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Talking Points

Gender-Based Analysis and Trade

*Panel 2: 11:30-13:00, 16 March 2018
Room W, Centre William Rappard, World Trade Organization, Geneva*

Guiding question – Should gender language be integrated into the text of trade agreements or is women's participation in trade a behind the border issue?

Synopsis

Introducing gender language in trade agreements can help to send an important message to stakeholders, increase political commitment for gender-related trade programmes, and create a need to track the impact of trade on gender equality. Gender however is ultimately a behind the border issue, and therefore also requires well designed interventions at the national level. Gendered trade impact assessments are crucial to monitor the gender impacts of trade agreements, and inform the design and implementation of behind the border trade-related policies and initiatives in a way that supports gender equality.

Key messages

1. At the heart of gender based analysis in trade is an understanding of structural inequalities between men and women in the economy and society, and the channels through which they generate gender differentiated impacts from trade policy.
2. There are three approaches to considering trade in gender: 1) incorporation of gender language in the text of trade agreements; 2) conducting trade impact assessment with a gender lens (and negotiating accordingly); and 3) developing and implementing gender sensitive trade interventions (behind the border).
3. For comprehensive gender mainstreaming, all three should be used. This is to address, respectively, 1) the legal basis for implementing and monitoring trade agreements in a way that promotes gender equality; 2) information needs to design and implement gender sensitive trade policy; and 3) the specific challenges faced by female entrepreneurs or negative impacts of trade on women. With a reference to the guiding question, addressing one of these elements would not be enough for sustainable and effective gender mainstreaming.



4. The quality of gender sensitive trade policy is closely linked to the availability of data by gender. This is the key obstacle for gender mainstreaming in Africa. The AfDB GEI is a good step in this direction, but is currently still weak on capturing trade and regional integration related impacts.

Gender equalities in Africa

- In Africa, considerable gender inequalities are found in relation to the distribution of assets, opportunities and skills. In addition, because of the unequal distribution of household tasks and unpaid family work, women are “time-poor”.
 - These inequalities lead to the concentration of women in specific sectors and occupations – for example, women tend to dominate in the agricultural and informal sectors.
- Gender equality effects are experienced when these sectors or occupations are affected disproportionately as a consequence of trade policy reform.
- The African Development Bank (AfDB) has developed a Gender Equality Index (GEI) to help to measure and track such gender inequalities across three important dimensions – economic opportunities, human development and law and institutions.
 - The index is intended to help African decision-makers to focus on and address some of the most serious barriers that prevent African women from engaging on a level playing field with men.
 - It is the most comprehensive assessment of the state of gender equality on the continent, examining the role of women as producers, economic agents, in human development, and as leaders in public life, and providing evidence for 52 of Africa’s 54 countries.
 - The index was launched in 2015 and is to be conducted every two-years to facilitate tracking overtime.
 - In 2015, the scores of African countries ranged from 15.8 to 74.5, with an average score of 54.1 (as indicated in the slides)

3-pronged approach

- The heart of effective gender based analysis (GBA) and mainstreaming is an awareness and understanding of these gender differentiated impacts so that appropriate strategies can be created to avoid and address any adverse consequences of trade on gender equality.
 - This awareness can help to drive data collection and research and support more effective targeting of trade regulations, policy and interventions.



- There are three main approaches to considering gender in trade: 1) incorporating gender language into the text of trade agreements; 2) conducting trade impact assessments with a gender lens; and 3) developing and implementing gender-sensitive trade interventions.
 - These three approaches are not mutually exclusive. Instead the three approaches can positively reinforce one another.
 - Gender language in trade agreements alone is definitely not enough since just like labour and the environment, gender is a behind the border issue, that requires well-designed follow up interventions at the national level.
 - I will now elaborate on these three approaches, and provide some examples in the African context, including some of the initiatives being spearheaded by ECA.

Integrating gender language into trade agreements

- An explicit reference to gender equality in the core text of trade agreements can help to increase political commitment and the availability of funding for gender-related technical cooperation programmes through:
 - Sending an important message to all stakeholders and external partners;
 - Keeping the issue on the table during negotiations;
 - Creating a need to keep track of the impact of gender and improve the availability and quality of gender statistics; and
 - Providing an avenue for activists to hold the government to their commitments.
- Current references to gender in trade agreements however tend to take the form of aspirational clauses, with limited follow up in terms of trade policy design, implementation and monitoring.
 - For example, the Cotonou Agreement which provides the legal basis of the Economic Partnership Agreements (EPAs) between the EU and the ACP (Africa, Asia and the Pacific) group of countries, explicitly states that parties should respect international conventions regarding women's rights and gender equality, and commit to include a gender perspective in "all areas of cooperation." In reality, gender has however not been effectively included in the design, implementation and monitoring of EPAs.
- The amended Canada-Chile Free Trade Agreement (CCFTA), which contains an entire chapter on gender, has made bolder steps towards ensuring that gender aspirations translate into real action and change, and can serve as a blue print for other countries.
 - The gender chapter acknowledges the importance of applying a gender perspective to economic and trade issues to ensure that economic growth benefits everyone; confirms the intention of both parties to enforce their respective international agreements on gender from a rights perspective; and



provides a framework for cooperation on issues related to trade and gender, including women's entrepreneurship and the development of gender-focused indicators.

- In order to support the achievement of tangible results, the chapter commits both sides to the creation of a trade and gender committee that will oversee cooperation and share experiences in designing programs to encourage women's participation in national and international economies.

Gendered trade impact analysis

- Trade impact analysis with a gendered lens is needed in order to enhance the understanding of gendered impacts of trade among negotiators. For example, this can help to inform negotiators on:
 - Gender-sensitive sectors and sections of a value chain where trade liberalization should be expedited, delayed or exempted to enhance female employment and empowerment;
 - The different constraints that women and men face in trade;
 - The importance of informal cross-border trade for women's livelihoods.
- The results from gendered trade impact analysis can therefore contribute to more gender inclusive trade agreements, even without the explicit use of gender language in the text.
- Gendered trade impact analysis is also useful for monitoring the gender impacts of trade agreements, and informing the design and implementation of behind the border trade-related policies and initiatives in a way that supports gender equality.
- There are different types of impact assessments. They can be conducted before a change in trade policy, such as the implementation of a free trade agreement (FTA), or after such a change.
 - Conducting assessments both before (ex-ante) and after (ex-post) a trade agreement or policy is implemented provides the most comprehensive picture.
 - Ex-ante assessments help to ensure that the design of the agreement or policy takes into consideration gender issues.
 - Ex-post assessments help to identify whether there have been any unintended adverse impacts of the agreement or policy on women (or men), so that issues can be rectified.
- Uganda provides a positive example for how to effectively utilize gendered trade impact analysis, with a sectoral and value chain focus.
 - With the assistance of the International Trade Centre (ITC), the Ugandan Government has developed a standalone document covering the gender dimension of its National Export Strategy (NES).



- The impact analysis selected four strategic sectors to focus on – coffee, tourism, commercial crafts and dairy. These sectors were highlighted as key to empowering women through trade. For example, women play a strong role in the coffee sector as they constitute the bulk of coffee producers and provide the majority of labour in production, harvesting and drying, but at the same time have little control over marketing, sales and the resulting income.
- Detailed gender sensitive value chain analyses were undertaken and key cross-sectoral issues were identified and strategies designed to support the realization of the potential of women in these sectors.
- At the ECA, we have published a joint report with the UN's Office of the High Commissioner for Human Rights (OHCHR) and the Friedrich-Ebert-Stiftung (FES) in Geneva which provides an ex-ante human rights impact assessment (HRIA) of the African Continental Free Trade Area (AfCFTA).
 - The HRIA has provided negotiators with evidence and policy recommendations from which to develop an inclusive and human rights consistent AfCFTA.
 - It identifies what features negotiators should include in the AfCFTA's institutional and structural mechanisms in order to ensure that the CFTA can operate consistently with human rights and sustainable development principles.
 - It also identifies complementary policy measures that will be needed alongside the AfCFTA to maximize the benefits of trade liberalization and ensure an equitable distribution of these benefits.
 - An analysis of women's rights and the right to work and an adequate standard of living were central to the HRIA.
 - A leading recommendation of the assessment is the need for African governments to analyze the differential impact of trade policies and provisions on women and men, and design flanking measures to ensure that discrimination against women is not reinforced under the AfCFTA.
- A lack of gender-disaggregated data is however a critical weakness in many existing gendered trade impact assessments.
 - The quality of gender analysis depends on the quality of data available, and the availability and robustness of gender-disaggregated data is closely linked to overall statistical capacity, which tends to be weaker in African countries.
 - Gender disaggregated data specific to trade is an even bigger challenge, and the serious lack of data on informal cross border trade means female traders' contribution to trade is insufficiently acknowledged.
 - Despite longstanding commitments regionally and internationally, African National Statistics Offices (NSOs) still face significant challenges both institutionally and operationally.



- Inadequate gender statistics and indicators has also posed challenges for the African Trade Policy Centre (ATPC) at ECA.
 - ATPC's new results based framework (RBF) has an entire pillar dedicated to increasing the integration of gender into trade policy design and contains a number of activities to achieve this objective, including the development and delivery of a training course on trade, gender, and development, and a comparative assessment on the inclusion of gender considerations in trade policy at the AU and REC level.
 - One issue we have been faced with is identifying a high-quality indicator to report on the progress of our gender-related outcomes and activities.
 - We have opted to use the AfDB GEI as a proxy (the index I earlier made reference to) which measures gender differences in economic opportunities, human development and law and institutions.
 - Unfortunately, the index however does not effectively capture gender issues directly linked to Africa's trade and regional integration agenda. It is therefore difficult to relate specific activities in the RBF with the broader gender outcomes captured by the GEI, particularly since these outcomes are influenced by many other factors outside of trade and outside of the influence of ATPC.
 - AfDB is currently consulting with policymakers, civil society, governments and international organizations on how to further enrich the index, and ECA has highlighted the need to more effectively capture issues of direct relevance to trade.

Gender sensitive trade interventions (behind the border)

- Gender clauses in trade agreements and the results of gendered impact assessments will only have a positive impact on gender outcomes if they feed into and inform the development, implementation and monitoring of gender sensitive trade interventions.
 - For example, such interventions could include the expansion of export management and business counseling programmes for women, and the provision of sensitization and affirmative support for women entrepreneurs and businesses through mentoring and training programmes.
 - These complementary interventions are required to support and empower women to take advantage of export expansion opportunities.
- A good example of a behind the border intervention to extend the benefits of trade agreements and export opportunities to female traders is the Common Market for Eastern and Southern Africa (COMESA) Simplified Trade Regime (STR).
 - The STR was designed to address some of the challenges to informal cross border trade (ICBT), bring ICBT into the formal trading system and extend the benefits of the COMESA FTA to small informal traders, the majority of which are women.



- Under the STR, traders carrying goods included in a pre-negotiated list and of value not exceeding US\$ 1,000 can clear them with little paperwork (using a simplified certificate of origin), free of customs duty and without inspection by clearing agents. Additional support is provided from desk officers who assist small traders with completing documents and answer trade-related queries.
- According to a recent study by the regional body, more than 75 percent of those who had tried the STR reported quick clearance among the main benefits, more than 70 percent said it offered an attractive tax regime and 60 percent thought the system protected traders.
- At the global level, at the 11th WTO Ministerial Conference in December 2017, 118 WTO members and observers – of which 30 were African countries – signed the Sierra Leone and Iceland Joint Declaration on “Trade and Women’s Economic Empowerment”.
 - The Declaration does not call for explicit gender clauses in international trade agreements, but instead commits countries to collaborating on making their trade and development policies more gender-responsive.
 - A series of seminars are to be held in coordination with relevant international organizations to discuss important behind the border issues related to trade and female empowerment such as: the promotion of female entrepreneurship and trade; the identification of barriers that limit women’s participation in trade; the promotion of financial inclusion and access to trade financing for women traders; the enhancement of women’s participation in public procurement markets; and the impact of trade facilitation in providing equal access and opportunities for women entrepreneurs.