consumers. The actors from the small to the large scale are all economic agents but have different roles and different levels and types of power and influence. They therefore also have differential amounts of loss and gain.

2.1.2 *Trade policy and trade liberalisation*

Trade policy can be broadly defined as the formalisation of rules and mechanisms at the national level for cross-border trade activities. It is intertwined with domestic fiscal, monetary and labour market policies, and linked to other policies at the macro level such as foreign aid and investment, structural adjustment, debt and development.

Trade liberalisation entails the deregulation of foreign investment through the reduction of barriers to international trade, such as tariffs.³ Reducing tariffs has two major implications:

1. Cheaper goods come onto national markets from overseas, affecting existing indigenous producers but also providing cheaper options for consumers.
2. Tax revenues previously collected from tariffs on imported goods are now curtailed with an effect on national expenditure.

Liberalisation also means instituting macroeconomic reforms such as export promotion. With trade liberalisation, countries are encouraged to specialise in particular goods and/or services according to their own 'comparative advantage'.

The MTS is made up of agreements that are the legal ground rules for international commerce. At the heart of the MTS are the WTO agreements, negotiated and signed by the majority of the world's trading nations, and ratified in their parliaments. Essentially, these are contracts, guaranteeing member countries important trade rights. They also bind governments to keep their trade policies within agreed limits to everybody's benefit. The agreements were negotiated and signed by governments and their purpose is to help producers of goods and services, exporters and importers conduct their business effectively. For more information on the WTO, see Section 3.

³ Tariffs are taxes levied on goods imported into a country.

There are several different visions of the role of trade and trade liberalisation. Some argue that trade liberalisation should be conducted for all countries. This 'free trade' perspective would mean that the movement of goods and services was entirely dictated by market forces (Williams 2003a); and that all impediments to trade (such as tariffs) should be removed to allow countries to specialise in producing what they are 'good' at producing. This leads to greater overall production, which results in growth and poverty reduction. However, others argue that some countries need protection to develop the capacity to produce – particularly poorer countries with less developed industries. On the other hand, 'protectionism' is where countries are allowed to protect their own markets through the imposition of tariffs on imports and the support of domestic producers through subsidies. The current situation is somewhere between these two perspectives as negotiations continue on the direction and pace of liberalisation.

Another common term is 'ethical' or 'fair' trade. This refers to a particular model of trade that promotes the interests of producers. It recognises the importance of better integrating primary or local producers into international markets, but sees that an unregulated market is unlikely to distribute the benefits of trade equally among all those involved in production. It therefore advocates policies in which those who end up getting poor remuneration for their products are able to claim a greater share in the end sale price.

2.1.3 Why is trade a development issue?

The development dimensions of the MTS and its global trade rules have been a continuing source of disagreement between developed and developing countries since the coming into force of the WTO. Initially, the conventional wisdom simply assumed that trade liberalisation was itself the key factor that would automatically ensure the growth and development of poor countries. However, the relationship between the openness of an economy (something that is necessitated by trade liberalisation) and the degree of its economic growth remains highly disputed in academic and policy circles. While some research found a positive relationship between openness and growth (Dollar and Gatti 1999; Edwards 1993; Sachs and Warner 1995; Winters 1999; Ames, Brown, Devarajan and Izquierdo 2001), other findings point to a negative relationship (Rodrik 2001; Ben-David and Winters 1999). Still other studies found the relationship unclear and not straightforward (UNDP 2000; Cornia and Court 2001; Weisbrot, Baker, Naiman and Neta 2000).

The fact that countries with developing economies may be less well placed to immediately benefit from trade liberalisation, and the need for them to be involved in formulating international trade policy, was first recognised in 2001 in the Doha round of WTO negotiations (see Section 3). What became increasingly evident was that the scope of world trade was not simply a neutral issue of macroeconomics, but that it covered strategic development areas such as agriculture, services, intellectual property rights (IPR) and investment. This had implications for people's jobs, livelihoods, well-being and human rights.

Trade agreements affect individuals through their impact on prices, employment and production structures. This will have varying impacts on different groups of people due to differential positions in

the economic system. As this report will discuss, these different positions arise not only from different national contexts but also from social and cultural factors such as gender, ethnicity and class or caste.

2.2 Why do we need to look at gender in the context of trade?

2.2.1 What is gender?

'Gender' refers to the socially constructed roles and behaviours of, and relations between, men and women, as opposed to 'sex', which refers to biological differences. 'Gender relations' are characterised by unequal power. 'Gender norms' assign specific entitlements and responsibilities to men and women. As such, they determine the distribution of resources, wealth, work, decision-making and political power, and the enjoyment of rights and entitlements within the family as well as in public life (UNDAW 1999). Gender roles and relations vary according to context and are constantly shifting.

The different roles given to men and women constitute what is called the 'gendered division of labour', in which certain forms of work (physical labour, cash-crop farming, managerial roles) are seen as 'men's work'. On the other hand, care work and homeworking, for example, are highly feminised activities that are directly related to women's responsibilities within the home and the extension of their domestic tasks. Such work is characteristically underpaid and non-regulated (UNIFEM 2005).⁴

In all countries of the world, women continue to exist in roles and relationships that make them subordinate to men. These inequalities severely limit their capacity to engage in and benefit from trade. Acceptable 'gender roles', including the division of labour, create a society where these hierarchies are translated into economic policies and activities. Despite the ratification of international instruments such as the BPF and CEDAW, gender inequality persists. As underlying gender systems in most countries are grounded in biases and discrimination against women, shifts in trade policy in accordance with global trade rules will inevitably impact on the underlying system of gender relations.

2.2.2 Feminist economics

Most often, it is simply assumed either that trade rules are gender neutral in their outcomes and impacts, or at least have a benign or positive outcome for women as compared to men. As a result, national priorities for trade policies and negotiations have been determined without any gender analysis. The supposed 'gender neutrality' of trade both undervalues women's work and obscures women as economic actors. Yet women in fact play many key roles in trade, as producers, employees and consumers, and in reproducing and caring for the labour force. The non-monetised, invisible contribution of women to the economy is estimated to be at least US\$11 trillion a year (UNDP 1995).

The theoretical and operational grounding of the gendered approach to analysing trade agreements used in the ensuing discussion is derived from the application of feminist economic analysis to the area of international trade and trade policy-making. Feminist⁵ economic analysis focuses on gender as

⁴ For a detailed analysis of the links between the gender division of labour, women's unpaid work and informal paid work, see Chapter 2 in UNIFEM 2005.

⁵ 'Feminist' rather than 'gender sensitive' or 'gendered' economic analysis implies a political perspective that perceives an existing inequality and advocates for change to a more just or 'gender-equal' society.

a unit of economic analysis. It considers men and women's unpaid labour, and their different responsibilities for the care of children and community (social reproduction), as well as macroeconomic variables.

Feminist economic analysis argues that due to different gender roles, the relationship between women and men in society, and women's unequal access to economic resources (such as land, credit and technology), macroeconomic policy will have different impacts on men and women. Thus, the conventional assumption that trade policy and trade liberalisation are gender neutral in their formulation and impact must be rejected in favour of much more in-depth examination of their gendered impact. Feminist economic analysis seeks to understand the impact of the gendered division of labour on women's empowerment, their well-being and the types of work they undertake. It also looks at women's unpaid work and how the intensification and expansion of trade may impact on this (Elson, Evers and Gideon 1997).

2.2.3 Trade, growth and gender

A number of studies have analysed the relationship between gender, growth and development. Both micro studies and macroeconomic analysis (Elson *et al.* 1997; FIAS/IFC GEM GGA 2005) indicate that gender inequality directly and indirectly limits economic growth.

The relationship between growth and gender equality is largely due to three factors:

1. Gender differences in access to assets limit women's options
2. Gender differences in labour remuneration lead to conflict in households and affect labour allocation at the domestic level
3. Gender differences in labour and other factors of productivity limit economic efficiency and output (Elson *et al.* 1997; Klasen 1999).

In fact, gender inequality seems to account for 15-20 per cent of the difference in growth performance between sub-Saharan Africa and East Asia. For example, Klasen argues that addressing structural gender-based inequalities in education (total years of schooling) and in formal sector employment could allow Uganda to gain up to two percentage points of gross domestic product (GDP)⁶ growth per year (Klasen 1999). The 2004 Ugandan Poverty Eradication Action Plan (PEAP) put this at 5 per cent of GDP (FIAS/IFC GEM GGA 2005: 26).

However, some studies also point out that gender inequality in wages stimulated growth in semi-industrialised economies such as Thailand. In these cases, the pressure for flexible prices leads to an increase in employment for women, who have lower wages than men since they have less bargaining power. This implies that export-led growth is achieved at the expense of women (Seguino 2000).

Given the centrality of women's work, not only in the international trade system but also for poverty reduction, an approach to poverty that sees trade as gender neutral is likely to have a negative impact

⁶ GDP is the value (in financial terms) of all goods and services produced by a particular state.

on women's well-being and on their ability to claim entitlements and rights (Jackson and Palmer-Jones 1998; Razavi 1998). However, trade policies continue to affect men and women differently due to gender inequalities in access to land, information, economic resources and decision-making (Fontana, Joekees and Masika 1998). These impacts will be analysed in more detail in Section 4.

3. Historical context

3.1 The Multilateral Trading System and the formation of the World Trade Organization

The foundation of today's MTS was laid by the General Agreement on Tariffs and Trade (GATT), created in 1947. The fundamental principle of GATT is non-discrimination, founded on the concept of Most Favoured Nation (MFN).⁷ GATT focused on the worldwide reduction of tariffs and the removal of trade barriers based on the requirements of the US and Great Britain in the immediate post-world war II period. Between 1986 and 1994, a round of trade negotiations known as the Uruguay round extended the reach of GATT and in 1995 it was transformed into the World Trade Organization agreements.

The WTO is a permanent forum of almost 150 nations. The so-called Quadrilaterals – the European Union (EU), US, Canada and Japan – are the key agenda setters, but increasingly different groups of developing countries are making their voices heard and initiating discussions over the inequalities within the MTS. However, there is also the increased participation and power of transnational corporations (TNCs). The WTO is based on the principle of a 'single undertaking' – in other words, members must implement all but a few provisions and cannot pick and choose which agreement they will implement. The WTO covers agriculture, which was not covered under the original GATT.

With the emergence of the WTO, most regional and national trade regulations are now defined within an intergovernmental framework. The power to implement, monitor and consolidate trade rules enforceable by trade sanctions was granted to the WTO, which was established by the Marrakesh Agreement of 1995. There is a powerful dispute settlement mechanism (the Dispute Settlement Understanding, or DSU) regarding members' rights and obligations. A Trade Policy Review Mechanism (TPRM) periodically reviews the trade policies and practices of members, including trade policy-making institutions and the macroeconomic situation.

GATT had provisions for policy flexibility and governmental assistance to economic development that included the idea of 'special and differential treatment' (S&DT) to take into account economic disparities between states and differences in negotiating power. Developing countries had argued that they needed this in order to engage in fair competition and that they needed additional measures to benefit from trade liberalisation. Under the WTO however, there has been a weakening and potential elimination of S&DT as it enforces the same rights and obligations on all members, not just developing countries.

⁷ Most Favoured Nation (MFN) is one of the fundamental clauses of the GATT/WTO. Non-discrimination obligates trading nations to treat all their trading partners alike, thus any concession offered to one country should be extended to all other members.

The multilateral system regulated by the WTO also means that trade rules now fundamentally define national policy agendas and domestic economies. Agricultural policies in developing countries, for example, have had to be shaped in accordance with the need to promote exports. The pressure to export competitively priced goods has led to the elimination of national marketing boards for agricultural products in countries such as Ghana. The marketing boards were seen as inefficient and corrupt, and yet some argue that their demise has also led to the greater direct impact of fluctuating prices on individual farmers, and a reduction in support services such as equipment and quality control (Tiffen, MacDonald, Mamaah and Osei-Opore 2004). In Uganda, agricultural policy has undergone a fundamental shift in recent years to the production of non-traditional agricultural exports (NTAEs) such as flowers, responding to a gap in the market and increasing demand from rich countries. The pressure to export has also changed national labour markets in fundamental ways and encroaches on domestic regulatory areas such as labour legislation. This affects economic and social activities as well as actors at the national level. The gender implications of these shifts are discussed in Section 4.

WTO decisions are made by the entire membership – typically by consensus, and the agreements are ratified in all members' parliaments. The uppermost decision-making body of the WTO is the Ministerial Conference, which has to meet at least every two years. It brings together all members of the WTO, all of which are countries or customs unions. The negotiations at the Ministerial Conference can take decisions on all matters under any of the multilateral trade agreements.

3.2 Regional trade agreements

There are currently about 2,500 bilateral and regional trade and investment agreements (BTAs and RTAs) in force.⁸ They play an important role in the functioning of the MTS and have the potential to influence both the nature and direction of the global trade and investment agenda. Since 2001, the US⁹ has demonstrated an increased interest in negotiating these types of agreements, particularly following the collapse of the WTO Ministerial Conference in Cancún. RTAs can be made at any time and do not require agreement of all the countries in the WTO. The EU has also been intensifying the regionalisation process that has culminated in the Economic Partnership Agreements (EPAs).¹⁰ In addition to these, there are arrangements and schemes that are explicitly focused on aid and

⁸ This large array of treaties includes notably the European Union (EU) Cotonou Agreement (ACP-EU); North American Free Trade Agreement (NAFTA) (US-Canada-Mexico); Free Trade Agreement of the Americas (FTAA); Central American Free Trade Agreement (CAFTA); the African Growth and Opportunity Act Agreement (US-Africa); the Caribbean Basin Trade Partnership Act (CBTPA); the European Free Trade Association (EFTA); ASEAN Free Trade Area (AFTA); Asia Pacific Economic Cooperation (APEC); Association of South East Asian Nations (ASEAN); Caribbean Community and Common Market (CARICOM); Southern Common Market (MERCOSUR); Southern African Development Community (SADC); West African Economic and Monetary Union (WAEMU); Economic Community of West African States (ECOWAS) and Common Market for Eastern and Southern Africa (COMESA).

⁹ Recent FTAs negotiated by the US include: US-Chile (2003), US-Jordan (2000), US-Morocco (2004), US-Singapore (2003), and the Central America Free Trade Agreement (CAFTA-2004) that includes the Dominican Republic. The US is also negotiating numerous FTAs with other developing countries, including the Free Trade Area of the Americas (FTAA deadline 2005), Andean countries, Thailand, Panama, Bahrain and southern African countries, with others remaining under consideration (GRAIN 2004).

¹⁰ EPAs originated from the proposal of the EU in 1996 to negotiate with the six ACP regional groupings on the basis of reciprocal free trade agreements, by contrast with previous agreements based on trade preferences.

development cooperation (such as the Cotonou Agreement between the EU and African Caribbean Pacific (ACP) countries).¹¹

However, despite the enthusiasm of the US for such 'regionalism', other voices, particularly in the developing world, are more cautious. They point out that some issues that developing countries refused to have on the WTO negotiating agenda are still to be found in the free trade agreements (FTAs). Moreover, in many cases, BTAs and RTAs also include 'WTO-plus' provisions that go beyond the requirements in WTO agreements and rules. For example, US bilateral FTAs enforce a 'TRIPS-plus agenda'¹² with a number of developing countries.¹³ This means that progress in WTO negotiations on intellectual property to provide cheaper generic drugs to patients is likely to be hampered due to parallel commitments under the FTA (Khor 2005; Oxfam 2004).

3.3 The Doha Development Agenda

By the time of the Fourth Ministerial Conference of the WTO in 2001, there was significant resistance on the part of many developing countries to further rapid and untempered trade liberalisation. They argued that the erosion of principles such as S&DT, together with structural rigidities and imbalances in the agreements, were not favourable either to the growth of developing economies or the reduction of poverty. This led to the pronouncement of the Doha Development Agenda. The DDA came from the idea that equity and human rights are the basis, and indeed the rationale, for growth through international trade. It provides the mandate for negotiations on a range of subjects, including market access and the phasing out of export subsidies. Doha also acknowledged the need for the 'single undertaking' principle to be modified in favour of S&DT and more balanced measures for developing countries in the area of agricultural liberalisation. It also attempted to rebalance the agreement on IPR in the context of responding to public health concerns and ensuring access to affordable medicines in developing countries. Also, for the first time in agricultural negotiations, non-trade concerns such as food security, employment, biodiversity protection, environment and animal welfare were included.

At the Fifth Ministerial meeting of the WTO in Cancún in 2003, the main task was to take stock of progress in negotiations and other work under the DDA. However, the negotiations stalled as African countries walked out in protest at the richer countries' failure to open their markets. In the aftermath of Cancún and in the run-up to the Ministerial in December 2005 in Hong Kong, there was mounting pressure¹⁴ to conclude negotiations on the DDA. At the Hong Kong meeting, however, only modest progress was made and a number of key issues were left unresolved. The final deal on a global free trade treaty was postponed until the end of 2006.

¹¹ The Cotonou Agreement is the new partnership agreement established in June 2000 between ACP countries and the EU, which sets out the framework for ACP-EU development cooperation for the next 20 years.

¹² Trade-Related Aspects of Intellectual Property Rights (TRIPS) is one of the key WTO agreements. See Section 4.2.2 for more details.

¹³ For more information on 'TRIPS-plus', see <http://www.grain.org/rights/tripsplus.cfm>

¹⁴ Namely from members of the Quad countries (US, EU, Canada and Japan), as well as from the UN Secretary-General.

3.4 Gender and the Multilateral Trading System

The institutional framework of the MTS (WTO, IFIs, regional and bilateral trade agreements) is based on the assumption that trade policies and agreements are class, race and gender neutral. This underlying assumption has led to the neglect of gender as a variable in trade policy-making, while women and other groups affected by trade policies have been excluded from the decision-making processes related to the WTO as well as at the regional and national levels. However, although gender issues are not explicitly mentioned in the DDA, the commitments have important implications for gender equity. While the DDA is a long way from addressing all the critical issues raised by the trade liberalisation agenda and the MTS,¹⁵ the inclusion of development issues in the agenda holds great potential for the integration of gender as a cross-cutting theme. The next section will outline some of the gendered impacts of trade liberalisation.

¹⁵See, among others, McGee and Brock 2004, and Jawara and Kwa 2003, for the critique of the DDA.

4. Gendered impacts of trade liberalisation

Trade liberalisation has different outcomes for men and women. These differential impacts relate to many of the most fundamental aspects of livelihoods and well-being, including employment, income, food security and access to health services. The outcomes will differ across countries and regions and are based on the type of economic area and specific sector, measures, timing and sequencing of trade policies. They will also cut across different sectors and subsectors of trade liberalisation: agriculture, services, clothing and textiles, and intellectual property. It is critical that policy-makers and others interested in gender equality, poverty eradication and sustainable economic growth and development are sensitised to the full range of opportunities, challenges and constraints of the liberalisation of these sectors (Fontana, Joeques and Masika 1998). This section will look at the practical ways in which trade policies affect men and women differently and therefore affect gender equality. It will firstly address broad impacts on production, employment, income and unpaid work, before going on to look in detail at the various sectors of liberalisation: agriculture, services, entrepreneurship and IPR.

4.1 Broad impacts of trade liberalisation

4.1.1 *Production structures and employment*

Practically, the impacts of trade are felt by individual men and women as fluctuations in price (and hence availability of goods) and through changes in output (what people work to produce, how and under what conditions). The main argument of the proponents of free market policies, including some gender advocates, is that increased trade and investment liberalisation can improve economic growth, which in turn can increase women's participation in the labour market. There have been increased employment opportunities in non-traditional agriculture such as cut flowers, and clothing and textiles, and also in the electronics-oriented Export Processing Zones (EPZs) and the services¹⁶ sectors. In the year 2000, almost 35 per cent of the manufacturing workforce in Latin America were women, and 41 per cent in Asia, where women account for more than 80 per cent of the workforce in the export industries of South-East Asia. Much of this increase is concentrated in export-oriented industries where electrical components are assembled, textiles are processed, and garments and shoes are produced (Sexton, Nair and Kirbat 2004). Paid employment can improve women's autonomy as well as their economic and social status. It can also shift power relations between women and men, including at the household level, and can improve women's well-being, negotiating power and overall status (Fontana, Joeques and Masika 1998; Tzannatos 1992). Studies have shown that work in the garment industry in Bangladesh has had a positive effect on women's self-esteem and decision-making within the family (Kabeer 2000). Women garment workers tend to marry and have children later and are often able to take part in choosing a husband (Hewett and Amin 2000; Kusago and Barham 2001).

¹⁶ Namely in the modern business services such as finance and software that have proved to hold great potential for higher pay and more jobs for educated and middle-class women (Joeques 1999: 40 cited in Williams 2003a).

However, the picture is not as clear-cut as this might suggest. The structure of domestic labour markets and global production chains is highly gendered. Despite the advantages, in many contexts trade liberalisation is coupled with persistent occupational segregation by sex, both vertical and horizontal.¹⁷ The examples above are of industries that require large numbers of low-cost workers; these industries depend on pre-existing inequalities between men and women. Women not only supply a cheaper workforce, but are also supposedly more docile. And, because of the gendered division of labour, work with textiles, for example, fits in accordance with existing gender norms. Women therefore tend to have less skilled jobs than men; most of the time their wages are lower than men's, and they often work in unhealthy and exploitative conditions.

Impacts of the growth in *Maquiladoras*

As a result of NAFTA, while many women in Mexico have found jobs in the *maquiladoras*,¹⁸ in the US other women have lost their jobs as a result of the outsourcing and relocation of company plants to Mexico. In Ohio, for instance, the relocation of companies such as Sunbeam Mr. Coffee to Mexico has reduced the tax revenues of local and state governments, leading to budget shortfalls and cuts in public spending for health, education and social programmes. In Mexico, the number of women employed in the export sectors is growing fast, and these women are among the lowest-paid, doing the most exploitative jobs, with no job security or social protection. Foreign corporations have increased environmental degradation and the outflows of resources from the local economy and communities (through tax breaks and profit repatriation) (Spielfoch 2004).

Overall, there has been increasing flexibilisation and deregulation of labour markets and casualisation¹⁹ of work across regions as a result of global competitiveness and technological innovation. In many African countries as well as in Eastern Europe, trade liberalisation has in fact led to increased unemployment (GERA Programme 2000; UNIFEM 2004), as it leads to the contraction of some subsectors and the expansion of others which may require different skills and/or fewer workers. Women tend to work in industries such as the footwear industry described below, in which capital is more mobile. These industries are more sensitive to foreign competition and are most likely to contract at periods of economic downturn. Women are more affected by retrenchment than men, who are perceived as the breadwinners in society.

¹⁷ Horizontal segregation refers to the distribution of women and men across occupations. Vertical segregation refers to the distribution of men and women in the job hierarchy in terms of status and occupation.

¹⁸ Export processing plants.

¹⁹ 'Flexibilisation' is typically illustrated by the introduction of new forms of work in the workplace such as subcontracting, casual and fixed-term employment. 'Casualisation' refers to the generalised use of fixed-term contracts, and the consequent lack of job security.

South Africa's informal sector

The liberalisation of tariffs in the South African footwear and leather subsectors (from 41.2 per cent in 1995 to 28.9 per cent in 1999) has led to retrenchments and dramatic changes in production processes in local factories. In addition, there has been a direct relationship between company restructuring in the footwear industry and the growth of the informal sector. This has become the last resort not only for the increasing number of retrenched workers, but also for factories through subcontracting to the informal sector in order to cut labour costs. South Africa's informal sector has increased from 1,136,000 workers in 1997 to 1,907,000 in 1999. There are about 193,000 African women compared to 28,000 white women working in the informal sector. These figures show that it is the social groups with the least power and resources who are most highly represented in the informal sector (Statistics South Africa 1999 cited in ILRIG 2001: 82-83).

This example also shows the importance of noting the differentiated impact among women, due to differences based on age, class, race, geographical location or ethnicity. It is generally the poor and marginalised groups of women who are negatively affected by unemployment and the restructuring of labour markets.

4.1.2 The gender wage gap

According to the World Bank, if the wage and employment differences between men and women were eliminated this could lead to a one-time increase of approximately 6 per cent of GDP and overall greater economic efficiency (World Bank 2001). Research has shown that intra-household dynamics are affected by who contributes resources and that women's involvement in waged employment increases their control over how household budgets are spent. Moreover, resources controlled by women can have additional benefits, including increased efficiency in subsistence agriculture and a rise in allocations towards health and education (Quisumbing 2003).

However, although there are significant gains in some areas, in others there is ample evidence that despite the fact that more women may be earning a wage external to the household, the gap between their wages and those of men (the gender wage gap) is far from being closed (UNCTAD 2004; UNIFEM 2004) – although this is largely dependent on the type of employment. Industries that began by employing lots of low-cost women workers may begin to embrace new technologies, at which point women are laid off and more men are employed at higher wages due to the skills required. Women's wages will continue to remain lower than those of men while they lag behind in education and training opportunities (Joekes 1999). Even when the available data suggests a reduction in wage differences, this may be the result of a decline in men's wages rather than an increase in women's wages (Kabeer 2003). The persistent gender wage gap undermines the long-term sustainability of women's livelihoods.

4.1.3 Small and medium enterprises and women entrepreneurs

Market access and enterprise development have been touted as fundamental policies through which developing countries will be enabled to engage in international trade. However, in general,

liberalisation under the WTO rules has not significantly increased women's access to credit, nor has it provided more opportunities to use domestic savings for entrepreneurial activities. This is because structural gender inequalities in property rights and ownership mean that women have fewer assets that can serve as collateral. Rather than introducing policies to support women's access to credit, profit-driven liberalisation policies have perpetuated the discrimination against poor women in the mainstream financial market by focusing on urban areas and the more profitable economic sectors. This excludes poor women who are concentrated in the informal sector and operate mostly in small and medium enterprises (SMEs) (Randriamaro 2001). As a result, poor women and other disadvantaged groups have to rely on the informal financial sector²⁰ for both their survival and economic activities.

An additional challenge is the fact that changes in investment regimes mean that foreign investors are not held to particular performance requirements by the governments of the countries in which they operate. They are therefore able to produce goods in-country at highly competitive prices, which can lead to the displacement of weaker economic actors – most of whom are women – from their segments of the domestic markets. This is likely to have adverse impacts on women-owned and other SMEs (Williams 2004). Along similar lines, while competition policy focused on transparency and a 'level playing field' for all businesses may open up space for SMEs, it can likewise expose them to harsh competition from foreign suppliers in areas that were previously protected.

Some case studies (Carr (ed) 2004) suggest that regional trading arrangements are likely to offer opportunities that are the best suited to women – who are mostly small-scale producers and traders – because they do not necessarily need large export markets and may find neighbouring markets more familiar and easier to deal with. This is particularly relevant in the case of regions where many women have been historically involved in informal cross-border trade. Focusing on inter-regional/sub-regional markets is also a possible response to the overarching issue of global competitiveness that confronts many small exporters (UNCTAD 2004).

4.1.4 Impact on services and the household

The policy reforms induced by trade liberalisation and the WTO regime have also resulted in a shrinking policy space that has altered the role of the state in profound ways. Some commentators argue that trade liberalisation has endangered the fiscal basis of the state as a result of tariff reductions combined with the tight constraints on budgets imposed by IFIs. Trade taxes are an important source of revenue for African countries. For the last decade, they have provided around 28% per cent of the region's total current revenue, compared with 0.8 per cent for Organisation for Economic Co-operation and Development (OECD) countries (UNECA 2004). In sub-Saharan Africa, as a result of tariff reforms and efforts to reduce fiscal deficits, public investment fell from 6.4 per cent in 2000 to 5 per cent in 2001 in a continuation of trends observed through the 1980s and 1990s (UNECA 2004). The most common policy response to these fiscal problems has been to increase

²⁰ Composed of specialised moneylenders, pawnbrokers, savings and credit associations, and characterised by the lack of regulation and high interest rates.

domestic indirect taxation on goods and services, with a focus on value added tax (VAT). VAT can be particularly detrimental to women, both as consumers and in relation to their reproductive role, as it is often levied on goods for the household and labour-saving devices such as domestic appliances.

Fiscal austerity also has implications for spending on services such as health and education, which are essential for all, but particularly for women in their role as carers. Fiscal austerity can also constrain the ability of governments to put in place social protection measures and safety nets to offset some of the negative impacts of liberalisation. These negative impacts are compounded by the undermining effects of international trade rules on national commitments to international conventions on human rights and gender equality.

Trade liberalisation also therefore has an impact on women's unpaid labour. In addition to having to take on added caring responsibilities with the reduction in social spending, the pressure to produce for export drives people out of subsistence farming where caring responsibilities could often be incorporated into productive work or shared among family members. Moreover, although paid employment outside the home can be an advantage to women in many ways, the work needed to reproduce and care for the labour force often means a double work burden. Studies have demonstrated that women working in EPZs can suffer extreme stress over juggling their workloads (Mukhopadhyay and Sudarshan (eds) 2003). Finally, during periods of economic downturn, women's unpaid work within the household further increases. When household incomes fall and there is less money available to pay for labour-saving devices or for assistance in caring roles for children or the elderly, women move in to make up the shortfall. These are also the times when women are more likely to take on informal work to boost domestic finances.

As well as trade having an impact on unpaid work, unpaid work may also impact on trade outcomes. Women's heavy burden of household responsibilities, as well as their weaker property rights to land and other resources, are likely to have contributed to the weak supply response of African agriculture to export opportunities in countries such as Burkina Faso, Tanzania and Zambia (Smith and Chavas 1999; Tibaijuka 1994; Wold 1997). Moreover, women's participation in new opportunities created by trade is only possible when other female household members are available to take on household duties (Kusago 2000; Newman 2001).

4.2 Gender impacts by sector

4.2.1 Agriculture

Agriculture plays a significant role in the lives of men and women in the global economy, but particularly so in developing countries, where it is still a significant part of total domestic output as well as a source of employment for a large proportion of the population. Agricultural policies, including those around trade of agricultural produce, have major implications for food security within the household and sustainable livelihoods (Williams 2004).

Gender issues in agriculture cover a broad range of areas that are critical for the maintenance of families and communities in developing countries. Women tend to dominate in the agricultural sector in most developing countries. A decade ago, agriculture accounted for 62 per cent of all female employment in southern countries, and in India it now accounts for about 84 per cent of the total female workforce in rural areas. In Uganda, the percentage of women working in the agriculture sector is also very high; however, here, most female workers are unpaid family workers (women comprise 80 per cent of unpaid workers) or self-employed in the informal sector. In most countries, men are responsible for production of cash crops and women mainly produce domestic staples; they also have a greater involvement in small-scale trade of domestic food items (Williams 2003a).

Until the start of agricultural liberalisation in developing countries in the early 1990s, the majority of women producers were still able to meet household subsistence needs and to earn a living income in subsistence farming (FAO 2000). In theory, they could have benefited from trade liberalisation in agricultural products, as it could expand food production, attract investments and boost farm productivity. However, the majority of poor farmers have not necessarily seen these potential benefits.

The Agreement on Agriculture (AoA)

The aim of the AoA is to ensure tighter discipline in agricultural trade policies and to facilitate exports by way of commitments²¹ by member states to cut tariffs and other trade barriers on imports of agricultural goods (market access), and to reduce 'trade distorting' government support to domestic producers (domestic support) and for exports (export subsidy).

The reduction of import tariffs mandated by the AoA has led to the displacement of local farmers who are pushed out of domestic markets as a result of the dumping of cheap subsidised food imports from other countries. This downward pressure on prices means that in countries where farmers are not subsidised, it costs more to produce the crop than it is possible to sell it for. Moreover, the removal of state support to the agricultural sector – including extension services, subsidies for inputs and credit – has entailed further marginalisation of small and poor producers in terms of access to productive resources in countries such as Kenya. This has been among the major causes of food insecurity in the country, through increasing costs of production and reducing household incomes (GERA Programme 2003).

These impacts have disproportionately affected women because of pre-existing gender inequalities in access to and control over productive resources and their roles as both producers and managers of food security in households.

²¹ There are significant differences between Least Developed Countries (LDCs), net food-importing developing countries (NFIDCs) and developing countries. In principle, the first two categories enjoy more exemptions from the AoA disciplines.

Subsidised food imports in the Philippines

In the Philippines, corn imports tripled between 1995 and 2003, forcing many corn farmers to abandon or sell their farms and migrate to the cities or overseas. Women tend to bear the brunt of finding other livelihoods and feeding their families. The majority of the 7.3 million migrants from the Philippines who work overseas are women (Sexton *et al.* 2004).

Trade policies that promote cash crops and prioritise export-orientated growth work for the benefit of men who have overall responsibility in this area. Similarly, gender inequalities in access to and command of productive assets such as land and credit, or storage and transport facilities, tend to constrain women's benefits from such policies. Moreover, women also lack access to technology and training. Although in Africa, 80 per cent of the work in agriculture and food production is done by women, they receive less than 10 per cent of the credit granted to small farmers (Sexton *et al.* 2004). Women often work as unpaid workers on family plots and in cash-crop production controlled by husbands or other male family members. In such cases, they generally do not have control over the proceeds of their work (Baden 1998).

Non-traditional agricultural exports in sub-Saharan Africa

It is often argued that non-traditional agricultural exports (NTAEs), such as horticulture and organic farming, which generate significant revenues, have the potential to redress the bias against women elsewhere in the agricultural sector.

For example, while the lack of access to credit remains a major constraint for women who produce 80 per cent of NTAEs in Uganda, it has been found that most women entrepreneurs have been able to access credit and expand their businesses because they own land (Snyder, cited in ITC 2003). In contrast to the prevailing view, a recent study underlines that in general, it is the male, better-off farmers with large-scale plantations, equipment and capital who have benefited from NTAEs in sub-Saharan Africa. The majority of women are involved in NTAEs as waged labour in large-scale enterprises organised along quasi-industrial lines. Over 65 per cent of workers in Kenya and Zambia are women, and women constitute 91 per cent of horticultural employees in Zimbabwe. In smallholder farms, contracts often depend on the ability of male household heads to state that they can mobilise the labour of women and children in the family (Kabeer 2003).

In reality, the production of NTAEs varies along the lines of many other forms of agricultural production; from small farms to large-scale commercial enterprises. Differences in gender roles and the gender inequalities that exist in production of commodities other than NTAEs also apply here. For example, Ugandan women involved in horticulture can have difficulties meeting the EU's environmental regulations because they have less access than men to the required information on organic farming, which is a growing segment of NTAEs in northern markets (Sengendo and Tumushabe 2003).

In reality, there are differentiated outcomes for women in their different roles and locations. For instance, in Ghana, women consumers in urban centres have benefited from the availability of cheaper foodstuffs because they are the net buyers of food. However, women farmers in rural areas, as the net *producers* of food, have been negatively affected by export-promotion policies that have mainly benefited men and large-scale farmers. They have also suffered, as have men farmers, from declining household incomes due to the increased competition with imports, reduced farmgate prices (price of goods as they are sold where they are produced) and declining commodity prices in international markets (Vander Stichele 1998).

There is clearly a need to rebalance rules that are biased against women's needs and strategic long-term interests, and undermine their livelihoods in a context where they constitute the majority of the poor. Governments need to address supply-side constraints facing women and low-income producers such as access to resources, training and extension services and to childcare. Domestic support (such as the development box proposal,²² the food security box proposal²³ and green box²⁴ measures) are crucial to women and low-income producers.

4.2.2 Intellectual property

Due to the global mobilisation around access to antiretroviral drugs for AIDS treatment, the public health issues related to intellectual property are well known. However, the gender dimensions of both the health aspect of intellectual property laws as well as the impact on traditional knowledge, food security, sustainable agriculture and transfer of technology are still relatively unexplored.

Trade-Related Aspects of Intellectual Property Rights

The framework for implementing TRIPS²⁵ and related IPR agreements is established in national laws. Under the TRIPS agreement, all WTO members are required to apply uniform intellectual property rights and minimum standards on patents, copyrights, trademarks and trade secrets. Patent rules laid out in Article 27.3b of TRIPS have important implications for food security and biodiversity, as they allow for the patenting of life forms, including seeds.

Understandably, the TRIPS agreement has been hotly contested by governments and civil society alike. This is because it pertains to areas (patents, trademarks, trade secrets, copyrights and breeders' rights) that used to be the subject of national legislation and because of its detrimental impacts on vital aspects of human life and rights such as public health, agriculture and biodiversity, traditional knowledge and technology transfer. The Doha Declaration reaffirmed the right of governments to override the TRIPS agreement in order to fulfil their obligations with regard to public health and to

²² Rules allowing special and differential treatment (S&DT) integrated into the Agreement on Agriculture.

²³ Exemptions that would give developing countries greater autonomy to protect the production of food staples.

²⁴ Government subsidies, including income support for farmers.

²⁵ IPRs are ownership rights and legal protection granted to ideas, artistic creations, technological innovations and marketing tools such as logos and trademarks (Gammage *et al* 2002). Patents are a form of protection of IPR whereby TRIPS obligations are imposed by the patent holders (who are usually corporations in rich countries) on the users of the patented product or process (who have to pay royalties).

authorise the production of patented medicines and pharmaceuticals without the permission of the patent holders (the 'Doha waiver').

IPR legislation is constructed in the context of structural gender inequalities in terms of access to land, property rights and land titles, credit, extension services and technology. It will therefore have significant impacts on gender relations and women farmers, entrepreneurs, researchers and consumers. As poor women make up a large percentage of subsistence farmers, they are disproportionately affected by reduced access to seeds, farm inputs and plants. Over the last decade, small farmers, both women and men, have mobilised in large numbers against the patenting of seeds and biological resources, as well as the use of Genetically Modified Organism (GMO) technology for agricultural policies. They have raised ethical, political and developmental concerns about the effects of this technology, and underlined that it cannot solve the structural problems causing hunger and food insecurity (such as poverty, poor rural infrastructure, insecurity and landlessness (GRAIN 2004)). This mobilisation of women and small-scale farmers has been key to the development of a model of legislation for the protection of farmers' access to seeds in countries like India.

TRIPS also has critical implications for women's health, morbidity and mortality, particularly in terms of access to medicines for their specific health needs (for instance, reproductive health, which remains a major issue accounting for high maternal mortality rates in many countries). Specifically, the case could be made for giving pregnant women preferential access to AIDS drugs, which would require the effective application of the Doha waiver together with gender-sensitive national drug procurement and supply systems (UNCTAD 2004).

Some developing countries' policy-makers, including Brazil, Australia and Canada, have given in-depth consideration to social justice concerns in the revision of patent and IPR laws, although most of them still need to recognise the role, contribution and specific gender-based constraints of women farmers. Governments should therefore provide a legal basis for government departments to intervene on behalf of women and the disadvantaged and should improve women's access to seed, credit and technology.

4.2.3 Services

Services is emerging as a major economic sector in many developing countries. Because of its critical inputs to production in other sectors such as agriculture and manufacturing, it is intertwined in all other economic activities. Services covers a vast range of activities including advertising, audio-visual services, banking and finance, communications, construction, data processing, education, environmental services, healthcare services, insurance, professional services, retail and wholesale trade, transportation and tourism. It is also part of the core infrastructure of a country (e.g. transportation, telecommunications, utilities and essential services such as water and energy and the internet).

Currently, international trade in services accounts for about 20 per cent of world trade (UNDP 1999; UNDP 2000). The services sector has experienced an explosive growth during the last decade,

especially in developed and middle-income countries. According to UNIFEM's website in 1995, it reached 70 per cent of combined GDP for North America and Australasia, 56 per cent of GDP for Latin America and 47 per cent for South-East Asia. This explosive level of growth has been a major cause of the incorporation of services under the General Agreement on Trade in Services (GATS) in the MTS.

The developmental implications of trade liberalisation in services are of critical importance to developing countries, who currently export a minimum of 40 different services that represented approximately 28 per cent of world services exports in 2002 (UNCTAD 2004). Due to gender roles that give women responsibility for the domestic sphere, women tend to predominate in micro or small service firms – in particular, as service suppliers for domestic consumption.

The General Agreement on Trade in Services

The GATS established global rules on trade and investment in services for the first time. It covers 'any service except those services supplied in the exercise of government authority' (Article 1). 'Services supplied in the exercise of Government authority' are interpreted in Article 1.3(c) as 'any service which is supplied neither on a commercial basis nor in competition with one or more service supplier'. All services but for a few exceptions²⁶ are therefore covered by the GATS provisions, including government procurement,²⁷ which is exempted from some GATS provisions (Article XIII) but is part of the built-in agenda for future negotiations. The GATS rules govern the treatment of foreign service providers and seeks for the progressive liberalisation of all measures (laws, policies and regulatory measures) that impede trade and investment in services.

According to the mainstream view, increased competition from liberalisation will bring about lower prices, increased choices, better quality service and the availability of specialty services for consumers (World Bank 2003, cited in UNCTAD 2004). It can also lead to a growth in employment opportunities and an increase in foreign exchange. However, the liberalisation does not necessarily benefit all people.

Services and employment

In many countries, growth in the services sector has generated paid employment in the so-called 'modern services', such as information processing, that has primarily benefited women. In Latin America for instance, three-quarters of women paid workers are concentrated in services. In the Caribbean and some African countries, women almost exclusively dominate the data entry segment for the processing and coding of information (back office operations) for credit cards, airlines, mail orders and rail systems (Williams 2003a). Many of the services involve working for a foreign service

²⁶ These exceptions are the military, central banking, social security, the provision of trade negotiators, air transport sector, traffic rights and all services directly related to the exercise of traffic rights.

²⁷ There is a pluri-lateral agreement on government procurement, the GPA, which is not generally applicable to developing countries unless they are signatories.

firm – particularly in the financial sector (banking), which provides opportunities for women to earn relatively high wages and increase their status within their families and communities (UNCTAD 2004).

However, most women employed in the services sector (formal and informal) are concentrated in low-skilled and low-paid jobs, and experience more job insecurity than men. Of note is the gender-based hierarchy of occupations, and the considerable proportion of casual and precarious jobs: 45 per cent of all women workers in South Korea and 79 per cent in Indonesia are in non-contractual employment (Joeques 1999: 37 cited in Williams 2003a). Current trends indicate that services liberalisation has allowed for very little reduction in the gender wage gap and occupational segregation (both vertical and horizontal), in spite of the anticipated increase in women's wages as a result of the expansion of the services sector (Riddle and Springer 1988; Catalyst 2003 cited in UNCTAD 2004).

Trades in Services are divided into four 'Modes of Supply'. Modes 1 and 4 are considered as the major vehicles for increased women's participation in international trade in services. Mode 1 is services supplied from one country to another, such as telephone calls, and Mode 4 is services provided by individuals of one member country in the territory of another, such as people migrating for jobs as domestic workers or healthcare professionals. Mode 4 is a contentious issue in negotiations, as many developing countries see labour at all skills levels as their main comparative advantage. They would like the movement of people to be liberalised as much as the movements of goods, while developed countries resist on the grounds that it is a very sensitive political issue for them.

In Sri Lanka, women formed 70 per cent of the 970,000 overseas contract workers in 2002, and while the majority of migrant workers in Bangladesh are men, 11,000 women leave the country each year for temporary work (UNCTAD 2004). Under Mode 4, women are usually more involved in labour-intensive services that require proximity of providers and consumers (such as care, health, domestic and social services) than in professional services (such as accountancy, engineering and management).

Mode 4 also contributes to addressing the issue of domestic unemployment by providing opportunities abroad, thereby contributing to poverty reduction. For women in Least Developed Countries (LDCs), it provides the opportunity in the immediate term to move abroad for work in the absence of sufficient job opportunities in the domestic economy (such as in Bangladesh and Zambia), especially in areas such as care services, which are accessible to women at all skill levels. Most importantly, Mode 4 can generate improvements in women's skills and educational levels, and increase their social and economic status (UNCTAD 2004). This in turn can contribute to the reduction of the gender wage gap if they return to work in their home country. However, some commentators argue that men benefit most from Mode 4 as a result of the fact that they are able to secure higher paid employment in destination countries (Jolly and Reeves 2005).

One major problem is the loss of trained womanpower and investments in the migrants' education, resulting in shortages of skills and 'brain drain' that negatively affect the provision of services domestically, as has been the case in, for example, healthcare services in Ghana, Jamaica and Malawi (Williams 2003a). Other costs include the separation from families and the culture shock

associated with the temporary movement for providing services. In some cases, domestic workers face poor working conditions and risk exploitation by intermediaries due to their lack of bargaining power. These issues could be addressed by standardisation of employment contracts, establishing special provisions for settling disputes between migrants and workers, and implementing gender-sensitive orientation programmes for migrants.

Remittances, development and gender

The total amount of remittances – not including flows from informal channels – that flowed to developing countries was US\$93 billion, that is, nearly double the amount of overseas development assistance (World Bank 2003). Remittances as a share of GDP were highest in Tonga (37 per cent) and Lesotho (27 per cent). According to UNCTAD (2004), they are an invaluable source of hard currency earnings for poor countries, and represent a steady, continuous and reliable source of development finance. It is argued that women benefit directly from remittances – both as investments sent home by themselves and as resources from male family members for household consumption and expenditures and asset building at home – although it is not always the case that women receive remittances sent from abroad, which often go to male family members.

Through their participation under Mode 4, 'women make a significant contribution to remittances received by developing countries, not only because they are increasingly involved in temporary provision of services abroad, but also because they are more likely to save more and to remit a larger proportion of their earnings back to their home countries...' (UNCTAD 2004: 230). Sending remittances home can be a source of empowerment for women and can challenge traditional gender relationships.

Gender and access to services

While GATS is not explicitly a privatisation agreement, Williams argues that services must first be privatised in order to be liberalised. In practice, service liberalisation is the ultimate outcome of the privatisation agenda carried out through the International Monetary Fund (IMF) and World Bank programmes under structural adjustment and more recently through the Poverty Reduction and Growth Facility (PRGF) and Poverty Reduction Strategy Paper (PRSP) mechanisms (Williams 2003a).²⁸ Although proponents of liberalisation argue that this will reduce the price of services, it does raise a number of issues such as universal access to essential services that pertain to basic needs and rights that states are obliged to provide for their citizens.

Experience has shown that when the costs of essential services rise, women typically make up for the shortfall in household resources and caring responsibilities. A government's ability to regulate the

²⁸ An example is the privatisation of the water sector in Ghana, which was part of the conditionalities for an IMF loan. In current negotiations, this issue is often being pushed as part of the liberalisation of environmental services.

quality of such services is critical to ensuring that the rules²⁹ are applied in a manner that does not impede the achievement of national development objectives, especially in the area of gender equality.

4.2.4 Other trade agreements

The Sanitary and Phytosanitary (SPS) Agreement

The SPS requires countries to establish minimum standards for export of agricultural products such as fresh fruits and vegetables, meat and meat products, fish and other products. These are required to satisfy sanitary and phytosanitary (relating to plants) regulations and product standards in order to protect human, animal and plant life or health. However, the SPS has been used for protectionist ends by some countries to set higher than international standards that many developing countries may not be able to meet, due to their limited technical, institutional and financial capacity. Even if a developing country endeavours to attain the required measures, the cost of achieving this reduces the competitiveness of the product in the importing market. While it has been argued that SPS could be regarded as a means to improve public health in exporting developing countries, it deals only with export products and is not relevant to domestic trade and consumption.

From a gender perspective, the SPS provisions do not take into account the differentiated constraints and needs of the economic actors, thereby penalising small producers, business owners and exporters. Women are particularly disadvantaged because of gender inequalities in access to capital (for machinery), technical and market information, and training and development schemes. In particular, their low level of education makes it even more difficult for them to access and understand the scientific and technical information and requirements, especially since most of the time these are not available in local languages. (Sengendo and Tumushabe 2003).

The Agreement on Textiles and Clothing (ATC) or the 'Multifibre Agreement' (MFA)

Textiles and clothing have just a 6.3 per cent share of world trade but they are particularly important to Asian countries, which account for 60 per cent of textile and clothing exports. However, the industry is dominated by giant retailers and super-label companies from industrialised countries. Because of its labour intensity and large share of women workers, this sector has critical implications for development and gender equity in exporting countries.

The WTO's Agreement on Textiles and Clothing requires industrialised countries to phase out their quotas and restrictions on imports by 2005. However, they may find ways of introducing new forms of protectionism, such as technical barriers to trade.

²⁹ Such as the 'objective and transparent criteria' and 'not more burdensome than necessary to ensure the quality of service' criteria.

The agreement will enable transnational companies to become even more flexible and mobile in their operations and some countries, such as China, India, Pakistan and South Korea, will gain from implementation of the ATC. However, smaller economies such as Bangladesh are likely to lose out in a quota-free environment, as are those that import fabrics, such as Thailand, Sri Lanka and the Philippines. Some could lose their entire textiles and clothing industries altogether (Sexton et al. 2004).

The Agreement on Trade-Related Investment Measures (TRIMS)

TRIMS focuses on measures seen to be trade restricting or trade distorting. It includes:

1. minimum local content requirements (in terms of value, volume or proportion)
2. trade balancing requirements (limits on purchase or use of an imported product up to the maximum value or volume related to local production)
3. restrictions on repatriation of dividends
4. ceilings on the equity holding of foreign investors.

Many southern countries have revised their commercial and investment laws as part of bilateral investment agreements to encourage foreign direct investment (FDI). The result has generally been to eliminate rules governing minimum local content, trade balancing, access to foreign exchange and repatriation of dividends. Import substitution policies were adopted by many countries in South America and Asia in the 1960s and 1970s to encourage domestic production of consumer goods and maintain a balance of payments through barriers on certain imports. These would now be illegal under WTO agreements. Women tend to work more in industries in which capital is more mobile and which are more sensitive to foreign competition. Such industries are therefore most affected by economic downturns, which have implications for the job security of their mostly female workforce (Sexton et al. 2004; Williams 2003a).

Multilateral environment agreements

Global trade rules include measures in environment-related areas such as human, animal and plant life or health (SPS Agreement), environmental technical standards (Agreement on Technical Barriers to Trade), subsidies related to agriculture and the environment (AoA), and restrictions on the patentability of inventions necessary to protect the environment (TRIPS). Women play a central role in social reproduction and natural resources management, as well as in environment protection and are therefore affected by these agreements – and yet there is little empirical evidence on the trade-environment relationship and even less on its gender dimensions.

5. Gender, trade and development strategies

5.1 Approaches to gender and trade

Work on gender and trade has largely followed key developments in work on gender equality. These include the path from WID to GAD, to the human rights and political economy approaches. They also involve a range of actors from gender units in development cooperation agencies, to women's/gender civil society organisations, to National Women's Machineryes (NWMs). These approaches are not mutually exclusive, nor are they each limited to one set of 'actors' or to a specific point in time. They also often overlap or coexist within interventions at different levels. This section will outline the approaches and concepts behind them before going on in Section 6 to demonstrate how they are manifested in actual policies and programmes.

5.1.1 From the women in development approach to the gender and development approach

The WID approach, developed in the 1970s and 1980s, focuses on targeting women with specific policies or programmes. In the context of trade, this means policies and programmes that aim to alleviate the negative impacts of trade on women or support their entry into the labour market. This approach, which has often been called the 'add women and stir' approach, does not necessarily address the larger framework of trade reform, but instead addresses a specific set of concerns about women's roles and contribution to the development process at the micro level. In so doing, it appears to recognise and accept that free trade is basically good, and that the issue at stake is merely how to ensure that women can take advantage of its opportunities. This has certainly been the case with many development cooperation programmes and agendas, as well as NGO-oriented service delivery and advocacy of the 1980s and early 1990s. In the mid-1990s, these critiques of WID led to the development of the GAD approach in an effort to integrate an understanding of gender roles and relations of unequal power.

The GAD approach to trade aims to acknowledge the unequal power relations between women and men in terms of access to the resources needed to participate in trading systems, as well as in terms of distribution of their potential benefits. Related to the GAD approach is gender mainstreaming – a process by which an understanding of gender roles and relations of unequal power is incorporated into the design and implementation of all policies and programmes. In spite of its broader focus, like the WID approach, this approach does not necessarily address the conceptual framework underlying current trade policies, institutions and projects. Hence, it can fail to address the conceptual issues related to the neoliberal macroeconomic framework of the WTO, focusing instead on the meso and micro-level issues to offset the negative consequences of gender-blind processes at the macro level. Moreover, the GAD approach tends to overlook the systemic issues of imbalances in trade agreements between developing and developed countries, as well as structural problems in the global governance of macroeconomic policies generally, and trade in particular. In order to redress these inequalities between men and women, and between countries, many gender advocates have turned to

the concept of human rights as a way of promoting a more just and 'people-centred' approach to trade policy and programmes.

5.1.2 The human rights approach

Human rights norms and standards provide a legal framework through which gender discrimination in and through trade can be addressed. Their legal nature is particularly significant in the relationships between gender and trade, because they can provide a legal check to trade rules and policies and establish a balance between the obligations of states towards their citizens under human rights treaties with their obligations under the MTS.

The emergence of a human rights approach to trade

In the aftermath of the 1999 WTO Conference in Seattle, there was an increasing mobilisation of civil society groups around human rights issues raised by the WTO regime, notably in reaction to the prioritisation of market forces and corporate interests over people, communities and governments. This mobilisation has contributed to a conceptual shift in the analysis of the relationships between gender and trade and subsequently to the emergence of a new approach to gender mainstreaming in trade policy (Catagay 2001). This new paradigm, which influenced the Doha Development Agenda, goes beyond the traditional 'winners' and 'losers' analysis of mainstream trade theory to incorporate the social content of trade policies, as well as human development and rights-based approaches. It also therefore influences the policies of governments, and in particular those of development cooperation agencies. The human rights approach emphasises the need for a contextualised understanding of the interactions between gender inequalities and trade policies, and for a democratisation of policy-making. Human rights activists are concerned with evaluating trade policies not simply in terms of flows of goods and services, but in terms of equity, social inclusion, poverty, human capabilities, human rights, democratic governance and environmental sustainability. This approach focuses on the most disadvantaged and marginalised social groups and individuals, in accordance with the fundamental principles of non-discrimination and equality. Its scope includes policy measures such as debt cancellation, increased aid flows, elimination of protectionism against developing countries' exports, fair trade and monitoring of TNCs through measures such as corporate responsibility.

It should be noted that using a human rights framework in trade policy-making is different from using human rights to condition trade. Using a human rights framework is a precondition (*ex ante*) and provides a pathway for assessing the potential impact of trade agreements while they are still in the design and formulation stages; it is the input into the process. Human rights conditionalities are outcome-oriented (*ex post*); given the nature of operations of the WTO and the MTS, they are tools that can be used discriminately and in a pejorative way.

However, human rights approaches have often been largely insensitive to gender issues due to their perceived 'universality'. Much human rights activism and the instruments used have therefore proceeded along essentially gender-neutral or gender-blind pathways. Women's organisations and

gender advocates stress the importance of both the BPFA and CEDAW, which outline the need to address issues of gender and economic governance as part of women's human rights. Under the BPFA, states must 'Seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities' (BPFA 165 (k)). Furthermore, the Beijing+5 document adopted in July 2000 places responsibility on multilateral organisations as well as governments in achieving equality goals.

With respect to women's rights and issues related to the impacts of trade and investment liberalisation, the mandated obligations and practical actions to be undertaken by states are spelt out in CEDAW,³⁰ as summarised in Annex 1.

It is important to recall that this document does not address the issues related to the WTO agreements and rules, since it was adopted in the same year as the establishment of the WTO. Most bilateral and regional trade agreements, however, were signed after 1995. Therefore, special attention should be paid to addressing the related gaps in linking trade policies to the gender equality agenda.

5.1.3 The gender and political economy/ alternative approach

Feminist researchers and advocates in gender-focused organisations such as the IGTN, Development Alternatives with Women for a New Era (DAWN) and Gender and Economic Reform in Africa (GERA) have promoted a new approach that underscores the central role of social reproduction in sustaining the global economic system. In particular, these organisations have stressed the significance of a political economy of trade liberalisation for a thorough analysis of the gendered impact and implications of trade policy. A political economy approach emphasises the crucial need to link trade policy, fiscal, monetary, industrial and social policies alongside analysis of global inequities in order to ensure that the MTS supports the achievement of gender equality and sustainable human development.

In addition, the political economy approach is highly critical of what it identifies as the misuse of the language of 'rights' to justify inequitable trading arrangements at global and regional levels. It identifies such a stance in the context of WTO debates about a 'level playing field', IPR and corporate rights discourses in multilateral and regional trade negotiations. It also points to the need to be aware of the risk of instrumentalising gender analysis to promote vested interests, for instance, to legitimise the myth of a free trade agenda that brings unambiguous benefits for women and poor people. This alternative approach has until now been employed principally in the context of advocacy and lobbying.

³⁰The General Recommendations of the CEDAW Committee also deal with the inclusion of women's domestic work in the calculation of gross national product (No 17, 1991), the clarification of women's rights to marital property and inheritance (No 20, 1992), and the collection of gender-specific data (No 9, 1989).

5.2 Gender and trade in development policy

Macroeconomic policies are closely intertwined with other economic and social policies.

It is important to remember that what happens in trade is likely to be much less important for reducing poverty than the other national policy and economic conditions that influence how the opportunities from trade are transmitted to different groups in the economy ...even direct poverty-reducing trade may not produce a favourable outcome if the government does not want to improve income distribution.

(Page 2004: 194)

5.2.1 Poverty Reduction Strategy Papers

PRSPs were initiated in 1999 by the IFIs under the Enhanced Heavily Indebted Poor Countries (HIPC) initiative for debt relief and have become the framework for the co-ordination of macroeconomic policy as well as development cooperation in a number of developing countries. Moreover, PRSPs are being promoted by donor agencies and recipient governments as the main instrument for the achievement of the MDGs.³¹ The funding packages of PRSPs include a range of conditionalities related to trade liberalisation that have significant gender implications. For instance, conditionalities related to tariff reduction can directly affect the agricultural products that are important to women, both as producers and managers of food security.

Under HIPC-PRSP, 23 programmes have over 186 trade measures, most of which focus on tariff and non-tariff reduction (Oxfam 2001). The key instruments are deregulation and tariff reduction, and national budgets are expected to support different aspects of the trade reform agenda (Williams 2004). In some instances, the trade reforms driven by IFIs are potentially undermining the progressive content of the WTO provisions (Caliari 2002; Ladd 2003), as is the case for many African countries.

Women, who form the great majority of small producers, can be disproportionately affected by such PRSP-driven trade reforms, given their central role in agriculture, food security and social reproduction. Since the launch of the PRSPs, efforts have been made to integrate gender perspectives and concerns with mixed results. While there is a chapter dedicated to gender in the World Bank PRSP Source Book, a recent study found very little incorporation of gender in macro policy, including trade policy (Zuckerman and Garrett 2003). Only Rwanda's and Zambia's PRSPs addressed the hard issue of budgeting for gender equality, beyond the soft issues of girls' education and maternal healthcare that were the focus of most PRSPs. In spite of this uneven progress, the PRSP process offers possible gender entry points at different levels, as discussed in Section 7.2.3.

5.2.2 The new aid architecture

Together with many other studies on gender and trade, this report stresses the primary responsibility of national governments for ensuring gender equity and promoting women's empowerment in trade.

³¹ On this subject, see among others the UNDP guidelines for the implementation of MDGs (<http://www.undg.org/content.cfm?id=512>) and the Millennium Project Report (<http://www.unmillenniumproject.org/reports/index.htm>).

For the large majority of developing countries that are debt and aid-dependent, this does not preclude the fact that bilateral and multilateral donors have a decisive impact on the effectiveness of national strategies for gender equality in the context of trade as a critical element of poverty reduction. Human rights, sustainable development and gender equality are at the core of their respective mandates. Therefore, the new aid architecture that is being established as part of the global partnership for poverty reduction will have an important impact on the implementation of the gender equality agenda in all areas, including trade.

The new aid mechanisms are increasingly integrated into national planning processes such as the PRSPs and Country Strategy Papers (CSPs). The underlying principles of the new aid architecture are donor harmonisation, the building of effective partnerships, national ownership and internal accountability. The main mechanisms are sector-wide approaches (SWAPs) and support within the framework of countries' PRSP processes as direct budget support (DBS). SWAPs involve the co-ordination of donor agencies and national ministries on programmes within a specified sector such as trade. These are accompanied by 'policy dialogue' between development cooperation agencies and national ministries. In the context of trade, this means capacity-building programmes and financial support for trade ministries to promote more effective engagement with international trade policy processes.

However, despite the opportunities to integrate gender into high-level policy dialogue, the potential of SWAPs in promoting gender equality has been limited due to 'an overall de-prioritization of gender equality as a separate objective and its replacement with gender mainstreaming' (Van Reisen 2005: 34). SWAPs also fail to address the underlying causes of gender inequality in access to and control over goods and services – particularly significant in the area of trade policy – because of their narrow focus on WID-type investments in women and girls. Many gender advocates recommend a 'twin-track' approach to gender and development policy-making, involving both the allocation of resources to a specific sector dedicated to gender equality issues, and consistent gender mainstreaming in each of the other concerned sectors (Van Reisen 2005), including trade.

5.2.3 The Millennium Development Goals

The MDGs have taken centre stage in the international development agenda as well as in national development planning, and they are expected to become the mechanism to assess economic policies. The establishment of gender equality and women's empowerment as an independent goal (MDG 3) is an important development; however, concerns have been expressed about its restrictive interpretation as reflected in the selected targets and indicators.³² Moreover, the existence of a gender-specific goal may hide the failure to fully integrate a much-needed gender perspective into the other goals (UNDAW 2005).

MDG 8 encompasses macroeconomic policies that have critical implications for gender equality and poverty reduction.

³²Which are focused explicitly on gender inequality in education and women in parliaments.

Of major concern is the fact that trade is addressed in MDG 8 – to develop a global partnership for development – which is not subject to the MDG reporting processes at the national level, because the monitoring of MDG 8 is deemed to be relevant only at the international level. This automatically excludes any analysis and discussion of critical gender issues at the national macro level related to trade, while the MDG process could be a golden opportunity to boost the production of the much-needed gender-disaggregated data and indicators on gender and trade. The major recommendations of the Millennium Project Report to the UN Secretary-General for achieving the MDGs include ‘a breakthrough in global trade’, by ensuring ‘improved market access and terms of trade for the poor countries’ and ‘improved supply-side competitiveness for low-income country exports’ (UN Millennium Project 2005: 46). They also include ‘specific interventions to address gender inequality [that] should be an intrinsic part of all MDG-based investment packages’ (UN Millennium Project 2005: 30).

6. Work to date on gender and trade

6.1 Advocacy at the international level

The structural problems in trade policy decision-making in the MTS are underpinned by the power dynamics between north and south. These are related to the political and economic supremacy of rich countries and their ability to produce the analytical and conceptual elements (such as research, policy, technical and position papers) needed for influencing the substantive content as well as the parameters of negotiations. Many developing countries do not have the ability to be represented at the WTO headquarters and lack the human resources and technical capacity to deal with all the WTO processes.

The issues of inclusiveness and accountability in the WTO have been hotly debated since its creation, especially by civil society and women's organisations, who have been largely marginalised at all levels and have expressed concerns over the lack of accountability mechanisms to national legislative bodies and the general public in agenda setting and negotiations (UNDP 2003). Indeed, at the national level, trade policy is the remit of the executive arm of governments. It is the executive that makes most of the important policies in trade, while legislators play a less fundamental role, such as ratification.

This mode of decision-making raises fundamental questions about the transparency and inclusiveness of the processes. Who can participate and how? At all levels of the MTS, including in the regional trade institutions, the sections of the population where many women traders are involved in trade and investment processes (such as the informal sector) are not part of the groups that participate in trade and investment policy decision-making.

Against this background, there is an encouraging increase in the number of intergovernmental and development institutions interested in gender and trade work. The increased involvement of institutional actors is due to the advocacy efforts of gender equality advocates and women's organisations. They have used the human rights and political economy approaches to argue for the inclusion of understandings of gender and other inequalities in national and international trade policy-making. A landmark event in the gender and trade agenda was the WTO yearly public Symposium in June 2003, during which 'the Director General of the WTO, who was the keynote speaker at the plenary, Women as Economic Players in Sustainable Development, acknowledged by his presence and in his remarks the importance of women's contribution to development and global trade' (Williams 2004: 6). Of note is the active role played by women ambassadors in this breakthrough of gender equality concerns in the WTO arena.

6.2 Advocacy at the national level

The *national* trade policy arena is key to understanding the dynamic relationships between gender, trade and development. Therefore, the starting point for engendering trade policies is at the national level, where the strategies of engagement of the different actors and institutions are defined and implemented.

At the national level, there can be conflict between the various stakeholders – between civil society and women’s organisations and governments, as well as between the state departments/ministries themselves. The conflict is over to what extent a trade agenda can be developed that serves development and equity. Related to this is the domination of finance ministries in trade policy decision-making, which is deemed to be their exclusive territory. This allows little or no input from other sectoral ministries, especially the national gender machineries. Shifting these power dynamics by ensuring the equal participation of citizens in the establishment of social and economic policy priorities would make women more visible and foster the promotion of gender-aware trade policies. In this regard, some initiatives represent important steps in this direction.

Work on gender mainstreaming by women’s organisations, NWMs and gender advocates within development agencies has been important in efforts to promote more gender equitable governance. Parliamentarians are the elected representatives of the different constituencies supposed to benefit from trade policies and their buy-in is crucial for the success of gender mainstreaming within national policy-making on trade and trade-related issues. One major step forward in bringing a gender perspective to national economic policies has been the institution of multi-stakeholder mechanisms and gender-responsive budget initiatives (GRBIs) conducted in an increasing number of countries.³³ These provide key entry points for gender analysis of and mainstreaming into the revenue side of budgets in relation to trade.

Gender budgeting in South Africa

The Women’s Budget Initiative in South Africa looked at the impact of trade liberalisation policies as part of its overall analysis of the South African budget. While trade liberalisation policies around customs and excise in South Africa may benefit women consumers due to the reduction in prices of basic commodities, they have led to the contraction of labour-intensive industries such as fruit farming and vegetable canning, where women made up a large percentage of the workforce. This GRBI provided an entry point for gender advocates to propose anti-dumping measures in sectors that are important employers of women, together with a social clause on non-discrimination (Goldman 2000).

³³ Currently, GRBIs are implemented in more than 50 countries.

Multi-stakeholder mechanisms in Kenya and Uganda

Multi-stakeholder mechanisms such as the National Committee on the WTO (NCWTO) in Kenya and the Inter-Institutional Committee (IITC) in Uganda are successful examples of the participation of civil society in national trade policy-making, including in the elaboration of governments' positions in WTO negotiations. In Uganda, the IITC set up under the Joint Integrated Technical Assistance Programme (JITAP)³⁴ provides institutional support on the MTS to trade policy-makers. In 2003, through the IITC, gender issues and demands were successfully integrated into the government's position at the WTO Ministerial Conference in Cancún owing to the participation of gender equality advocates³⁵ in the drafting process. These advocates were part of the Ugandan official delegation to Cancún.

It is notable that in Kenya and Uganda a lot of work has been done to foster trust and collaboration between trade ministry bureaucrats and their civil society colleagues (Ddamilura and Noor 2003, cited in McGee 2004). Interestingly, the NCWTO and IITC also have links with transnational civil society networks; this, coupled with their involvement with domestic politics and policy, has been key to their success.

The UK Gender Expert Group on Trade

'The UK Gender Expert Group on Trade was established by the Department of Trade and Industry (DTI) and is supported by the Women's National Commission, the Government's official independent advisory body on women, to ensure that gender is mainstreamed into UK/EU trade policy, and to provide independent and expert advice on gender issues. [It] consists of representatives of women's and development organisations with an interest in trade and gender issues, academics and observers from UK Government departments.'

(Gender Expert Group on Trade, no date: 1)

Policies that build on genuine consultations with civil society representatives and focus on multi-stakeholder mechanisms for dialogue on trade policy issues are more likely to be gender equitable and pro-poor. The active participation of women's organisations and gender experts is critical to identifying and correcting the adverse impacts of trade policies, as well as promoting their positive effects on gender equality. Participatory approaches to trade policy-making are being experimented with in some countries like Ghana.³⁶ Important lessons could be learned from such experiences to take up the challenge of putting poor women's concerns and needs onto trade policy platforms.

³⁴ The JITAP mobilises the expertise and support of the WTO, the UN Conference on Trade and Development (UNCTAD) and the ITC to help African country partners benefit from the new MTS. JITAP aims at building human, policy and export strategy capacities in trade policy and business opportunities (UNCTAD 2004).

³⁵ Including a male trade official who participated in the GERA Programme Phase II research and advocacy project in Uganda.

³⁶ See McGee 2004 on the work done by SEND with the support of Christian Aid.

6.3 Research/measuring the impact of trade policy

A major obstacle to the integration of a gender perspective in trade policies and to the democratisation of the governance of the MTS is the complexity of the global trade system. It is important to recognise the inherently technocratic and legalistic nature of trade policy processes and the urgent need to challenge a trade policy culture that tends to favour the most powerful players and elites by placing 'a premium on technical information and knowledge' (McGee 2004: 52). Given the existing gender inequalities in terms of access to technology and information, it appears that trade policy processes are imbued with gender relations of unequal power, making them male dominated and restricting possibilities for the participation of women.

Participating effectively in trade policy processes is primarily about accessing, interpreting and acting on information. Thus, the key role of information, knowledge and learning processes in successful strategies cannot be overemphasised. Feminist economists, together with civil society and women's organisations,³⁷ have greatly contributed to the research and policy analysis with the support of development agencies such as the UK Department for International Development (DFID), CIDA, the Swedish International Development Cooperation Agency (Sida) and the Danish Ministry of Foreign Affairs. The establishment of the Inter-Agency Task Force on Gender and Trade³⁸ (chaired by UNCTAD and including UN agencies at the international and regional levels, WTO, the World Bank and the OECD) is an encouraging development that demonstrates the positive impact of the work done thus far at the policy level. It also has the potential to ensure the effectiveness and continuity of interventions, especially since the different members are increasingly involved in activities related to gender and trade work. The availability of processes for monitoring and assessing the impacts of trade rules on the day-to-day lives of children, men and women is key to engendering trade policy processes.

6.3.1 Trade Policy Review Mechanism

The country reports produced by the TPRM of the WTO have been identified as an entry point by the Informal Working Group on Gender and Trade.³⁹ This group has developed an analysis⁴⁰ that can be used to include gender in the trade policy review (TPR) process in order to identify potential opportunities and threats for women's well-being, as well as for other vulnerable groups. The process of creating both the WTO report and the country report, as well as the discussion of the two, provides the space for raising questions about the gender and poverty reduction potential and impact of a particular trade policy and its implementation. For instance, TPRs could deal with the effects on women's employment patterns and income.

³⁷ Feminist economists have contributed two volumes of *World Development*, along with the country case studies and participatory research undertaken by civil society and women's organisations such as DAWN, IGTN, GERA, Women's Environment & Development Organization (WEDO), WIDE and Women in Informal Employment: Globalizing and Organizing (WIEGO).

³⁸ The IATFGT's 'ultimate objective is to sensitize agencies within and outside the UN system, as well as governments on issues/policies identified by the Task Force, and possibly to develop technical assistance activities in this area'. (<http://www.un-gender-trade.org/>)

³⁹ The IWGGT emerged from the Women's Caucus at the WTO Conference in Singapore.

However, it should be noted that the main purpose of the TPRM is not to assess the impact of trade agreements and rules, but the compliance of the concerned country with these and the extent to which it has met its commitments. Thus, there are questions raised about the utility and weight of the TPRM as an entry point for gender integration into the MTS.

6.3.2 Sustainability Impact Assessments

The SIAs scheduled under the Cotonou Agreement (an RTA between the EU and ACP countries) are another possible entry point for integrating women's specific concerns into the negotiation process. SIAs emerged in response to the need to ensure that trade agreements ultimately have positive and beneficial impacts on development and poverty reduction. Use of SIAs could help to better understand the mechanics of how trade policy impacts the economy at the macro, meso and micro levels, as well as to develop databases on economics and trade in developing countries.

However, thus far SIAs have been undertaken mainly by developed countries such as members of the EU, and there has not to date been any significant adoption of these by developing countries. Ultimately, to be useful in exploring the link between trade policy and outcomes with regard to development and poverty reduction, SIAs must incorporate gender analysis into their framework, methodology and monitoring tools. Unfortunately, so far, gender equality has been only marginally integrated in some of the completed studies as an indicator of minor importance, but further work is needed.

6.3.3 Value chain analysis

In the globalised economy, gains from trade and their distribution between and within countries, firms and individuals are increasingly influenced and shaped by institutional factors (such as those related to corporate strategies) and linkages (Baden 2002; Carr (ed) 2004). A value chain links the entire range of sectors as well as economic activities and agents involved from the completion of a product or service, through the intermediary processes of production and its delivery to final consumers, to final disposal after use (Kaplinsky 2000, cited in Baden 2002). Global value chain analysis can identify inequalities in the chain and point to ways in which inequalities can be reduced (Carr (ed) 2004).

Gendered value chain analysis can be used by civil society organisations, researchers and government actors to better understand women and men's economic situation and empowerment, by tracing profits and benefits throughout the chain. It can also help to understand micro-meso-macro linkages, as most of the actors in gender and trade work are confronted with the enduring difficulty of making sense of changes at the global level and defining appropriate responses at the micro level. Value chain analysis can make the distinction between the constraints, needs and opportunities for independent producers, wage workers in the formal and informal sector, and other economic agents, and help to define appropriate strategies to strengthen local economies and maximise forward and backward linkages.

⁴⁰ Presented in Vander Stichele, M.. 1998, Gender, Trade and the WTO, A Ghana Case Study, Brussels: Informal Working Group on Gender and Trade.

Value chains in Africa

In Mozambique, most cashew nuts (the country's main export) are shipped to India for processing by eight or ten traders who control the export market. These traders retain most of the profits even when prices increase in international markets. Owing to the establishment of two factories in Mozambique to process cashew nuts, the marketing chain has been shortened, thereby allowing producers and processing workers to get greater returns (Kanji, Vijfhuizen, Braga and Artur 2004).

In West Africa, there is a growing and profitable market for processed shea nut butter in Europe, North America and Japan for use in cosmetics and chocolate manufacture, with a consequent rise in the final price in northern markets. But women who collect shea nuts are often totally unaware of this trend and continue to sell to middlemen who then supply the more profitable global markets as well as domestic and regional markets. Thus, these women are integrated in global value chains without any knowledge of these chains or their position and rights within them, and without any means of exploiting more profitable markets to their own advantage (IDRC 2004).

6.3.4 Other strategic tools

Other strategic tools that can be used to engender the trade agenda have been developed by women's organisations, researchers and gender equality advocates in development institutions.

The Women's Edge Coalition trade impact review

The Women's Edge Coalition has developed a framework (the trade impact review or TIR) that can be used by trade negotiators, governments and other stakeholders for *ex ante* assessments of the potential gendered effects of trade agreements. This framework explores both the economic and legal effects of trade and investment agreements on women and men. The core of the assessment model is an expanded general equilibrium Heckscher-Ohlin (HO) model,⁴¹ modified to include the impact of trade policy on relative prices, consumption and demand for labour. The framework thus provides the scope for examining issues such as the impact of trade agreements on tax receipts and the provisioning of public sector services (Gammage, Jorgensen and McGill 2002). For a more detailed description of the Women's Edge Coalition TIR, see the *In Brief* bulletin in this *Cutting Edge Pack*.

Women in Development Europe gender indicators

WIDE has also developed a set of gender indicators⁴² for such assessments. Gender and situational analysis indicators are utilised to obtain snapshots of the direct and indirect effects of changes in trade policy on gender relations in Argentina, Brazil, the EU and Mexico.

⁴¹ See www.womensedge.org: the HO model embodies the standard trade theory. Assuming that there are no barriers to trade, no transportation costs, and that there is perfect competition with full information and full employment, it considers two countries that produce two goods using two factors under similar demand conditions where the production functions are the same in both countries. These countries can be used to characterise trade between low, middle and high-income countries.

⁴² See www.eurosur.org/wide/home.htm

UN Gender Trade Impact Assessments

The Task Force on Gender and Trade of the UN Inter-Agency Network on Women and Gender Equality has also been active in promoting ways to measure the impact of trade liberalisation on gender equality. The task force has proposed the establishment of a Gender Trade Impact Assessment (GTIA) process (such as discussed in Van Staveren 2002, WIDE 2001 and Gammage *et al.* 2002), to ensure careful and proactive gender responsiveness in the design of trade rules (UNCTAD 2004). GTIAs are distinct from SIAs in that they focus on the development of gender-aware assessment and modelling techniques for assessing the *ex ante* and *ex post* impacts of trade agreement provisions on gender equality and on men and women's well-being. GTIAs are relatively new and still in the developmental stage. But for the most part, the conceptual framework underlying these approaches is grounded in concerns around the sexual division of labour, labour market segmentation/discrimination, asymmetric rights and responsibilities, reproduction and motherhood, gendered social norms, time poverty and political, economic and social rights.

Poverty and Social Impact Analysis (PSIAs)

Tools such as the PSIA that have been developed in the context of the reforms in the lending programmes of IFIs to poor countries also have potential for better gender integration in trade policy design and implementation. The PSIA looks at the intended and unintended impacts of macroeconomic, structural and sectoral policy interventions on different social groups, in particular, vulnerable groups such as women and the poor. It covers sequencing and pace of implementation and considers whether to proceed with the policy and/or what complementary measures may be needed (Booth, Kasente, Mavrotas, Mugambe and Muwonge 2003). The PSIA is a significant component of the new approach to supporting poverty reduction under PRSPs.

PSIA: a possible tool for gender integration in export promotion strategies in Uganda

The application of PSIA to the Strategic Export Initiative in Uganda has shed light on the scale and distribution of likely direct income effects from growth in coffee and fish sales. It covers not only at the level of aggregate income of poor households, but also at the level of the intra-household distribution of this income and the consequences for the well-being of household members, including the non-income dimensions. Thus, PSIA has revealed that gender relations are among the principal determinants of the supply response to the incentives for export promotion. PSIA has also highlighted the male-biased income growth within households that will result from export-oriented production growth. It has pointed out the potentially negative impact of such growth on important non-income dimensions of poverty reduction, as well as the need for complementary measures to avert this negative impact (Booth *et al.* 2003)

Human rights instruments

The treaty body mechanisms for the monitoring of the implementation of human rights treaties can also offer important entry points, as well as accountability mechanisms for ensuring gender equity in trade processes. For example, the accountability processes set up under CEDAW (particularly the

national reports that states are obligated to submit to the CEDAW Committee) provide a model for assessing the process by which gender equality goals are translated into results with respect to trade policy. The work of the High Commissioner on Human Rights is also an important step towards ensuring consistency between trade rules and human rights laws, particularly with respect to the issues of government regulation and policy space raised by WTO agreements such as GATS and TRIPS. The commissioner's reports addressing the protection of intellectual property (ECOSOC 2001), agricultural trade (ECOSOC 2002a), trade in services (ECOSOC 2002b) and investment (ECOSOC 2003), and the principle of non-discrimination in the context of globalisation (ECOSOC 2004), provide useful guidance to governments for protecting the rights of their citizens in the context of trade negotiations.

6.4 Institutions and programme-level interventions

Building on successful strategies and best practices in shorter-term projects and programmes is essential in complementing efforts towards a progressive transformation of the existing architecture and governance of the MTS in the mid and long term. The practical strategies discussed below focus on a range of specific interventions at different levels.

Gender and trade is a relatively new area of work for many of the actors involved in development, including in trade-related capacity building and technical assistance, as further discussed in Section 6.5. Successful approaches to gender and trade issues do not focus only on women's vulnerabilities (for example, the provision of microcredit to address the lack of financial resources) but also on their capabilities – i.e. enhancing their role and agency. This may include upgrading poor women's activities in the value chain through training and/or technological improvement so that they can capture more of the value added in the global value chain. Such approaches hold the greatest potential for both replicability and sustainability.

6.4.1 Fair/ethical trade schemes

Fair or ethical trade programmes established to ensure that primary producers gain a greater percentage of the end price of a commodity have now been recognised by the EU Parliament as an important part of development aid. Although the ethical consumer market still represents a small percentage of the total market, statistics show a notable growth, especially in Europe where sales have increased by 90 per cent between 2000 and 2002 in countries like the UK (Carr (ed) 2004). In addition to the benefits expected from the expansion of this fledgling market for small producers in developing countries, most fair/ethical trade schemes also include gender in their guidelines. While the limitations of such schemes need to be addressed⁴³ and further exploration from a gender perspective is required, there are some positive examples of the potential of fair/ethical trade to support women's empowerment.

⁴³On this subject, see UNCTAD 2004 and Carr 2004.

Women's empowerment and fair trade in Ghana

The example of the Kuapa Kokoo cocoa cooperative in Ghana shows how fair trade has allowed for the generation of additional income (US\$1 million in the period 1993-2001) for farmers through profits and fair-trade bonuses and for investment in community projects. This has enabled the meeting of women's priority needs in their everyday lives, while moving women producers up the global value chain from production to retailing through the establishment of the Day Chocolate Company in the UK.

The case of the Kuapa Kokoo cocoa cooperative is relevant to independent women smallholders in the informal economy as well as to other export commodities and sectors that are subject to price fluctuations in international markets. It shows the potential value of cooperatives where women have a significant role at all levels as an important form of organising for small producers. A great part of its success is also due to the partial liberalisation and controlled access to markets, with an institution (Cocoa Marketing Company) acting as a reliable counterpart and liaison between the millions of cocoa producers and the handful of TNCs that dominate the open market. Of note is the positive psychological and economic impact of the radical business-oriented approach that has boosted the women farmers' morale, self-help and confidence, and allowed them to have their voices heard at the national and international levels (Tiffen *et al.* 2004).

The contribution of fair-trade schemes to promoting gender equality and women's empowerment could potentially increase with the scale of their operations, which is still restricted to small niches in the mainstream market. Such schemes need to therefore ensure the participation of women workers and other stakeholders and to include explicit gender-related standards (UNCTAD 2004).

6.4.2 Labour standards

The question of labour standards⁴⁴ has attracted much attention and controversy in the WTO as well as among civil society and women's organisations. The proponents of a linkage between trade and labour standards are mainly northern governments and NGOs. The opponents are the business sector, which rejects the potential restriction of 'free markets', and also southern governments and some NGOs, who fear that such standards can be used for protectionist ends. Underlying this debate is the fear of an 'equalising down' of wages and working conditions in the context of trade liberalisation, created for a large part by the wide dissemination of media reports on sweatshops in the south.

Despite the ratification of the ILO conventions on workers' rights, most labour standards are currently not enforced in the production process (Williams 2003a). Moreover, labour standards focus attention on governments who have lost a great deal of their regulation capacity, and fail to target corporations

⁴⁴ Following the ILO Declaration on Fundamental Principles and Rights at Work adopted in June 1998, the core labour standards generally refer to (i) freedom of association and the effective recognition of the right to collective bargaining (Nos. 87, 98); (ii) elimination of all forms of forced or compulsory labour (Nos. 29, 105); (iii) effective abolition of child labour (Nos. 138, 192); (iv) elimination of discrimination in employment and occupation (Nos. 100, 111).

who are the key players in the MTS (Women Working World Wide, cited in Williams 2003a). Labour standards are generally seen from the perspective of a male breadwinner model, which is inadequate for most women's employment in a globalised economy (Orloff 2002). Thus issues that determine women's status and working conditions⁴⁵ are left off the agenda, as are women's property rights and access to education (Fontana *et al.* 1998). Women are often paid low wages and unlikely to receive benefits (including health insurance, maternity, sick pay or annual leave).

These issues point to the urgent need to give priority to implementing gender-sensitive rules for employment and social protection, as well as the ILO 'fundamental rights at work' and the 1996 Convention on Homework for the protection of workers' rights and decent work.

Strong labour unions have been central to supporting workers' rights in the context of globalisation, and undoubtedly, women make gains when labour unions are strong even when gender concerns are not explicitly included or women workers are not targeted as the main beneficiaries. However, unions remain male dominated and generally fail to address women's issues (such as childcare and sexual harassment) due to gender biases in understandings of labour standards. Moreover, membership of a union is generally not open to those working in the informal sector, including home-based and casual employment, where the majority of women operate in many countries (Gammage *et al.* 2002; GERA Programme 2003). In the formal sector, some established trade unions and workers' organisations have begun to focus on gender and trade issues,⁴⁶ while an increasing number of NGOs recognise the need to strengthen their work with trade unions and workers' associations.

6.4.3 Corporate social responsibility/accountability

Corporate social responsibility (CSR) is critical to any discussion on national, regional and international investment rules in the context of development and trade. However, the structure of production, the segmented labour markets and firm-size distribution in developing countries (majority of small and micro enterprises) assign structural limits to CSR. In particular, CSR is not likely to improve standards for the bulk of women working in the informal sector. Since women play a central role in the global production chain managed by TNCs, they are key stakeholders in the evolving discussion and negotiations around the issues of corporate social rights and codes of conduct.

At the international level, the Global Compact established by the UN is the major attempt to establish ground rules for CSR. The Global Compact is largely aspirational in its nine principles⁴⁷ and relies on the goodwill of corporations for their application in the absence of any monitoring and supervisory function (Zammit 2003). For mechanisms such as the Global Compact to benefit women and ensure gender equity, these mechanisms should not be substitutes to public regulation, which remains crucial

⁴⁵ Such gender-related rights deriving from the specific issues facing women workers include menstruation leave; breastfeeding times; negotiations on equal skill and knowledge for women and men workers; gender sensitivity for men and women; women's leadership development; and family welfare – which women workers consider as basic workers' rights (Petrat and Chaowilai 1997, cited in Williams 2003a).

⁴⁶ Like the International Confederation of Free Trade Unions (ICFTU) at the global level, and the Ghana Agricultural Workers' Union at the national level.

⁴⁷ These nine principles reflect certain human rights, environmental and labour standards that are already established in international treaties, and that some NGOs wanted to be included in the WTO rules.

to ensuring the achievement of development and gender-equality objectives, especially when the accountability mechanisms rely solely on a voluntary basis, as is the case for the Global Compact. Most importantly, CSR is not likely to contribute to women's empowerment as long as TNCs continue to oppose more fundamental change to global trade policy.

A gender-sensitive approach is vital to CSR discussions in the traditional areas of development obligations, social and labour standards and consumer protection, as well as in the emerging areas of corporate governance, ethical business standards and human rights. One starting point is to begin a gender analysis of the already existing set of non-binding rules, including the OECD Guidelines for Multinational Enterprise (MNE), the ILO Tripartite Declaration of Principles concerning MNE and Social Policy, the UN Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices and the Global Compact of the UN (Williams 2004).

6.4.4 Supporting women producers

The various forms of support to medium-sized, small and micro-enterprises run by women in the formal and informal sectors have proved to be a necessary preliminary step to bring women's businesses to the levels required for their effective engagement in trade. The second phase (2003-6) of the JITAP is based on the recognition that women can play an important role in trade policy,

negotiations and export development in African countries, given their daily involvement in the practical aspects of trade, which also means they are likely to be more affected by the results of trade and trade negotiations.

(UNCTAD 2004: 486)

The best practices are integrated programmes that build on specific needs assessments, and address not only the technical gaps but also seek to develop entrepreneurial and managerial skills in product diversification, marketing and trade.

Supporting women entrepreneurs in Kenya

Since 1991, the Women Entrepreneurs for Industrial Growth (WEFIG) project in the textiles sector in Kenya has developed new cash management, business planning, marketing and sales promotion skills for 1,020 direct beneficiaries and 4,000 indirect beneficiaries. This has significantly improved earnings of women participants who have increased their assets by 106 per cent. Ninety per cent of women trained are active in the local market and 40 per cent export to markets in Africa, the EU and US. Many now operate their own bank accounts – a critical step towards access to credit – and have developed new product lines with regular quality control (UNCTAD 2004).

Some programmes focus on the diversification and/or upgrading of production processes in the value chain in order to overcome the major barriers that prevent women from benefiting fully from market access opportunities. They support women's integration into global value chains by increasing their ability to meet changing processes and product standards and to export higher value-added products.

Many are being implemented by international organisations such as the UN Industrial Development Organization (UNIDO), UNCTAD, ITC and the ILO, but also by small NGOs with promising results.

However, some interventions reflect an ‘add women and stir’ approach, which encourage existing models of entrepreneurship promotion, rather than an approach that incorporates women’s gender roles and disadvantages. The impact of such interventions would be enhanced by an explicit acknowledgement of the gendered division of labour, differential access to resources, gender roles (childcare and other care work), intra-household dynamics and the potential effects of shifts in gender roles.

Upgrading women’s production in the value chain

A local NGO in Samoa, Women in Business Development Incorporated (WIBDI), has provided 13 cooperatives of women producing virgin coconut oil with a new production technology that has enabled them to export organic virgin coconut oil to Australia and New Zealand. The cooperatives have been granted organic certification and their exports have increased significantly. The WIBDI programme works with women’s gendered responsibilities by enabling them to work within the home, while also challenging inequalities. Women’s status has also been greatly improved because of the income opportunities that they have brought to their communities (Cretney and Tafuna’i 2004). (For a longer description of the WIBDI programme, see the Supporting Resources Collection in this *Cutting Edge Pack*.)

Networking is also a key strategy to increase the bargaining and market power of women producers and workers. The cluster approach⁴⁸ promoted by UNIDO involves collaboration with a wide range of local actors such as NGOs and government services, as well as partnerships with the private sector. At one level, this enables women to have access to larger trading networks and it also allows for ensuring sustainable market positions through the establishment of cross-national and possibly international alliances among similar producers. Moreover, it has been underlined that cluster approaches are also conducive to women’s participation in trade as they may help ease cultural constraints such as restrictions on women working with men, and can prevent the isolation of women working in male-dominated environments (UNCTAD 2004).

As mentioned earlier, the female-dominated services sector holds great potential for women’s employment and participation in global trade. As such, it has been the focus of an important part of the assistance given to SMEs. Among the new trade opportunities in the area of services is business outsourcing,⁴⁹ notably in the area of information and communication technology (ICT)-enabled services such as telemarketing and back office operations. These require low levels of capital resources and computer skills and seem of particular interest to women entrepreneurs (ITC 2001).

⁴⁸ Clusters are ‘defined as sectorial and geographical concentrations of enterprises, that together produce and sell a range of related or complementary products, and together face common challenges and opportunities’ (UNCTAD 2004: 467).

⁴⁹ Despite the rising opposition against outsourcing in countries like the US, the WTO rules – at least in theory – forbid discrimination and its DSU mechanism could be used to ensure that women can avail themselves of this opportunity.

6.5 The challenges of trade-related capacity building and technical assistance

Trade-related capacity building and technical assistance (TRCB/TA) are key aspects of the interface between national trade policy-making and the governance of the MTS, and are considered as a key part of the support that should be provided to developing countries in the context of the Doha Development Agenda. TRCB/TA has been taken up by both donors and the World Bank as a key strategy in order to achieve MDG 8. Hence it needs to be flagged as a specific area of research and advocacy around which strategies and tools can be developed. TRCB/TA can be defined as the set of activities that are intended to contribute to the creation of the skills and capacities required for the different types of trade policy initiatives⁵⁰ among government, civil society and private sector actors.

The WTO, IMF, World Bank and bilateral development agencies⁵¹ co-ordinate through technical assistance packages that are delivered to developing countries. Most of these are simply about training developing countries on the fine points of WTO agreements and how to implement them. Over the past few years, bilateral development agencies such as Sida, DFID and CIDA have also put in place programmes to build the capacity of developing countries to identify and formulate their trade policy interests. Such programmes have sought to strengthen local know-how and the institutional capacity required for effective trade, as well as strengthening production and the capacity to meet export market requirements.

Overall, the review of the existing TRCB/TA activities provides scanty evidence of the effective integration of gender equity concerns and broader human development issues in TRCB/TA programming. Gender integration is understood and applied differently by the various actors. The majority of initiatives are separate women-focused interventions de-linked from the other components of their overall programmes. These are often 'trade readiness initiatives' aimed at increasing women's access to export support services, export training and to the larger trading network. While there is value in these types of activities in so far as they promote the expansion of women-owned business in global trade, a focus on the micro level can prevent more fundamental change at the meso and macro levels.

Meso-level issues such as access to credit for capital expansion are needed to support the growth of women businesses and to meet export-marketing requirements when these are linked to capital upgrading in production or distribution facilities. Wider macro-level trends, such as the market saturation from too many firms attempting to sell the same type of products to the same international markets, may also negatively impact sustainability of areas such as primary commodities and handicrafts exports, where women predominate in many contexts.

⁵⁰ Including analysis, formulation and implementation of trade policy; trade-related institution building; engaging in international trade and entering international markets; negotiation and implementation of trade agreements; and designing and implementing flanking measures for transitional adjustment under trade reforms.

⁵¹ For example, critics of the Integrated Framework argue that it raises the same issue of national ownership as PRSPs (see Annex 9), and that it should enable national stakeholders to ask critical questions, collect and analyse data to answer these questions so as to make decisions about the appropriate approach to trade policy, as opposed to equipping them to merely implement the mainstream trade liberalisation agenda (McGee 2004).

However, some programmes are currently building on a systematic gender analysis of market barriers and integrating gender as a cross-cutting theme. Of note is the framework for the integration of the gender perspective in TRCB/TA proposed by CIDA, which is an encouraging indication of a growing interest among donors in a more comprehensive approach to gender equity issues in TRCB/TA.

Gender equality and trade-related capacity building

The CIDA framework aims to assist in identifying opportunities to ensure that TRCB/TA programming contributes to gender equality goals and better development results, by applying a gender-equality lens to TRCB/TA activities in the different categories of trade policy initiatives.

These include:

1. national trade and development-policy capacity
2. trade readiness
3. effective participation in international trade agreements
4. business, social and workforce adjustment programme and policies (CIDA 2003).

The formulation of gender-sensitive TRCB/TA programmes requires increased awareness of the technical challenges associated with the development of a methodological framework for bringing pro-poor and gender perspectives into the different levels of the trade policy arena. In particular, building the capacity to understand the dynamics of the links between macro-level changes, and meso- and micro-level processes is a major challenge for increasing understanding of gender and trade issues and ensuring pro-poor growth, democratic processes and political accountability.

7. Conclusions and recommendations

7.1 Towards a gender-aware conceptual framework for trade

International trade requires a normative framework to provide the major principles that must guide policies at both national and international level. There is a need for a rights-based and political economy approach to gender and trade issues, together with greater coherence between the macroeconomic environment and processes at the national, sectoral, and micro levels, as well as between trade agreements and other international conventions and commitments to human rights, development and gender equality.

Once trade policies are required to conform to a human rights framework, their rationale changes fundamentally. They are driven by the recognition that people have not only needs that should be met, but also entitlements that entail legal obligations on the part of states and other relevant actors. This makes the adoption of development strategies to fulfil people's rights a legal obligation. In operational terms, using a human rights framework implies that concerns for human rights must be balanced with concerns for compliance with other legally binding agreements, such as trade agreements, debt repayment and other economic processes that impact on the rights of citizens.

Notwithstanding the need for a human rights framework, there is also a need to fill the gaps in current rights-based approaches. These include the lack of a holistic operational framework for trade policy-making, the disconnect between the different human rights treaties, and analysis in the changing context of globalisation. Most importantly in the context of this report, there is the continued failure to fully integrate and acknowledge power differentials such as those of gender, race and class, within the framework of so-called 'universal' rights. In this regard, the combination of the rights-based approach and the political economy/alternative approach holds the greatest potential for providing a coherent and gender-aware conceptual framework for trade. This is because the alternative approach is centred on the need to rethink not only trade policies but also the unequal power relations (including gender relations) within the development paradigm and to promote a new vision of citizenship that can ensure the full realisation of human rights for all.

7.2 Potential key strategies for promoting gender-sensitive trade policy

7.2.1 Research and impact assessment

Successful approaches build on a clear understanding of the role of local women producers and workers in trade, and more specifically, of their 'existing and potential contributions to export earnings' (Carr (ed) 2004: 212). There is a crucial need for more independent and good quality gender research and analysis. Because they are primarily knowledge-based processes, the nature of trade policies are dependent on the type of knowledge production which informs their conception. The complexity of the global trade arena combined with the overwhelming agenda of negotiations facing trade officials and negotiators might not be conducive to the integration of a gender perspective. Therefore, gender

analysis should be included in a clear and practical way, and perceived as adding value to their work. Research should focus on how to enhance women's capabilities and should also take into account the impact of gender-based barriers to market access on the patterns of growth at different levels. In particular, it needs to look at the social and economic costs of gender inequality and the consequent trade-offs.

Research could be promoted by NWMs and conducted by women's groups and civil society organisations who should also be able to present alternative reports on trade impact. Research and gendered impact assessment of the local conditions and priorities regarding particular trade rules can be used within sectoral ministries dealing with the so-called 'soft areas' (education, health and social development). Integration of gender into tools such as SIAs can be an important step forward, providing gender analysis is not used to promote vested interests or protectionist policies. However, the integration of gender into mainstream impact assessment does not preclude the need for specific gender-impact research, such as GTIAs and the Women's Edge Coalition TIR.

Further work on gendered value chains is also needed to better establish the impact of gender-based exclusions and inequalities in market access on local, national and regional growth patterns, as well as the nature and dynamics of micro-meso-macro linkages. Understanding how women access markets as producers and workers will be critical for ensuring pro-poor and inclusive economic growth.

This report and other studies on gender and trade underline the critical importance of establishing an enabling policy environment, including macroeconomic frameworks that take into account development, social policy, and gender equity concerns. At the international level, certainly there is scope within the information-gathering process for women's groups and gender experts to be consulted and their reports to be integrated into policy processes such as the TPRM.

7.2.2 Engendering trade policies

At the national level, the MDGs and PRSP processes offer strategic entry points that could be used for gender integration if some preconditions are met. Chief among these is the need to address the root causes of poverty and gender inequality that are not addressed in policies at the macro, meso and micro levels. Because macroeconomic policies, including trade policy, determine the resource flows and investments required to address not only public and private poverty, but also gender inequality, they are key determinants of the achievement of MDGs. Therefore, the links between trade and the different MDGs need to be spelt out, together with the intersecting effects of gender inequality with other factors that determine whether or not the goals are achieved.

The PRSP process may provide the opportunity to take into account women and men's different experiences of poverty, including the implications of household structure, composition and organisation, and intra-household resource allocation and control. This would involve the inclusion of gender and human development concerns and analysis in the costing and the prioritising of macroeconomic, structural and social and poverty reduction objectives. There would also be the need for gender-disaggregated statistics along with broader and more comprehensive gender-sensitive,

social and human development indicators (Williams 2003a). PRSP reform may also provide an opportunity to move away from the narrow focus on microcredit and small income-generating activities for better structuring of economic and social incentives to support poor women and men's livelihood strategies. This would require setting priorities and designing policies based on gender and equity concerns, with inputs from the national gender machineries, line and social sector ministries, and civil society, especially women's groups (Williams 2003b).

The analysis of the different processes within the MTS and of the different initiatives related to gender and trade points to the overarching question of coherence, which is also part of the Doha Ministerial Declaration. While there are visible and concrete steps to ensure coherence between the WTO and the IFIs, particularly in the area of TRCB/TA as mentioned earlier, many commentators argue that this particular type of coherence is consolidating the neoliberal framework that has proved to be detrimental to women and to the human rights of the poor (World Commission on the Social Dimensions of Globalization 2004). The nature and direction of policy coherence should instead lead to a congruence between trade agreements and international conventions on development and human rights – particularly the BPFA and CEDAW.

7.2.3 Promoting the rights and participation of women in trade policy

It is critical that women are able to participate in the governance of the MTS and to hold governments accountable for their commitments to women's human rights and gender equality as enshrined in the BPFA and CEDAW. For this to happen, the interaction between gender experts in NWMs and trade and development practitioners is crucial. Building coalitions or multi-stakeholder alliances of women's organisations, gender equality advocates and parliamentarians at the national level can help promote development-centred and gender-aware trade policies. Coalitions should also be fostered with trade justice NGOs in order to share strategies and to promote gender awareness within activism around trade liberalisation.

However, efforts at the national level will have only a limited impact without the existence of linkages with the international trade policy arena. Thus, networking is a key strategy in both operational and political terms. The establishment of strong south-south coalitions, for example on agriculture, has been a successful strategy in multilateral negotiations and offers important opportunities to inject gender concerns and demands. In the current web of trade policy processes in which every single country might be involved, it is through strategic alliances at the regional, continental and international levels that gender equality advocates can effectively make the voices of poor women heard.

7.3 Working towards gender-sensitive trade programmes and institutions

Development interventions on gender and trade have until now tended to focus on the micro level in areas such as provision of small-business training and microcredit projects. There is now a need for more support for gender mainstreaming at the institutional level. Gender-sensitive institutions, enabling legal systems and strong market-support systems are required to remove the structural barriers to improved women's participation in markets and to ensure their rights are upheld as

workers, producers and consumers. Gender mainstreaming needs to be implemented in organisations working on trade-related issues in order to ensure that women's gender-specific disadvantages are addressed. Support from trade unions and other employment institutions for labour rights that take into account different gender roles and relations of unequal power is critical.

Women require specific assistance, especially in the areas of trade development, policy and regulation, in order to fill the gaps in their knowledge of the rules governing international trade transactions and standards for specific export-market access. Entrepreneurship promotion, fair trade and market-access initiatives also therefore need to mainstream a gender perspective to ensure that women are able to take up the opportunities they offer. At times, women-focused initiatives such as women's business associations and organisations of women workers can support women in situations where their involvement in mainstream organisations may be problematic. These organisations can also be good starting points for subsequent gender mainstreaming within broader institutions. However, even if such initiatives are orientated specifically to women, they must ensure that they build in an understanding of women's gender roles rather than replicating mainstream organisations or programmes.

7.4 Recommendations

Actors/institutions	Recommendations
WTO	<ul style="list-style-type: none"> • Ensure the progressive interpretation of existing trade rules, based on the international priorities agreed in the Millennium Declaration and the recognition that gender equality and women's human rights are a central part of the development process • Establish a Task Force on gender and trade in the WTO • Engage in capacity-building on gender and trade within its relevant divisions and training programmes for its staff as well as the governments of member countries, including the national gender and women machineries • Strengthen interaction with more international agencies concerned with gender and development (UNIFEM, ILO, the World Health Organization (WHO), and UNCTAD)
Regional/sub-regional trade institutions. For example, CARICOM, MERCOSUR, SADC, WAEMU, ECOWAS and COMESA	<ul style="list-style-type: none"> • Review and update existing gender policy frameworks to cover issues and commitments regarding gender and trade • If none exist, develop rights-based frameworks for the integration of the gender dimension in trade policies • Conduct SIAs and GTIAs of trade negotiations and programmes • Establish a continuing dialogue on gender issues with trade policy-makers and negotiators in the national and international arenas • In their institutional framework for advancing gender equality, include gender focal points in each sector/subsector • Organise expert group meetings, ad hoc working groups in specific areas, and broad-based consultations with civil society groups, trade justice activists, parliamentarians and women's organisations on gender and trade

UNCTAD	<ul style="list-style-type: none"> • Continue to provide cutting-edge research and analysis on gender and trade issues • Assist in the development of tools for the formulation and implementation of gender-aware trade policies • Contribute to improving the coherence of policies and strategies among the different stakeholders within the MTS, including in TRCB/TA • Provide support for the promotion of regional/sub-regional networks of women entrepreneurs and exporters, with special attention to SMEs and the informal sector • Assist in the integration of a gender perspective in all research, analysis and advisory services related to foreign direct investment and its economic and social impacts • Assist in the integration of a gender perspective in CSR initiatives • Analyse the subcontracting practices and strategies of TNCs and their gendered effects, with a focus on the informal sector
Trade ministries, trade negotiators and delegates	<ul style="list-style-type: none"> • Recognise the gender-differentiated impacts of trade liberalisation, and the central role of gender equality in ensuring favourable trade outcomes by ensuring the integration of systematic gender analysis in trade policy-making and negotiations • Ensure a continuing interaction with development practitioners in other ministries, particularly in the sectors affected by trade policy such as finance, agriculture, labour, education and health • Conduct systematic SIAs and GTIAs to monitor and evaluate the effects of trade agreements and policies on women and on their human rights. These could include gendered value chain analysis as well as the collection, analysis and dissemination of sex-disaggregated data on wages and employment, with special attention to the effects on the informal sector • Establish multi-stakeholder mechanisms for dialogue on trade policy issues related to the entire negotiating agenda with the genuine participation of women and civil society groups • Establish effective co-ordination mechanisms between the trade policy processes in different arenas • Support the creation of women's cooperatives and enterprises in order to facilitate their access to information, communication technologies and trading networks • Provide comprehensive TRCB and business support services to women based on their specific needs such as access to credit and financial services, market information and ICT-based services • Ensure the alignment of trade policy with gender equality and poverty reduction objectives under the PRSP process • Promote gender sensitivity and social responsibility through appropriate regulation and collaboration with the private sector, including the integration of a gender perspective in CSR initiatives by TNCs <p>(see also recommendations for multilateral and bilateral agencies below)</p>

<p>Women's NGOs and Women's Machineries (national and regional)</p>	<ul style="list-style-type: none"> • Use a rights-based approach to strengthen the policy analysis of and advocacy on gender and trade issues in their work on the PRSP and MDG processes • Participate actively in the ongoing work on linking the implementation of the BPFA, CEDAW, PRSPs and MDGs,⁵² which can contribute to the deepening of gender and trade policy analysis and advocacy • Assist in the identification and revision of laws and commercial regulations to improve women's rights to ownership and use of economic assets • Organise national multi-stakeholder consultations on key issues in gender and trade (e.g. impacts of trade policies on the informal sector, women's rights in the areas of food security, access to essential services, employment, domestic labour laws, fiscal revenue and taxation) • Ensure regular interaction with the ministry of trade and other key actors in trade policy processes • Play a lead role and establish partnerships with line ministries for SIAs and GTIAs, as well as trade policy review processes
<p>Organisations of businesswomen and women producers and exporters</p>	<ul style="list-style-type: none"> • Increase understanding of laws, regulations, standards and policy processes related to trade • Develop members' management, financial and negotiating skills • Focus on the production and commercialisation of high value-added products in the sectors/segments where there is a comparative advantage, including through the upgrading of production • Create cooperatives and other forms of clustering and networking at the national, regional and international levels to increase economies of scale and bargaining power, and to address global competition • Make full use of ICTs for market contacts, information, and business opportunities opened up by them • Promote women members' understanding of the potentials of fair/ethical trade schemes to promote gender equality
<p>Non-gender focused civil society organisations, including trade unions</p>	<ul style="list-style-type: none"> • Enhance central role in building the capacity of other actors in the trade policy process by including gender issues in capacity building, fair/ethical trade schemes and trade advocacy activities • Strengthen links and dialogue with women's organisations (in the social movements as well as in the business sector) • Mainstream gender into work on workers' rights, labour standards and codes of conduct • Strengthen vertical downward linkages with small-scale women producers and workers at the local level • Establish strong south-south strategic alliances at the regional, continental and international levels

⁵²See UNIFEM 2004, UNDAW 2005.

<p>Multilateral and bilateral development agencies</p>	<ul style="list-style-type: none"> • Ensure the systematic integration of a human rights approach to gender and trade throughout programmes and projects, including TRCB/TA programmes • Develop and implement TRCB/TA programmes based on genuine consultations with women producers and workers at the national and local levels • Enhance existing TRCB/TA programmes with specific components targeted at women and focusing on the rules governing international trade transactions, technical regulations and standards for specific export market access, as well as on business development • Promote the use of gendered value chain analysis within institutions and among partners, particularly through TRCB/TA programmes • Support the identification of and women's beneficial involvement in potential sectors/segments for the production and commercialisation of higher value-added products through consultations with organisations of women producers and exporters and gendered analysis of the relevant value chains • Support research and development programmes to provide technological solutions for diversification in order to address issues of increased competition facing small-scale women producers and SMEs • Build capacity to address micro-meso-macro linkages effectively • Support the collection, analysis and dissemination of sex-disaggregated data in the context of SIAs, GTIAs and other existing mechanisms • Support the development of programmes to minimise risk and vulnerability, especially in terms of social protection and insurance • Support entitlements as well as capabilities programmes and projects⁵³ • Promote clustering and networking among groups of women producers and workers • Support independent research on gender and trade policy issues, including on the gendered impacts of trade liberalisation on the services sector and other sectors of interest to women • Support the development of gender-sensitive international standards for business and professional qualifications and conduct • Engage in dialogue to influence other government departments to give national trade policies a stronger gender perspective • Engage in dialogue with southern partners in the trade arena to integrate a gender perspective in the context of bilateral country programmes and multilateral programmes for capacity building
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⁵³ Programmes and projects that improve women's bargaining power, enable women producers to sell in higher value markets or purchase critical inputs and facilitate access to land, credit and childcare services.

Annex 1

The Beijing Platform for Action, the Convention on the Elimination of All Forms of Discrimination against Women and trade policy

CEDAW PROVISIONS	STATES' OBLIGATIONS
Article 11.1 (d)	States are to ensure women's 'right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work'
Article 11.1(e)	States are to ensure women's 'right to social security, particularly in case of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave'
Article 11.2(d)	States are 'to provide special protection to women during pregnancies in types of work proved harmful to them'
Article 13	States 'shall take all appropriate measures to eliminate discrimination against women in all areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights in particular: (a) the right to family benefits; (b) the right to bank loans, mortgages and other forms of financial credits;'
Article 14.1	States 'shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetised sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.
Article 14.2(a)	States shall ensure to rural women the right 'to participate in the elaboration and implementation of development planning at all levels'
Article 14.2(g)	States shall fulfil their right to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes.'
Article 16	Right to land

Beijing PFA

165(k) Seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities.

165(l) Ensure that all corporations, including transnational corporations, comply with national laws and codes, social security regulations, applicable international agreements, instruments and conventions, including those related to the environment, and other relevant laws.

Beijing+5 Document (July 2000):

'Organizations of the United Nations system and the Bretton Woods institutions, as well as the World Trade Organization, other international and regional intergovernmental bodies... are called upon to support government efforts ... to achieve full and effective implementation of the Platform for Action' (para. 49).

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