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Gender and Regional Trade Agreements

by

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Ms Gibb's recent publications include Gender Dimensions of Intellectual Property and Traditional Medicinal Knowledge (UNDP Regional Centre in Colombo, 2007), Farmworkers from Afar: Results from an International Study of Seasonal Farmworkers from Mexico and the Caribbean Working on Ontario Farms (The North-South Institute, 2006), Gender Integration in APEC: A Retrospective, in Gender and Trade: A Policy Research Dialogue on Mainstreaming Gender into Trade Policies (Status of Women Canada, 2006), and Engendering Labour Mobility Agreements: A Case Study of Labour Mobility in Trade Agreements, with Chantal Blouin, Maire MacAdams and Ann Weston (Status of Women Canada, 2004).

Acronyms

ACP	African, Caribbean and Pacific group of countries
AFTA	ASEAN Free Trade Agreement
APEC	Asia Pacific Economic Cooperation
APEC EIP	APEC Economic Integration Project
ASEAN	Association of South East Asian Nations
AUSTRADE	Australian Trade Commission
APWIC	Asian Pacific Women's Information Centre
BIT	bilateral investment treaty
BTA	bilateral trade agreement
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CIDA	Canadian International Development Agency
CTI	APEC Committee on Trade and Investment
DIRECON	Dirección General de Relaciones Economicas Internacionales (General Directorate for International Economic Relations), Chile
DFAIT	Department of Foreign Affairs and International Trade, Canada
DFID	Department for International Development, United Kingdom
EPA	economic partnership agreement
EU	European Union
GATS	General Agreement on Trade in Services
GFPN	APEC Gender Focal Point Network
IAP	APEC Individual Action Plan
IDRC	International Development Research Centre
IGTN	International Gender and Trade Network
ILO	International Labour Organization
IP	intellectual property
IPRs	intellectual property rights
ITC	International Trade Centre UNCTAD/WTO
TK	traditional knowledge
TKM	traditional knowledge in medicine
FTA	free trade agreement
GATT	General Agreement on Tariffs and Trade
NAFTA	North American Free Trade Agreement
NTAE	non-traditional agricultural export
NZ	New Zealand
OAS	Organization of American States
RTA	regional trade agreement
SIA	sustainable impact assessment
SME	small and medium enterprise
SOM	APEC Senior Officials Meeting
TRCB	trade-related capacity building

TRIPs	WTO Agreement on Trade-Related Aspects of Intellectual Property Rights
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
US	United States
WLN	Women Leaders Network
WIDE	Women in Development Europe
WTO	World Trade Organization

Executive Summary

The rapid proliferation of RTAs and FTAs has generated much discussion about whether they contribute to global trade liberalization. APEC is developing “model measures” that members might consider including in their RTAs so that their trade agreements will be supportive of WTO goals. This paper responds to calls in 2007 by the APEC Women Leaders’ Network and the APEC Gender Focal Point Network for a better understanding of the implications for women of RTAs and FTAs. The paper reviews current knowledge on how women and men may be affected differently by trade rules through their impacts on labour markets, production structures, prices and government revenues. It identifies some of the economic and political reasons for governments to negotiate RTAs, and some of the advantages and disadvantages that RTAs may present for small businesses in particular.

There is growing interest in some organizations to “engender” trade discussions. The paper discusses examples from various trade agreements and recent initiatives aimed at providing trade officials with the information they need to integrate gender issues into trade negotiations. The paper identifies gender considerations in some trade issues of importance to women, including agriculture, services, government procurement, handicrafts and intellectual property, and describes trade promotion initiatives in some APEC economies that target women.

The paper offers several suggestions to build knowledge and experience in APEC to ensure that trade liberalization contributes to prosperity for all:

- engender the negotiating mandates of trade officials, for example, by instructing negotiators to ensure that trade and gender equality commitments are mutually reinforcing
- engender APEC’s Individual Action Plans (IAPs), by modifying the IAP template so that APEC members could report on how they have addressed gender considerations in their trade and investment liberalization and facilitation undertakings
- strengthen APEC members’ capacity to address gender implications of trade liberalization in different sectors by annually commissioning a small number of case studies
- improve collection and analysis of sex-disaggregated data on trade and entrepreneurship to better understand local impacts of globalization and trade liberalization.

Introduction

This paper explores gender dimensions of regional trade agreements (RTAs) and free trade agreements (FTAs), as a contribution to discussion at the 13th Meeting of the Women Leaders' Network (WLN), and the Asia Pacific Economic Cooperation (APEC) Gender Focal Point Network (GFPN) on opportunities and challenges that these trade agreements may present for women exporters and workers. The rapid proliferation of RTAs and FTAs has prompted discussion in APEC on their implications for APEC and World Trade Organization (WTO) goals for trade liberalization¹, and APEC has been developing suggested "model measures for RTAs" for consideration by APEC members when undertaking negotiations. These discussions, however, have not addressed gender implications of RTAs. In 2007, the WLN called for a better understanding of the implications for women of RTAs and FTAs. GFPN recommended in 2007 that APEC Senior Officials ask relevant APEC fora to pursue research on gender dimensions of RTAs/FTAs and develop projects to educate women about the impacts of and opportunities arising from trade agreements and trade preference programs. It is hoped the paper will help progress discussion of gender dimensions of RTAs in APEC and identify entry points for consideration of gender issues by the APEC Secretariat's Policy Support Unit.

Integration of gender in all policies and projects is a cross-cutting theme and policy in APEC, based on APEC's recognition that promoting women in trade is an effective way to advance APEC's goals for a dynamic community for sustainable development and prosperity.² In their 2006 Joint Statement, APEC Ministers drew attention to the importance of women in global markets and supply chains, and recognized the need for research on the differential impacts on women of RTAs and FTAs. In their 2005 Statement, APEC Ministers Responsible for Trade recognized the different impacts and opportunities that trade presents for men and women, and acknowledged the relevance of integrating gender concerns into trade policy.³ Trade ministers have also recognized the important contributions of Indigenous businesswomen.⁴

¹ See RTAs/FTAs: A Cross-Cutting Issue for APEC

http://www.apec.org/apec/apec_groups/other_apec_groups/FTA_RTA.html

² See APEC, Framework for the Integration of Women in APEC, 1999

http://www.apec.org/apec/apec_groups/som_committee_on_economic/som_special_task_groups/gender_focal_point_network.html, and APEC Guidelines for the Framework for the Integration of Women in APEC, 2002

http://www.apec.org/apec/apec_groups/som_special_task_groups/gender_focal_point_network.downloadlinks.0002.LinkURL.Download.ver5.1.9

³ Meeting of APEC Ministers Responsible for Trade, Jeju, Korea, 2-3 June, 2005. Statement of the Chair.

http://www.apec.org/apec/ministerial_statements/sectoral_ministerial/trade/2005_trade.html

⁴ 1999 Meeting of APEC Ministers Responsible for Trade, June 29-30, 1999, Auckland, NZ, Statement of the Chair, http://www.apec.org/apec/ministerial_statements/sectoral_ministerial/trade/1999_trade.html

Trade liberalization and related institutional reforms are key tools in national, regional and multilateral economic growth and poverty reduction strategies. Trade agreements affect individuals through their impact on prices, employment and production structures, however, the impacts are different for different groups of people. Individuals who already have access to credit, export markets, transportation and other infrastructure including technology, and land are more likely to gain than those without; others may lose because they are dependent on sectors that become uncompetitive, or because they cannot access potential new markets. Studies show that trade agreements alone are not likely to resolve pre-existing disparities, and may in fact exacerbate them. Linkages between domestic and trade policy need to be understood and addressed if inequalities are to be addressed realistically: “Honesty is essential”, as the Global Trade and Financial Architecture project headed by Ernesto Zedillo advised, and “domestic adjustment costs need to be openly recognized and explicitly addressed.”⁵ An analysis of the EU-Chile Association Agreement, for example, found that “the overall positive impact on employment (of the agreement) does not preclude negative local impacts ... This is partly due to sustainability problems that existed before the EU-Chile agreement.”⁶

Governments have accepted international obligations and commitments to take steps to address barriers to women, notably in the Convention on the Elimination of All Forms of Discrimination Against Women, the International Covenant on Economic, Social and Cultural Rights, and the Beijing Platform for Action.⁷ Women’s Affairs Ministries and international forums that monitor how processes of globalization such as trade and investment liberalization affect the status of women have become increasingly concerned to ensure that gender dimensions of these processes are reflected in trade discussions. At its 52nd Session, March 2008, the United Nations Commission on the Status of Women urged national governments, the United Nations system, other national and international agencies, and the private sector to:

- Identify and address the differential impact of trade policies on women and men and incorporate gender perspectives in the formulation, implementation and evaluation of trade policies, develop strategies to expand trade opportunities for women producers and facilitate the active participation of women in national, regional and international trade decision-making structures and processes (21[w]);
- Take measures to develop, finance, implement, monitor and evaluate gender-responsive policies and programmes aimed at promoting women’s entrepreneurship and private initiative, including through microfinance, microcredit and cooperatives, and assist women-owned businesses in participating in and benefiting from, inter alia,

⁵ Strengthening the Global Trade Architecture for Economic Development: An Agenda for Action, http://www.ycsg.yale.edu/focus/gta/GTA_policy_brief.doc, cited in Jane Korinek, Trade and Gender: Issues and Interactions. OECD Trade Policy Working Paper No. 24. OECD, 2005.

⁶ PLANISTAT-Luxembourg and CESO-CI, Sustainable Impact Assessment of the Trade Aspects of Negotiations for an Association Agreement between the European Communities and Chile (Special Agreement No. 1). Final Report (revised) December 2002, p. 13. http://www.sia-acp.org/gcc/download/sa_nbr1_final_dec_2002.pdf

⁷ See Appendix 1, An International Framework for Gender Equality.

international trade, technological innovation and transfer, investment, and knowledge and skills training (21[aa]).⁸

The first section of the paper summarizes findings from studies on how trade agreements can have different implications for women and men through their impacts on prices, employment, and production structures. Women may be disproportionately affected by trade policies because they are largely concentrated in highly sensitive sectors, such as agriculture, garments and textiles, and services. APEC has undertaken some innovative work aimed at identifying barriers and opportunities for women in trade. Section two provides an overview of economic and political reasons why governments negotiate regional trade agreements, and some of the advantages and disadvantages RTAs present for small businesses in particular. Section three turns to “engendering” RTAs, drawing on examples from various trade agreements and recent initiatives aimed at providing trade negotiators with the information they need to integrate gender issues into trade discussions. Section four addresses gender considerations in some trade issues of importance to women, including agriculture, services, government procurement, handicrafts and intellectual property. Trade promotion initiatives that target women are described in section five. Section six offers some suggestions for initiatives that could assist APEC members build knowledge and experience in integrating gender in trade rules.

1. Gender and Trade

There is well established literature setting out gender implications of trade liberalization, and a growing body of case studies that describe pathways by which women entrepreneurs have been able to access markets created by trade agreements.⁹ While the situation of women across and within APEC member economies is very heterogeneous, women as a group are more vulnerable to chronic poverty because of gender inequalities in the distribution of income and assets, access to productive inputs such as credit, business services, property, control over earned income, and persisting gender biases in labour markets. Despite gains in education, women remain concentrated in vulnerable sectors (in agriculture, garments and textiles, services - see Appendix 2, Labour Force Participation by Sector) and continue to face obstacles in achieving higher positions. Certain forms of work are considered “men’s work” (physical labour, cash crops – although women are finding new employment in horticulture, and managerial roles), while others are considered “women’s work” (activities that use the abilities

⁸ United Nations Economic and Social Council E/CN.6/2008/L.8 - Agreed conclusions on financing for gender equality and the empowerment of women (Advance unedited version, at 13 March 2008)

http://www.un.org/womenwatch/daw/csw/csw52/AC_resolutions/L.8_Advance%20unedited_as%20corrected.pdf

⁹ For example, Third Report on the Advancement of Women in ASEAN: Gender Dimensions of Globalization and Regional Integration, ASEAN Secretariat, 2007 <http://www.aseansec.org/5187-7.pdf>; Marzia Fontana, Survey of Research on Gender and Trade, April 2006,

http://www2.warwick.ac.uk/fac/soc/csgr/activitiesnews/workshops/2006ws/gender_and_trade/marzia_fontana.pdf /; Zo Randriamaro, Gender and Trade: Overview Report, BRIDGE, 2005.

http://www.bridge.ids.ac.uk/reports_gend_CEP.html#trade; Marilyn Carr, Chains of Fortune: Linking Women Producers and Workers with Global Markets, Commonwealth Secretariat, 2004; UNCTAD. Trade and Gender: Opportunities, Challenges and the Policy Dimension (UNCTAD XI). 2004.

http://www.unctad.org/en/docs/td392_en.pdf

and social characteristics learned in the socialization process as women¹⁰). In Asia, available data shows that women are underrepresented in non-agricultural activities, which tend to have higher returns and labour productivity.¹¹ In all APEC member economies for which data are available, women's earned income is less than that of men.¹² In business, women's entrepreneurial activities are overwhelmingly concentrated in micro and very small businesses in retail and agricultural sectors that are sensitive to changes in trade policy. In the area of services, education, health, and labour mobility are controversial sectors under negotiation in the General Agreement on Trade in Services (GATS) that have important implications for women entrepreneurs and workers.

The effects of trade liberalization vary among women: women's ability to respond to economic opportunities and challenges is linked to ethnicity and class, education, skills, age, and social expectations about the role of women in the household. Changes in **prices** affect women differently as a result of their gendered roles in the household and the economy, depending on whether they are consumers or producers of goods and services affected by trade liberalization. Cheaper imported goods can hurt existing local producers, but also provide cheaper options for consumers. Gender inequality in **wages** has stimulated growth in export-oriented manufacturing in many countries (for example, Korea and Chinese Taipei¹³). Studies have shown that competitive pressures for flexible prices lead to an increase in employment for women, who have lower wages. In Mexico, for example, many women found employment in the *maquiladoras* (export processing zones), although more recently, women's *maquiladora* employment has declined compared with men's, as technological change in production processes has favoured employment of men, who predominated among technicians responsible for operating and supervising programmable machines and electronic equipment.¹⁴ Increased formal sector *maquiladora* employment has contributed to women's empowerment, and improvements in economic and social wellbeing, however, there is evidence of poor occupational health and safety and labour standards in this work.

Few analyses of the impacts of trade liberalization look at the impacts on the **informal**, or unregulated sector (also called the "informal economy"), yet in most developing countries, the informal sector remains a major source of employment and entrepreneurial activity, particularly for women. The informal economy is outside legal and regulatory frameworks, with little social security and a high degree of vulnerability. Informal activities tend to expand during periods of economic adjustment (for example, during periods of economic crisis in

¹⁰ Rosalba Todaro, personal communication.

¹¹ UN ESCAP Statistical Yearbook for Asia and the Pacific, 2007. <http://www.unescap.org/stat/data/syb2007/15-Employment-syb2007.asp>

¹² UNDP, Human Development Report 2007/2008, Gender-related Development Index, pp. 326-328. NY: UNDP, 2007.

¹³ Günseli Berik, Yana van der Meulen Rodgers, and Joseph E. Zveglich, Jr., International Trade and Gender Wage Discrimination: Evidence from East Asia. Review of Development Economics, Volume 8 Issue 2 Page 237-254, May 2004.

¹⁴ Maria Elena Cardero, The Impact of NAFTA on Female Employment in Mexico, UNIFEM, 2000.

Latin America in the 1980s and in Asia following the financial crisis) when private firms or public enterprises are downsized or closed and retrenched workers turn to the informal economy. As well, households may supplement formal sector incomes with informal earnings during times of inflation or cutbacks in public services. The informal sector is closely linked with the formal economy – it produces for, trades with, distributes for and provides services to the formal economy. It includes both survival activities and stable enterprises and dynamic growing businesses.¹⁵ For Latin America as a whole, informal employment represents 58% of women’s total non-agricultural employment, compared with 48% for men.¹⁶ In Peru, it is estimated that 74% of companies are informal, employing some 6.2 million people, of whom 42.3% are women.¹⁷ Many women entrepreneurs engage in informal cross-border trading in agricultural, non-timber forest products, handicrafts and manufactured products. While the informal and formal sectors are linked, the informal economy is not well captured in statistics and thus it can be difficult to see the impacts of trade liberalization on this sector. In the Philippines, a community-based monitoring system has begun to generate household-level data by and for local communities on a range of indicators, including employment and business entrepreneurship. Data are collected and assessed every three years, using free software. This information can be used to formulate appropriate interventions, identify beneficiaries, monitor impacts of projects and policies, and prepare project proposals for funding.¹⁸

Another mechanism through which trade affects anti-poverty programs is through its effects on **government revenues and expenditures**. Trade liberalization often involves cuts in tariffs on imported goods which may reduce government revenue and result in cutbacks in government spending on social services. There are some cases, however, where lower tariffs have led to a higher volume of trade and an increase in government revenues.¹⁹

A major constraint on women’s ability to take advantage of new opportunities are social expectations about the role of women as well as the heavy burden of **household responsibilities** that fall disproportionately on them. In many countries, growing numbers of women are working outside the home while continuing to perform most of the unpaid household tasks. Many women are the main and only bread-winner in an increasing number of

¹⁵ Martha Alter Chen, Joann Vanek, Marilyn Carr, Mainstreaming Informal Employment and Gender in Poverty Reduction. Commonwealth Secretariat, IDRC and WIEGO, 2004, pp. 15-19.

¹⁶ Jacques Charmes, Women and Men in the Informal Economy: A Statistical Picture. ILO, 2002.

¹⁷ Centre of Promotion of the Small and Micro Business, Elaboration of Statistics of the Small and Micro business, 2005, from Beatrice Avolio, An Exploratory Study of Women Entrepreneurs: The Peruvian Case. Pontificia Universidad Católica del Perú, 2008.

¹⁸ Celia Reyes, Presentation to the panel, “Engaging Local Government in Gender-Responsive Budgeting and Planning”, IDRC, Ottawa, March 6, 2008; see also: http://www.idrc.ca/en/ev-10753-201-1-DO_TOPIC.html

¹⁹ This was Kenya’s experience in the mid-1990s, when tariff levels were reduced, rather than eliminated. Revenues actually increased due to improved administration, including better tariff collection and compliance methods. In addition, much of the increase in imports was raw materials and other intermediate inputs required in the production of exports rather than a substitution for domestic production. Chantal Blouin, Aniket Bhushan, Sophia Murphy and Ben Warren, Synthesis Paper 4: Trade Liberalization, Globalisation Knowledge Network, WHO Commission on Social Determinants of Health, April 2007.

households: in Peru, for example, women head about one in five households.²⁰ Studies suggest that in many poor households, when women leave the home to work, other female family members (mothers, or daughters who may withdraw from school) may take on their household duties. Governments' investments in childcare and eldercare, then, are important policy levers that support women's participation in the economy.

While trade policy refers to the rules and procedures that regulate the flow of goods and services across national borders, and, increasingly, regulations on intellectual property (IP) and investment liberalization, it may also include export promotion. An increasing number of organizations are investing in capacity-building to support women entrepreneurs and traders to take advantage of business opportunities that have opened up through globalization and trade liberalization.²¹ In this area, APEC has undertaken some innovative work aimed at identifying barriers and opportunities for women in export markets,²² capacity-building in e-trade²³, and sharing good practices in integrating gender in trade promotion activities.²⁴ A recent APEC project is testing model measures to assist women's micro-enterprises become more sustainable, shift from domestic to international production, or become suppliers to larger-scale exporters in their own economies. The project is being piloted in Chile, Peru, Viet Nam and Canada.²⁵

²⁰ National Institute of Statistics and Information Technology, Life Conditions in Peru: Evolution 1997-2004. Workshops of the Technical Office of Administration of the National Institute of Statistics and Information Technology, Lima, Peru, 2006; Survey 2005, National Institute of Statistics and Information Technology, 2006 (references courtesy of Beatrice Avolio).

²¹ See for example, Marilyn Carr, ed. Chains of Fortune, Linking Women Producers and Workers with Global Markets, London: Commonwealth Secretariat, 2004; International Finance Corporation, Gender Program (<http://www.ifc.org/gem>); the International Labour Organization Women's Entrepreneurship Development and Gender Equality focuses on gender and small enterprise development (http://www.ilo.org/dyn/empent/empent.portal?p_prog=S&p_subprog=WE); UNCTAD/WTO International Trade Centre's gender mainstreaming initiatives have focused on trade in services, export-led poverty reduction and e-facilitated trade. See ITC International Trade Forum, Women in the Global Economy, <http://www.tradeforum.org/news/categoryfront.php/id/676/Overview.html>, accessed April 2008.

²² APEC CTI, Supporting Potential Women Exporters, 2004, http://www.apec.org/apec_groups/som_special_task_groups/gender_focal_point_network.html

²³ Initiative for APEC Women's Participation in the Digital Economy, <http://webiz.women.or.kr/>

²⁴ APEC Trade Promotion Working Group, Seminar on Gender Analysis in Trade Promotion Organizations' Activities, Santiago, Chile, 2000; Gender Analysis in Trade Promotion Activities, Trade Promotion Working Group 02/2003T; APEC Human Resource Development Working Group, Seminar on Trade Preference Programs Benefiting Women Exporters HRD 02/2007S; Supporting Potential Women Exporters: A Survey of APEC Economies' Policies for Supporting Women Exporters, 2005

²⁵ Francine Whiteduck, Andrina Lever and Dana Peebles, Models for Supporting Women's Micro-Enterprise Development: Best Practices and Guidelines. APEC Small and Medium-Enterprise Working Group, March 2008.

Gender refers to a set of qualities and behaviours expected from a female or male by society. Gender roles are learned and can be affected by factors such as education or economics. They vary widely within and among cultures. Gender is relational term, which includes both men and women.

Gender equality means that women and men have equal conditions for realizing their full human rights and potential to contribute to national political, economic, social and cultural development and benefit equally from the results (Status of Women Canada. 1995. “Setting the Stage for the Next Century: The Federal Plan for Gender Equality”).

Empowerment: The World Bank has described empowerment as “the expansion in people’s ability to make strategic life choices in a context where this ability was previously denied to them”.²⁶ A “gender aware” trade policy is policy that is empowering for both women and men. In 1998, APEC SME Ministers and Ministers Responsible for Women both recognized that empowerment of women is key to sustainable results.²⁷

“**Gender blind**” policy ignores different gender roles, responsibilities and capabilities. It is based on information derived from men’s activities and/or assumes that those affected by the policy have the same needs and interests (Gender and Trade Action Guide).

“**Gender neutral**” policy is not specifically aimed at either men or women and is assumed to affect both sexes equally. However, it may actually be gender blind (Gender and Trade Action Guide).

“**Gender specific**” policy recognizes gender differences and targets the distribution of power and resources in the interest of gender equality (Gender and Trade Action Guide). APEC’s “Guide for Gender Analysis” offers many examples of “gender neutral” and “gender specific” approaches to policy and projects.

A gender analysis of trade policy seeks to identify the different results, in impact or opportunity, that trade policies (export promotion, import liberalization, services and

²⁶ Anju Malhotra, Sidney Ruth Schuler, Carol Boender, Measuring Women’s Empowerment as a Variable in International Development, World Bank, June, 2002, p. 6.

²⁷ APEC Ministers Responsible for Women, Joint Declaration, 1998: “It is essential that we direct our efforts to ... empower and increase capacity building of women to respond to economic opportunities and challenges”, http://www.apecsec.org.sg/apec/documents_reports/ministerial_meeting_on_women/past_meetings.html.

Accessed September 2004; in 1997, APEC SME Ministers agreed to “promote gender sensitive policies and measures related to the development of SMEs to empower women in technical, managerial and entrepreneurial fields ...” http://www.apecsec.org.sg/apec/documents_reports/small_medium_enterprises_ministerial_meetings/past_meetings.html

investment liberalization) will have, respectively, on men and women with respect to production, employment, wages and unpaid work. Analyses need to reflect the diversity of target groups and their capacity to respond to policy change, and thus need to be informed by consultations with a wide range of stakeholders, including small producers and their associations, women's groups and gender experts. Policymakers require adequate sex disaggregated data on the economy and labour force to identify sensitive sectors and establish benchmarks; to understand linkages between economic and social policy, between formal and informal labour markets, and between the market economy and the "care", or "reproductive" economy.²⁸ While most economies have sex disaggregated labour force data based on household surveys, sex-disaggregated data on women's entrepreneurship and export activities is limited. Time-use surveys are one tool that can provide detailed information on economic and other activities at the household level, as well as identify potential time constraints women face to build their businesses or invest in training.²⁹

2. An Introduction to Regional Trade Agreements

Many observers link the proliferation in regional trade agreements to the establishment of the EU as a large economic union and the subsequent creation of two other large trading blocks, NAFTA and the ASEAN Free Trade Agreement (AFTA). The establishment of large RTAs may provide an incentive for non-member countries to seek membership, sometimes by establishing a bilateral trade agreement with one member of the RTA as a stepping stone to an agreement with that RTA. Regional arrangements may also be seen as a response to the failure of the international financial institutions to manage the financial shocks and crises in the late 1990s and the slow progress of the Doha Round of WTO negotiations.³⁰ The number of agreements notified to the GATT/WTO increased from 20 in 1990 to 86 in 2000 and 159 in 2007 (see Appendix 3, APEC Bilateral FTAs Completed or Under Negotiation).

Economic, security and political dimensions to FTAs and RTAs

Most trade agreements are bilateral and involve countries that are not necessarily in the same geographic region. Developing countries may seek free trade agreements with developed countries for some of the following reasons:

- to get concessions that are not granted to other countries, especially market access
- an FTA might attract more FDI to the developing country partner, although evidence on benefits to the developing country is mixed³¹

²⁸ Work in the "care" or "reproductive" economy is "non-market" work. It is sometimes called "unpaid work". These activities take place outside the labour market and are therefore not reflected in national employment and income statistics. Since these activities are statistically invisible, they are rarely integrated into the policy-making process. While the type and amount of work that is unpaid varies in different regions and different types of economy, unpaid work generally encompasses activities that are carried out from the home, or relate to the maintenance of the household and household members.

²⁹ Rosalba Todaro, personal communication.

³⁰ UNCTAD 2007 Trade and Development Report 2007, p. VII.

³¹ *ibid*, p. 61.

- there is a perceived risk of losing competitiveness vis-à-vis other developing countries that might have entered into an FTA with the same main trading partner.³²

Governments pursue trade agreements to promote trade interests that are “offensive” (seeking new and/or expanded market access) or “defensive” (avoiding exclusion and leveling the playing field by countering trade and investment diversion effects of existing FTAs). One analysis of East Asian countries’ reasons for selecting cross-regional FTA partners suggests that security and political “leverage” considerations may also be important. “Leverage” goals include creating precedents (“locking-in” controversial economic reforms to fend off domestic opponents; enhancing the international credibility of the state as an intra-regional FTA negotiator; establishing precedents on negotiation modalities to be incorporated in subsequent FTA or WTO negotiations) and capacity building (developing negotiating skill and trained government officials to avoid disadvantageous commitments and/or gain advantage in future FTA negotiations with larger economic partners).³³

Since they are less comprehensive and involve fewer negotiating partners, most RTAs go beyond trade in goods to include services and some areas that were dropped from multilateral trade negotiations in the WTO (competition, transparency in government procurement, investment) because of lack of agreement among WTO members. Many RTAs between developed and developing countries include agreements for cooperation on labour principles, which may address some gender equality objectives (for example, non-discrimination in employment standards, occupational safety and health) and environmental considerations, either in the text of the trade agreement (US-Jordan), or as “side agreements” (NAFTA, Canada-Chile, Chile’s FTAs with Panama, Colombia and Peru, Trans-Pacific Strategic Economic Partnership between NZ, Chile, Singapore and Brunei Darussalam). North-South agreements tend to have few provisions on movement of people (provisions for the movement of business executives and some professional categories in NAFTA are broadly similar to those in the GATS; the Japan-Philippines and Japan-Indonesia agreements include limited provisions for movement of nurses and care givers). US bilateral trade agreements include much tighter intellectual property provisions than those required by the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs).

RTAs have the potential to maximize trade and support employment, and give partners access to resources and know-how. When supportive institutions and an enabling environment (including transportation and other infrastructure) are in place, they could help small producers find new markets. RTAs can also lead to trade diversion (trade may be diverted from a more efficient non-RTA member producer to a less efficient one who is part of an RTA). The impacts of RTAs may be felt more acutely than WTO commitments in the short run, since RTAs tend to have more extensive market access provisions.

³²ibid, p. 63.

³³ Mireya Solís and Saori N. Katada, *Understanding East Asian Cross-Regionalism: An Analytical Framework*, *Pacific Affairs*, Vol. 80, No. 2, Summer 2007, pp. 246 and 252.

Free trade agreement (FTA): An arrangement which establishes unimpeded exchange and flow of goods and services between trading partners regardless of national borders.³⁴ An FTA may also be called a Closer Economic Relationship (CER, for example, the Australia-NZ CER) or Strategic Economic Partnership (for example, the 2006 Trans-Pacific Strategic Economic Partnership between New Zealand, Chile, Singapore and Brunei Darussalam).

Regional trade agreement (RTA): A preferential trade deal within and beyond regions (WTO); trade agreements between countries in physical or cultural proximity; an agreement that supports regional trade arrangements.

Bilateral trade agreement (BTA): An agreement between two countries to support their trade flows. It gives the two countries favoured trading status between them. A bilateral investment treaty (**BIT**) is an agreement establishing conditions for private investment by companies of one country in another.³⁵ BITs usually provide for investment protection, liberalization and transparency.

Cross-regional trade agreement: A preferential trade agreement with countries outside a geographically proximate region. Some analysts have noted that European and North American countries have pursued extra-regional partnerships after consolidating their regional bloc (European Union, North American Free Trade Agreement), while East Asian countries have engaged in cross-regionalism when they were just beginning their free trade initiatives.³⁶

Economic Partnership Agreements (EPA) are broader than FTAs and may include investment, intellectual property protection, and technical cooperation. The EU EPAs are aimed at creating an FTA between the EU and ACP (Africa, Caribbean, and Pacific) countries that were signatories to the Lomé and Cotonou Agreements. Japan refers to its free trade agreements with Indonesia, Mexico and the Philippines as EPAs because they include an economic cooperation chapter.

Studies of RTAs have highlighted the following advantages and disadvantages:

Advantages:

- It may be easier for governments to reach agreement on important or contentious issues in smaller negotiations than in multilateral negotiations.³⁷ For example, in the area of services, governments may negotiate an RTA as part of a regional integration process

³⁴ http://www.fedex.com/ca_english/shippingguide/glossary.html#F&link=4

³⁵ Catherine Atthill, Saronjini Ganju Thankur, Marilyn Carr, Mariama Williams, Gender and Trade Action Guide, Commonwealth Secretariat, 2007, p. 101.

³⁶ Solís and Katada, op cit.

³⁷ WTO, RTAs and the WTO: A Troublesome Relationship, n.d.
http://www.wto.org/english/res_e/booksp_e/discussion_papers12b_e.pdf

(to protect local/regional industries from global competition, enhance competitiveness) for many reasons. Among these are:

- reciprocal benefits are easier to identify or deeper integration is easier to achieve (eg: mutual recognition, free movement of persons) or regulatory cooperation is easier to achieve
 - RTAs can be first steps toward multilateral engagement
 - RTAs can draw in areas not (fully) covered by the GATS (eg: government procurement; strict subsidy disciplines)
 - for the negotiating economy, there are lower administrative costs in negotiating with a few partners, and more influence on the outcome.³⁸
- Regional agreements also offer the potential to establish arrangements at the regional level to address some of the social dimensions of trade.³⁹

Disadvantages:

- The preservation of preferential concessions undermines the WTO
- Competition and anti-trust policies in RTAs can distort trade
- RTAs can be less comprehensive than WTO, leaving more space for domestic lobbies
- RTAs create a maze of regulations which undermine principles of transparency and predictability in trade. Overlapping memberships in RTAs create costs for traders, regulators and customs officials in meeting multiple sets of trade rules. Rules of origin are complicated when countries belong to more than one RTA - transaction costs go up for exporters when they have to complete various forms depending on what country(ies) they are exporting to, and rules may vary depending on when countries negotiated (countries will compromise at different levels to strike a balance in different agreements⁴⁰).
- It may be difficult for developing countries to derive full benefits from improved market access provisions (including tariff cuts) because of limited supply capacities and competitiveness. Local firms may be unable to comply with strict rules of origin and sanitary and phytosanitary standards.
- Many FTAs require developing countries to take broader and deeper liberalization of trade in goods and services than required by WTO. For example, some include government procurement, which is not obligatory for countries that have not signed the WTO plurilateral agreement on government procurement.

³⁸ Ruosi Zhang, Possible Reasons for Negotiating RTAs on Services, Trade in Services Division, WTO, 2007, www.upu.int/wto_issues/en/2007-05-02_presentation_rtas_and_the_gats_en.ppt

³⁹ Political and resource considerations are discussed further in Delima Hasri Azahar, Rita Nur Sulaeti and Edi Basuno, Market-Based Gender Issues in West Kalimantan, Third Regional Report on the Advancement of Women in ASEAN, op cit.

⁴⁰ Mr. Pillai, Commerce Secretary of India. Comments at Private Partnerships – Regional Integration in Asia, Report of the Regional Experts Meeting March 28-29 2007, <http://www.intracen.org/mts/>

- FTAs between developed and developing countries eliminate special and differential treatment provisions of the WTO, although they can be asymmetrical, that is, parties' obligations and commitments reflect the different development status of the partners.
- Some agreements on liberalization in services adopt a “negative list” approach (ie: full liberalization in all sectors, except those listed). UNCTAD notes that since the services sector may not be well advanced in some developing countries, trade negotiators may not be sufficiently aware of all relevant sub sectors and thus not list all those they may wish to exclude from liberalization, or may include sectors that they later would like to promote.⁴¹ This may be particularly important for women, who are substantially employed and operate small businesses in the service sector, including in the informal economy, where data are weak.
- Resource implications of negotiating and administering many arrangements.⁴²

RTAs and SMEs

The small business sector is important for women and men entrepreneurs and key to economic development. APEC data from 2000 reported there are about 49 million non-agricultural small and medium enterprises (SMEs) and micro-enterprises (MEs) in the region, about half of them in China and Indonesia, accounting for about 95% of all enterprises and employing about 80% of the workforce.⁴³ Globally, women account for about one third of small business owners, although that number would be much higher if informal sector enterprises were included.⁴⁴ Data on women's entrepreneurship is difficult to find and is often derived from household surveys. In Asia, the ratio of women to men employers is about 22% for Hong Kong, China, approximately 25% in Korea, the Philippines, and Singapore, over 30% for Thailand, and 55% for Viet Nam (see Appendix 3, Rates of Entrepreneurial Activity by Gender).⁴⁵ A survey by the Global Entrepreneurship Monitor has found that women in low and middle income countries are particularly active in business, and in China, the Philippines and Malaysia, women's “early stage entrepreneurial activity (in operation for less than 4 years) actually exceeds that of men.⁴⁶ Small businesses are very important in Latin America. In Peru, 98.3% of micro and small businesses in the formal sector contribute 42.1% of the Gross Domestic Product.⁴⁷

While RTAs can offer market access advantages for small enterprises, they can also impose high compliance costs. Sensitive areas for SMEs include:

⁴¹ UNCTAD TDR 2007, p. 60.

⁴² WTO and Zhang, op cit.

⁴³ APEC SME Working Group, as reported in Whiteduck et al, pp. 7-8.

http://www.apec.org/apec/publications/all_publications/small_medium_enterprises.html

⁴⁴ I. Elaine Allen, Nan Langowitz, Maira Minniti, 2006 Report on Women and Entrepreneurship, Global Entrepreneurship Monitor. The Centre for Women's Leadership, Babson College and the London Business College, http://www.gemconsortium.org/about.aspx?page=special_topic_women

⁴⁵ UN ESCAP, Statistical Yearbook for Asia and the Pacific, 2007, Table 15.7 Gender Equality in the Labour Market, <http://www.unescap.org/stat/data/syb2007/15.7.Gender-equality-in-the-labour-market.xls>

⁴⁶ Allen et al, op cit. GEM data vary from UN ESCAP data.

⁴⁷ Peru, Centre of Promotion of the Small and Micro Business, Elaboration of Statistics of the Small and Micro Business, 2005 (courtesy of Beatrice Avolio).

- selective liberalization, sensitive lists (ie: products for which tariffs are reduced over a number of years); impacts of reduced tariffs on inputs
- restrictive rules of origin – where preferential tariff reductions are substantial, they can be offset by stiff, complex rules of origin which can make it difficult for exporters to take advantage of tariff cuts. Rules for clothing are particularly complex.⁴⁸
- standards and non-tariff barriers (especially in RTAs involving developed economies), which SMEs in developing countries cannot meet for reasons beyond their control (eg: no sophisticated testing labs)
- trade facilitation.⁴⁹

3. Engendering RTAs

Trade agreements and equality between women and men

RTAs do not usually address gender equality as part of the trade agreement, nor do they integrate international commitments and obligations to promote and advance equality between women and men. Gender equality or social impacts of trade agreements may be included in discussion of social dimensions of the agreement, or in labour and environmental cooperation agreements that are separate from the main text of the trade agreement, for example, the aim of the NAFTA environmental cooperation agreement is to “ensure that trade liberalization and environmental protection are mutually reinforcing.”⁵⁰ Trade negotiators would require a specific instruction in their negotiating mandates to include similar gender equality objectives in a trade agreement.

The Cotonou Partnership Agreement (2000), the trade and development accord between the EU African, Caribbean and Pacific (ACP) group of nations, included some gender-relevant provisions (Art. 1: “Systematic account shall be taken of the situation of women and gender issues in all areas – political, economic and social”, and Art 31, which refers to gender as a “thematic and cross-cutting” issue⁵¹). Appendix 4 provides a summary of language on gender in trade agreements. APEC Trade Ministers’ 2005 statement on gender equality and the significant contributions of women-led enterprises could form the background for enabling language on gender equality: “We recognize(d) the different impacts and opportunities that

⁴⁸ World Bank Trade Note 4, Rules of Origin in Free Trade Agreements, 05/29/03.

<http://siteresources.worldbank.org/INTRANETTRADE/Resources/TradeNote4.pdf>

⁴⁹ Anil Bhardwaj, Regional Trade Agreements and SMEs in Developing Countries: Challenges and Options, Background Paper Prepared for the World Export Development Forum, October 2007 (link to all forum papers: <http://www.intracen.org/wedf/ef2007/Global-Debate/Paper-Contributions.htm>)

⁵⁰ Hon. Christine Stewart, former Canadian Minister of the Environment, http://www.international.gc.ca/trade-agreements-accords-commerciaux/agr-acc/nafta-alena/nafta5_section07.aspx?lang=en

⁵¹ The Cotonou Agreement, <http://www.acpsec.org/en/conventions/cotonou/accord1.htm>

trade presents for men and women, and the relevance of integrating gender concerns into trade policy.”⁵²

Enabling language alone does not guarantee that gender dimensions will be fully reflected in trade agreements. A study of gender implications of EU-Ukraine Trade Relations⁵³ noted that women are very active in the economy, particularly with small businesses, and the trade agreement could offer real advantages to women-owned businesses in wholesale and retail trade; agriculture, public catering, industry, consumer services, hotels and tourism. The study found that while gender was to have been mainstreamed as a cross-cutting issue in the design of programs related to all thematic issues to the maximum extent possible, the descriptions of the six priorities (including trade, market and regulatory reform) were gender blind.⁵⁴

According to the Commonwealth Secretariat’s Gender and Trade Action Guide, in order to integrate gender issues into negotiations, negotiators need to know:⁵⁵

- the legal/negotiating framework in which they are operating and how gender fits into the framework. The negotiator cannot include anything that is outside the framework. If a gender issue lies within the framework, then the negotiators need to know where (eg: protection of a sensitive sector that is important for women producers, tariff reductions for products that small producers would like to export)
- what s/he is expected/trying to achieve (eg: more jobs for women, anti-discrimination in the workplace, market access for small producers)
- what the priorities are. The negotiator needs to know where gender considerations rank among all priorities. Priorities may change during negotiations. If there is no progress on some issues, there may be an opportunity for traditionally “lower priority” issues, including gender equality, to move up the list.

Negotiators require practical tools to negotiate effectively, including:

- reliable data that shows the positive and negative impacts of trade liberalization on people; evidence that these positive or negative impacts affect women and men differently

⁵² Meeting of APEC Ministers Responsible for Trade Jeju, Korea, 2 - 3 June 2005, Statement of the Chair, http://www.apec.org/apec/ministerial_statements/sectoral_ministerial/trade/2005_trade.html

⁵³ Oksana Kisselyova, Gender Implications of the EU-Ukraine Trade Relations, WIDE Factsheet, November 2007, www.wide-network.org

⁵⁴ As reported in Marilyn Thomson, ed., EU Bilateral and Regional Free Trade Agreements: Bringing Women to the Centre of the Debate, A report of a WIDE Public Consultation at Amazone, Brussels, 22 November 2007, <http://62.149.193.10/wide/download/Full%20report%20of%20WIDE%20consultation.%20November%202007.pdf?id=569>

⁵⁵ The following section draws substantially from the Gender and Trade Action Guide, pp. 107-108.

- reliable predictions of how trade agreements will impact women and men.

Gender analysis of a trade agreement can take place before negotiations begin, to contribute to identifying sensitive areas and areas of potential commercial interest to women entrepreneurs; during negotiations, to support trade negotiators; and after a trade agreement is in place, to assess impacts, identify any need for mitigating measures, or assess whether there is a need to re-negotiate a provision. Sustainable impact assessments (SIA) represent one tool that could highlight impacts on women and men and gender equality and suggest mitigating, or “flanking” measures to reduce negative impacts. A sustainability impact assessment is undertaken during a trade negotiation, and seeks to identify the potential social, economic and environmental impacts of a trade agreement.⁵⁶ The social impact assessment of the EU-Chile Association Agreement, for example, identified “gender employment” dimensions in tourism, agriculture, and the food processing sector.⁵⁷ Experience with EU SIAs suggests that gender equality needs to be explicitly included in SIA consultants’ terms of reference to ensure that gender considerations are adequately addressed.⁵⁸

A gender analysis of an EPA

The Commonwealth Secretariat and One World Action are collaborating on a gender analysis of EPAs in East Africa, Southern Africa and the Caribbean as part of the Commonwealth Secretariat’s UK Department for International Development (DFID)-funded Capacity Building in Gender and Trade project.⁵⁹ The initiative builds on earlier studies of gender impacts of EPAs in three African countries that asked:

- How could an EPA generate better working conditions or income for women?
- How would public services be affected by tariff revenue loss?
- Are women participating in and influencing the negotiations?

More detailed questions that will support the gender analysis include:

- Where are women in the formal and informal economy relative to men?
- What are the relative levels of employment and unemployment for women and men?
- What kinds of national policies and strategies are in place to address employment and poverty?
- In what ways is the sector under negotiation affected directly or indirectly by import and export trade? What is the impact on women relative to men?

⁵⁶ Handbook for Trade Sustainability Impact Assessment, EU, March 2006, http://trade.ec.europa.eu/doclib/docs/2006/march/tradoc_127974.pdf

⁵⁷ Social Impact Assessment of the Trade Aspects for an Association Agreement between the European Communities and Chile, December 2002 http://www.sia-acp.org/gcc/download/_sa_nbr1_final_dec_2002.pdf

⁵⁸ Jacqui True, personal communication; WIDE, EU and Bilateral Free Trade Agreements, op cit.

⁵⁹ Gender and Trade Initiative (GATI), Gender Analysis of Economic Partnership Agreements for 2008, Gender and Trade, Vol. 1, Issue 3 September-December 2007, http://www.genderandtrade.org/files/175486/file/Gati_Newsletter_Sep_Dec_07.pdf

- How do current trade policy and other government trade-related policies (for example, on marketing inputs and outputs) affect the situation: how are things different now because of these policies than the way they would be without those policies? What is the relative importance within this group of policies of the ones that might be changed in an EPA? How would women be impacted relative to men?
- How will the status quo change if the current policies are altered in the way that may be necessary under the trade agreement? What would this mean for women relative to men?
- Are there other policies (that are not affected, or not necessarily affected – by the agreement) that could be used to offset any adverse effects identified in the analysis?⁶⁰

Others could include: what specific commitments have the partners made to pursue better conditions for women and/or mitigate any negative impacts associated with the intended liberalization.

The report suggests that a “gender-friendly” EPA would:

- support enterprises and sectors (and target trade related assistance) to sectors where women are dominant
- collect sex disaggregated statistics on women’s activities in both formal and informal economies
- (for developing countries) identify gender sensitive product lists
- promote and protect core labour standards
- consult and engage non-state actors, making special efforts to include women’s organizations⁶¹
- include gender expertise at senior levels in negotiating teams.⁶²

4. Gender dimensions of selected trade sectors

This section addresses gender considerations in some trade areas of importance to women and includes examples of “good practice” in integrating gender concerns in selected trade sectors. It is intended to be illustrative only, not exhaustive.

⁶⁰M. da Graca Samo and Z. Khan 2006, Paper Presented at the Workshop on Gender in Global and Regional Trade Policy: Contrasting Views and New Research, University of Warwick, 5-7 April 2006. Case study, “Sugar Sector in Mozambique”, and Z. Khan, 2006, Making Trade Work for Women: The Likely Impact of Economic Partnership Agreements on Women’s Rights and Gender Equality, One World Action; cited in Gender and Trade Action Guide, p 114.

⁶¹ Anil Bhardwaj has drawn attention to “the law of unintended consequences”. Actions of people, and especially of governments, always have effects that are unanticipated or “unintended”. Leaving it to ministries to decide on matters having enormous socio-economic impacts in a nation, without consulting those who are likely to be affected, is neither fair nor desirable. Anil Bhardwaj, op cit.

⁶² One World Action, Making Trade Work for Women, n.d.
http://www.oneworldaction.org/_uploads/documents/GenderChecklist.pdf

Agriculture

Trade liberalization can open new markets for cash crops and agricultural products. The US-Peru trade agreement, for example, offers opportunities for small exporters of artichokes to the US. In many countries, women tend to be more involved in the processing and sale of domestic food items. In marketing and sales, men tend to dominate wholesale and intermediate trade, while women are in retail. In Chile, women are finding waged work in non-traditional agricultural exports (NTAEs), such as flowers, vegetables and specialty fruits, and in export processing factories as pickers, sorters, graders and packers – often as sub-contractors in the informal sector. Some studies have raised concerns about the health effects of exposure to pesticides for agricultural workers and their families.

Small producers may require considerable capacity-building before they can take advantage of potential new trade opportunities. The Thai Binh Province Women's Union in Viet Nam collaborates with the Department of Agriculture, the Centre for Agricultural Extension, and the Plant Protection Department to provide training to women farmers on growing high quality rice for export. The Women's Union identifies markets for products, mobilizes capital, technical consultancies and capacity building for women by offering training in business management, effective use of loans and budget management. The Women's Union also raises women's awareness of sanitation and pesticide use, to help ensure products can meet international food hygiene and safety standards.⁶³

Changes in agricultural production linked to trade agreements can also have far-reaching negative impacts that affect women and men differently. Mexico's liberalization of import restrictions on corn and beans under NAFTA, coupled with reductions in price supports for domestic farmers and consumers, resulted in large-scale job losses for peasant farmers, and a massive increase in both temporary labour migration and undocumented migration, mainly to the United States. The number of female-headed households increased, as well as the number of female migrant workers.⁶⁴

Services

Employment in services and the contribution of services to GDP is steadily growing in most countries: in Latin America, three-quarters of women paid workers are concentrated in services. Women may find employment in exportable services, for example, the information processing sector, back office operations for credit cards, airlines, mail orders, etc., and formal employment in the banking sector (India, Philippines, Caribbean). Globally, women are concentrated in sectors traditionally associated with their gender roles (community, social and personal services), while men are found in the better-paid sector jobs in financial and business services and real estate.

⁶³ Ngo Thi Lan Phuong, *Livelihood and Crop Diversification in Rural Viet Nam: The Case of Thai Binh Province*, Third Report on the Advancement of Women in ASEAN, op cit.

⁶⁴ Cardero, op cit.

Women-owned businesses tend to be micro or small sized firms that supply domestic consumption. Women are increasingly engaged in service firms providing professional, financial and construction services. The fastest-growing component of international services trade is business and professional services (services sold to other businesses). The International Trade Centre (ITC), UNCTAD/WTO, has a well-recognized track record in offering capacity building for women service providers. While women are strongly represented in services, ITC trainers noticed that women were largely absent from their export capacity-building seminars. To understand why, a consultant was tasked to seek out and integrate the concerns of women services exporters. Women tend to be poorly represented in mainstream business associations such as chambers of commerce, so the consultant targeted women's business associations to find women service providers and find out what the needs of their members were. As a result, more women service providers began to participate in exporting seminars. In conversations with women outside the seminars, ITC found that women often raised non-trade related issues, including self-esteem issues and the need for gender-sensitive training. Women needed to learn to market and differentiate their products. ITC reviewed all its SME-oriented training modules, producing a version that specifically focuses on women in business. It developed "marketing clinics" specifically for women, offering marketing strategies and tips. This clinic was offered as a first step, before addressing barriers to markets. ITC now offers a training module for business associations and trade support institutions to train exporters as well as a training module for governments on how to support their private sector. Recognizing the importance of business networks that are accessible to and relevant for women, ITC also established women exporters of services networks in four African countries.⁶⁵

Labour mobility

In the GATS, trade in services is divided into four "modes" or categories of supply. Mode 1, (where the service crosses international borders, for example, telephone calls), Mode 2 (where the person crosses borders, for example, tourism), Mode 3 (commercial presence, such as banking services) and Mode 4 (temporary movement of people) all offer potential for women in international trade. Services that have been "liberalized" in the GATS, however, are mainly in professional and senior business categories, where women are not strongly represented. Women-owned services firms often have very few, or no employees, potentially creating difficulties for women to meet Mode 4 requirements for a business "executive". APEC's discussions on labour mobility build on discussions in the GATS on mutual recognition of credentials in selected professions and facilitating business visitors' travel. Bilateral trade agreements increasingly include provisions for the temporary movement of persons, but the same bias against small businesses often persists.

A gender analysis of Canada's commitments under labour mobility agreements associated with the NAFTA (Chapter 16) and the GATS (mode 4) examined the content of the agreements, consultation mechanisms and actual use of the provisions by women and men. While the study drew attention to potential gender bias, as women tend to be less present in categories included

⁶⁵ Doreen Conrad, personal communication.

in the agreements (highly skilled workers, business managers and executives), inconsistencies in data collection methodologies by Canada and the US and a lack of sex-disaggregated data made it difficult to draw conclusions. To assist Canadian negotiators better understand gender dimensions of labour mobility provisions in trade agreements, the study recommended that government increase opportunities for women and gender experts to engage with trade policy making processes.⁶⁶

Some RTAs and BTAs include limited labour mobility opportunities for nurses and caregivers, for example, Japan's EPAs with the Philippines and Indonesia. The Japan-Philippines agreement is quota-based, rather than demand-driven, limiting the number of nurses and caregivers that can enter Japan at any given time to 1,000 for the first two years. In its 2007 position paper on the agreement, the Philippines Nursing Association suggests that a better benchmark for bargaining would have been the agreement between South Africa and the UK and the Poland-Netherlands Agreement, which include support for training new medical personnel in the labour-sending country in exchange for the temporary "export" of doctors and nurses.⁶⁷

The hazards to migrants, particularly lower skilled women migrants, associated with temporary labour migration have been well-documented, and include poor living and working conditions, harassment, and abuse. In Southeast Asia, UNIFEM is collaborating with labour-sending and labour-receiving governments on tools and good practices to protect women migrant workers.⁶⁸ The Japan-Mexico EPA includes a clause on protection of Japanese businessmen in a section on "Improvement in the Business Environment". The purpose is to make sure that Mexico provides a hospitable environment, in terms of safety and orderliness, for Japanese businesses operating there.⁶⁹ The clause could provide a benchmark in RTAs and FTAs to address safety concerns of women migrant workers in countries that are not yet signatories to the Migrant Workers Convention.⁷⁰

Access to markets; government procurement

⁶⁶ Chantal Blouin, Heather Gibb, Maire McAdams, and Ann Weston. *Engendering Canadian Trade Policy: A Case Study of Labour Mobility in Trade Agreements*. Status of Women Canada Policy Research Fund, 2004.

⁶⁷ Natividad Y. Bernardino, *Gender Issues in the Japan-Philippines Economic Partnership Agreement*, IGTN, Asia (n.d.) <http://www.igtn.org/pdfs/gender%20issues%20in%20the%20japan-philippines.pdf>. According to the Philippine Nurses Association, under the South Africa-UK agreement, the UK agreed to educate 3 doctors and 3 nurses for every South African doctor and nurse recruited to work in the UK and substantially improve 10 nursing schools; under the Poland-Netherlands Agreement, Poland sends 3,000 nurses to the Netherlands; these nurses return to Poland after three years of service in the Netherlands, receiving higher salaries through a subsidy from the Dutch government.

⁶⁸ UNIFEM South and Southeast Asia Regional Office: *Empowering Women Migrant Workers* <http://unifem-eseasia.org/projects/migrant/migrant.htm>, and *Good Practices to Protect Women Migrant Workers*, http://unifem-eseasia.org/projects/migrant/mig_pub.htm

⁶⁹ Mireya Solís and Saori N. Katada, *The Japan-Mexico FTA: A Cross-Regional Step in the Path towards Asian Regionalism*, *Pacific Affairs*, Vol. 80, No. 2, Summer 2007, p. 291.

⁷⁰ *International Convention on the Protection of the Rights of All Migrant Workers and Their Families*, http://www.unhcr.ch/html/menu3/b/m_mwctoc.htm

Access to markets includes access to government procurement opportunities or to large corporate purchasing, access to international trade opportunities, or simply getting one's goods to markets.⁷¹ For small, informal producers, trade liberalization can open up markets for agricultural products, textiles and handicrafts, and local tourism. Simplified customs regulations will assist small traders, as could gender training for customs officials to respond to complaints by women traders of harassment at the border.

Facilitating small companies' access to public procurement can be an important policy lever that governments adopt to support their small business sector. Parties to FTAs and RTAs can agree to exempt certain types of goods and services procured by listed government entities from the scope of the Government Procurement Chapter, or exclude public procurement altogether, as in the Canada-Costa Rica FTA. Some governments have "set asides" for government procurement that target marginalized groups, for example, US government contracting (procurement) programs require that a percentage of all contracts be directed toward small and minority-owned businesses. This requirement is included in US FTAs and RTAs.

SMEs may not compete for government tenders because the projects are too large for their enterprise.⁷² In its own procurement practices, APEC could support women and other small producers by encouraging contractors to include small producers, including women-owned businesses, as sub-contractors in large projects, and to ensure that women are beneficiaries of trade-related capacity building activities.

Handicrafts

Handicraft production is a typical sector of activity for marginalized producers, in particular, women: in Latin America alone, some 25 million people are engaged in craft production, 70% of whom are women.⁷³ It is difficult to assess the value of this sector in trade statistics (and thus its relative importance in the national or local economy), as the current HS Codes⁷⁴ for most products that concern artisan producers still do not distinguish hand-made items from machine-made items.⁷⁵ While "artisanal handicrafts" are usually duty-free, there can be confusion at Customs on whether handicrafts are hand- or machine-made. For producers of unique artisanal handicrafts, competition presented by lower cost producers who can freely

⁷¹ Julie R. Weeks and Danielle Seiler, *Women's Entrepreneurship in Latin America: An Exploration of Current Knowledge*, Inter-American Development Bank, June 2001.
<http://www.iadb.org/sds/doc/MSM111WomenEntrepreneurship.pdf>

⁷² European Commission, 2004. *SME's Access to Public Procurement*.
<http://ec.europa.eu/enterprise/entrepreneurship/craft/craft-studies/craft-publicprocurement.htm>

⁷³ Nina Smith and Marcelline White. *Freedom to Craft a Future? The Impact of Trade Liberalization on Grassroots Craftswomen*. Mimeo, 2000.

⁷⁴ The HS Code is an international method for classifying products for trading purposes used sometimes to determine tariffs and taxes, <http://www.exportsource.ca/gol/exportsource/site.nsf/en/es01972.html>

⁷⁵ Although some countries may be able to determine their export/import volumes at the country level, depending on how they classify the product groups below the 6 digit level. Iris Hauswirth, personal communication.

copy traditional designs from another country is also a threat. The issue is of particular concern for aboriginal artisans: a 1997 study found that 81% of Canadian Indigenous artisans had experienced some form of misappropriation or misuse of traditional aboriginal design.⁷⁶ Competition from synthetic products and other substitutes that are manufactured cheaply and quickly by competitors is another concern.

Small producers of textiles and handicrafts have been assisted through projects led by civil society and fair trade organizations, and collaborative initiatives involving government agencies, researchers and advocacy organizations.⁷⁷ A study of women crafts producers and exporters in Lima, Peru undertaken as a contribution to this paper identifies human and financial resources challenges, better marketing channels for products, capacity-building in negotiating with foreign buyers, and the loss of markets when imitators make poor quality copies of original designs as key challenges.⁷⁸

Intellectual property rights

Mechanisms to provide IP protection for handicrafts and indigenous artisans include trademarks and geographic indicators, however, legal procedures can be time-consuming and costly for very small producers who may not feel the expense is necessary. New Zealand's *Toi Iho* and Qualmark standards for indigenous Maori arts and crafts are registered trade-marks that identify the authenticity and the quality of arts and crafts, however, at present, there is low uptake of the standard by Maori artists and Maori tourism operators.⁷⁹

Bilateral and regional trade and investment agreements between developed and developing countries often include mutual commitments to implement intellectual property regimes that go beyond TRIPS minimum standards ("TRIPs plus"). Questions on the appropriate protection of traditional knowledge (TK) in the WTO are unresolved in multilateral trade discussions. The World Intellectual Property Organization (WIPO) is currently the site of discussions aimed at clarifying governments' commitments to protect TK as set out in the Convention on Biological Diversity (CBD) and the TRIPS.

A recent study of IP issues in traditional knowledge in medicine (TKM) found that while gender dimensions of TK have been acknowledged in international discussions on conservation

⁷⁶ Craft Commercialization and Intellectual Property Rights, A Report by the Indigenous Women of the Americas, 1997, cited in Philip Bird, Intellectual Property Rights and the Inuit Amauti: A Case Study prepared for The World Summit on Sustainable Development by the Pauktuutit Inuit Women's Association, p. 2. July 2002. http://www.wipo.int/tk/en/igc/ngo/wssd_amauti.pdf

⁷⁷ See, for example, Daonoi Srikajon, Empowerment of Marginalized Women Traders: A Case Study of the Northern Homebased Workers Network, Thailand, 2004; Lisa Fancott, with Nguyen Hien Thi and Dr. Thanh Dam Truong, BDS for Marginal Women Entrepreneurs and International Trade: A Holistic Approach. Case Study in Viet Nam: Subsector Linkages between Marginal and Mainstream; Farida Habib Shah, Mainstreaming Women in the Export Sector: Malaysia, papers prepared for the APEC CTI project, "Supporting Potential Women Exporters" 2004, <http://www.nsi-ins.ca/english/research/archive/2004/19.asp>

⁷⁸ Janina V. León, Handicrafts Trade and Women Entrepreneurs: A Case Study in Lima, Peru. Paper prepared for the 13th Meeting of the Women Leaders Network, Arequipa, Peru. 2008.

⁷⁹ Mavis Mullins and Francine Whiteduck, personal communications.

and biodiversity, they are not well integrated in trade discussions.⁸⁰ Many governments that are interested in helping small scale producers participate in regional and international markets are concerned about IPRs for TK in order to help protect the knowledge, innovations and practices of Indigenous and local communities, and to ensure that the benefits of cumulative innovation associated with TK accrues to its holders while enhancing their socio-economic development. Women are very active in TKM, so strategies to develop this sector need to address gender-based constraints to women producers (including barriers to inheritance and ownership of land) and recognize women as legitimate stakeholders in policy dialogues.

The ILO/Commonwealth Secretariat's "Gender and TRIPS" checklist offers some questions for policymakers to consider that could help ensure that gender dimensions are addressed in policy processes:

- what are the mechanisms for recognizing, protecting and rewarding men's and women's knowledge, innovation and practices; are systematic processes established that identify women's contribution to this body of knowledge
- are there accessible mechanisms in place for capacity-building and training for women to understand the IPR system.⁸¹

The Andean Pact Decision 391 on the Common Regime on Access to Genetic Resources and the ASEAN Framework Agreement on Access to Biological and Genetic Resources seek to protect access and provide for benefit sharing for traditional knowledge-holders. The NZ government, according to its website, "is continuing to consider whether the development of a *sui generis* system to protect traditional knowledge would be appropriate."⁸² According to the Canadian Government website, the negotiated provisions in the Canada-Peru FTA provisions on traditional knowledge reaffirm the parties' international commitments under the CBD to strengthening protection of biological diversity and to respecting, preserving and maintaining the traditional knowledge of indigenous communities.⁸³

⁸⁰ Heather Gibb, Gender Dimensions of Intellectual Property and Traditional Medicinal Knowledge, Asia-Pacific Trade and Investment Initiative, UNDP Regional Centre in Colombo, November 2007. http://www.nsi-ins.ca/english/pdf/Gender_IP_and_TKM.pdf

⁸¹ ILO/Commonwealth Secretariat WTO TRIPS Agreement. ILO Globalization and Gender Briefs Series No. 2, n.d. <http://www.ilo.org/dyn/empent/docs/F1599852333/No%20%20-%20TRIPS.pdf>

⁸² New Zealand and the WTO: The Protection of Traditional Knowledge - Intervention by New Zealand at the TRIPS Council, 17-19 September 2002, <http://www.mfat.govt.nz/Trade-and-Economic-Relations/NZ-and-the-WTO/Rules-For-International-Trade/0-tripsintellprop-intervention.php>

⁸³ http://w01.international.gc.ca/MinPub/Publication.aspx?isRedirect=True&Language=E&publication_id=385802&docnumber=21

5. Trade Promotion

Trade policy includes trade promotion. Many organizations have begun to integrate the needs of women producers in their trade promotion initiatives: a recent International Trade Centre (ITC), UNCTAD/WTO study highlights the importance of enhancing women's participation in export, identifies gender-based constraints to exporting, and suggests gender-sensitive strategies for governments.⁸⁴ The World Bank's "Doing Business"⁸⁵ project examines legal, regulatory, and practical obstacles women in selected African countries face in expanding their business efforts – the project is to include Latin American countries in future.

Initiatives that connect women entrepreneurs to markets

Women entrepreneurs are not a homogeneous group, and their capacity to respond to challenges and opportunities presented by trade agreements is mediated by this diversity. Good practice in consultations on the design, implementation and assessment of trade policy is inclusive of women's business associations, social groups, women's machineries and marginalized groups including ethnic/rural/indigenous groups. Women entrepreneurs, particularly rural women, are often marginalized from mainstream business networks, and can benefit from initiatives that help to reduce women's exclusion from formal economic structures, develop networks and systems of information exchange, provide an advocacy channel and create and promote women entrepreneurial role models.⁸⁶

Austrade's "Women in Export" program held a series of seminars, "*Ticket to Export - Women in Export Seminar series 2005*", aimed at ensuring businesswomen were aware of, and had access to, the full range of Austrade services for exporters. The program included case studies of successful women exporters, and presentations by two female Senior Trade Commissioners from Austrade's international network who spoke on export opportunities in their respective markets and regions. The series was aimed at companies that consider they are export ready. At the end of the briefing there was an opportunity for participants to have a short one on one meeting with a Trade Commissioner or an Export Adviser for further advice and discussion.⁸⁷ Australia's Office for Women is currently (2008) undertaking a related project involving consultations with Australian women in small business. Women in small business were identified through the export database, National Women's Secretariats, State and Territory Government Offices for Small Business, and peak business organizations. This project aims to identify trade opportunities and export/import barriers for Australian women in small business, and will inform a new series of Women in Export seminars planned by Austrade. The results

⁸⁴ International Trade Centre UNCTAD/WTO, *Innovations in Export Strategies. Gender Equality, Export Performance and Competitiveness: The gender dimension of export strategy*. Geneva: ITC, 2007.

⁸⁵ *Doing Business: Women in Africa*, <http://www.doingbusiness.org/Gender/womenentrepreneurs.aspx>

⁸⁶ Astrid Ruiz Thierry, *The Elephant in the Room: Gender and Export-led Poverty Reduction*, *Management Decision*, Vol. 45, No. 8, 2007.

⁸⁷ APEC CTI, *Supporting Potential Women Exporters: A Survey of APEC Economies' Policies for Supporting Women Exporters*, 2005.

will also feed into government trade promotion and trade policy processes, including the Office for Women's inputs on cabinet submissions, RTA and FTA negotiations.⁸⁸

Women entrepreneurs account for more than half of all business start-ups in Canada. Export promotion programs for women were launched in the 1990s to raise awareness of trade opportunities and help women succeed in export markets. A designated Trade Commissioner, Businesswomen in International Trade, in the Department of Foreign Affairs and International Trade, Canada (DFAIT) acts as an advocate for women entrepreneurs, carrying their concerns back to the department to help ensure that DFAIT policies and programs meet their needs and help them participate and compete effectively in the global marketplace. All-women trade missions sponsored by DFAIT provide an important vehicle for businesswomen to reach out to foreign markets. These missions often include events organized by local women's business groups and associations to let trading partners know what Canadian businesswomen can offer. In January 2008, the Trade Commissioner, Businesswomen in International Trade, organized a trade mission to Jamaica and Barbados, where the Secretary of State for Foreign Affairs and International Trade and the Trade Commissioner led a delegation of 15 businesswomen from the services sector. The Trade Commissioner traveled with the Secretary of State across Canada in 2007 and held roundtables with women entrepreneurs to talk specifically about what obstacles and challenges businesswomen face and how the government of Canada could assist them in global commerce. DFAIT's flagship publication for Canadian businesses, *CanadExport*, features regular stories on women entrepreneurs in international trade, providing a showcase for women exporters and how they are using federal services to grow their businesses. DFAIT's *Businesswomen in Trade* website (www.businesswomenintrade.gc.ca) outlines government programs available for businesswomen, and provides a unique forum for women in business to network, learn about financing, insurance services, training opportunities, and identify foreign business opportunities.⁸⁹

In 2007, Chile's Dirección General de Relaciones Económicas Internacionales (DIRECON) commissioned a survey of export activities that disaggregated women's and men's activities. The survey was intended to provide a diagnostic on the general situation of export activity, identifying opportunities and barriers faced by women, suggest strategies, and elaborate a plan of action for DIRECON to respond to identified inequalities.⁹⁰

Supportive networks that link women to international trade and other women exporters can help potential women exporters with contacts, mentors, information and confidence-building. The Association of Women Leaders-Chile was established by a group of Chilean women who attended the 2004 Women Leaders Network meeting in Serena, Chile. The group received support from Sercotec (the Chilean Government's service for technical cooperation) and the mayor of Coquimbo to formalize their association. Members have very diverse businesses, ranging from aquiculture, horticulture, crafts and services. Three are exporters. After one year

⁸⁸ Jacqui Thomson, personal communication.

⁸⁹ Josie Mousseau, personal communication.

⁹⁰ Informe final de Consultoría Estudio de Género en el Desarrollo Exportador Chileno. CENDEC, Santiago, December 2007.

of organizing, they were able to hire a coordinator and offer training for members in areas such as accounting, business, gender, financing, technology, and exporting. SERNAM, Chile's Office for Women's Affairs, includes the association in government meetings, and has facilitated its participation in subsequent international WLN meetings. The biggest problems WLN Chile members say they encounter in their businesses are: competitiveness, learning an entrepreneurial culture, and understanding policies and programs to support women entrepreneurs. Members say that access to international networks such as the WLN has been helpful for both their own businesses and raising the profile of women entrepreneurs in Chile: in 2006, the president of WLN Chile was recognized as one of the One Hundred Women Leaders in Chile, and met with President Bachelet. In 2007/08, members are participating in the APEC SME Working Group project, Models for Supporting Women's Micro-Enterprise Development.⁹¹

Engendering Trade-Related Capacity Building Initiatives

APEC CTI's project Supporting Potential Women Exporters suggested that trade-related capacity building (TRCB) activities incorporate training for trade negotiators so they could identify, promote, and protect or include mitigation measures for sectors of importance to women workers and entrepreneurs. Negotiators would also need to ensure that their governments retain flexibility to protect and advance gender equality objectives, including equal employment and pay equity, under trade agreements.⁹² The Governments of Lao PDR and Zambia, with the ITC and the WTO, recently held a roundtable in Geneva to discuss practical ways to integrate gender concerns in the Enhanced Integrated Framework for donors' Aid for Trade initiatives.

The APEC Economic Integration Project (EIP), a multi-year TRCB project funded by the Canadian International Development Agency (CIDA), offers WTO training and technical assistance to government officials in six ASEAN countries. Trade liberalization and gender equality is discussed in the "Introduction to Trade Policy and the WTO" training module. For advanced courses, the project found it easier to introduce gender in the modules on multi-stakeholder consultations, agriculture and services trade, where there is high female participation, than in technical aspects of the courses on market access and the simulation of trade negotiations courses. In the survey of training course participants conducted in year four, after listing understanding of the WTO as their most enhanced area of knowledge, the impact of trade policy on poverty reduction and gender equality were the next two most important results of the course that they identified. Introductory courses are now being offered by partner institutions in each participating country. Most of the institutions use the training materials originally developed by EIP and in many cases have modified them with more relevant local examples. In some cases the module on gender and trade has been delivered by a local expert who had studied the issue in some detail.⁹³

⁹¹ Luz Maria Gomez, personal communication.

⁹² Supporting Potential Women Exporters: Report to APEC, APEC CTI 34/2003T, http://www.apec.org/apec/apec_groups/som_committee_on_economic/som_special_task_groups/gender_focal_point_network.html

⁹³ Charles Barrett, personal communication.

Other capacity-building initiatives on gender and trade include CIDA's TRCB "toolkit" on gender issues in trade-related capacity-building, Gender Equality and Trade-Related Capacity Building: A Resource Tool for Practitioners.⁹⁴ The Commonwealth Secretariat has a multi-year program aimed at developing capacity of public and private sector institutions and civil society organizations to integrate gender analysis in trade-related negotiations, policy and implementation.⁹⁵ The International Gender and Trade Network (IGTN) is a network of feminist gender specialists who provide technical information on gender and trade issues to women's groups, non-governmental organizations, social movements, governments, and academic institutions, and conducts economic literacy projects on trade and globalization issues.⁹⁶

6. Conclusions and Suggestions for WLN and GFPN

APEC's initiatives aimed at simplifying border procedures and trade measures such as rules of origin and customs procedures, are beneficial for both large and small exporters. The following suggestions are offered as measures that could assist APEC members build knowledge and experience in addressing gender dimensions of trade liberalization and regional trade agreements:

- *Engender trade negotiating mandates*

Up to now, RTAs have included gender equality as part of the actual trade agreement only in some labour non-discrimination clauses in some FTAs, but have not attempted to align governments' international commitments and obligations to promote and advance equality between women and men within them. A limited range of equality issues may continue to be included in discussions of social dimensions of trade agreements, or in labour and environmental cooperation agreements that are separate from or in the main text of the trade agreement. These provisions do not extend to defensive trade interests which governments may wish to consider (for example, maintaining room in an agreement to limit commitments to liberalize or regulate where such action would be harmful for women).

Trade negotiators work from instructions in the negotiating mandates they receive from their governments. An entry point for gender equality objectives might draw from APEC Trade Ministers' Joint Statements that recognize the importance of women in global markets and supply chains (2006), the different impacts and opportunities that trade presents for men and women (2005), and the important contributions of Indigenous businesswomen (1999). One

⁹⁴ Canadian International Development Agency, Gender Equality and Trade-Related Capacity Building: A Resource Tool for Practitioners. Gender Equality Division, Policy Branch, CIDA. 2003. [http://www.acdi-cida.gc.ca/INET/IMAGES.NSF/vLUIImages/Policy/\\$file/Trade-Related%20Capacity%20Building.pdf](http://www.acdi-cida.gc.ca/INET/IMAGES.NSF/vLUIImages/Policy/$file/Trade-Related%20Capacity%20Building.pdf).

⁹⁵ For example, Mariama Williams, Gender Mainstreaming in the Multilateral Trading System: A Handbook for Policymakers and Other Stakeholders, Commonwealth Secretariat, 2003; Gender and Trade Action Guide, 2007, op cit.

⁹⁶ <http://www.igtan.org/page/about/>

suggestion might be a simple instruction that negotiators ensure that trade and gender equality commitments are mutually reinforcing. This could encourage requests from trade ministries for information on their government's gender equality commitments (see Appendix 1) and steps that could be taken to advance gender equality in negotiations. Another suggestion might be for collaborative activities among APEC members to share best practices and benchmarks on gender issues related to trade between APEC economies and in future RTAs and FTAs.

- ***Engender APEC's Individual Action Plans***

All APEC members maintain Individual Action Plans (IAPs). The IAPs describe measures the economy has taken toward achieving APEC goals for trade and investment liberalisation and facilitation (TILF), and economic and technical cooperation (Ecotech) in 15 areas.⁹⁷ It is suggested that the IAP template be modified to include provision for APEC members to show how their improvements have addressed gender considerations, including access, participation, and any need for mitigating measures. This information would be useful to governments, women's organizations and business associations for gender analyses of trade commitments, to facilitate inter-departmental communications on trade policy, to share "good practices" with other APEC members, identify potential opportunities (and constraints) that improvements to IAPs may present to women exporters/entrepreneurs and workers, and, potentially, to identify opportunities for APEC-wide or regional collaboration on gender dimensions of trade. The IAP peer review process could also include questions on APEC members' initiatives to address gender dimensions in their IAPs.

- ***Strengthen the capacity of APEC members to address gender dimensions of trade liberalization***

The Second APEC Ministerial Meeting on Women in APEC noted that in some sectors women may bear a disproportionate share of the costs of trade liberalization, such as job losses and inferior work conditions, and urged that these differences be taken into account when policies and programs are being designed, so that trade liberalization truly contributes to "shared prosperity for all". Ministers called for further research, to better understand the impacts of trade liberalization on women.⁹⁸ It is suggested that APEC, through the GFPN, annually commission a small number of case studies to identify implications of trade agreements for different sectors and groups of women. The case studies could be reviewed at annual meetings of the WLN and GFPN and raised for further discussion with the CTI, the Senior Officials Meetings (SOM) and with Ministers Responsible for Trade. The inclusion of gender indicators in IAPs would assist economies' ability to gauge impacts of trade and investment

⁹⁷ APEC members' IAP reports are posted at <http://www.apec-iap.org/>

⁹⁸ Joint Ministerial Statement, APEC Second Ministerial Meeting on Women, 28-29 September 2002, Guadalajara, Mexico
http://www.apec.org/content/apec/ministerial_statements/sectoral_ministerial/women/2002_women.html

liberalization, and the case studies themselves could also inform APEC members' IAPs and the Peer Review Process.

- *Improving sex-disaggregated data on impacts of trade*

A major constraint in understanding the local level impacts of globalization and trade liberalization is the dearth of sufficiently disaggregated data on entrepreneurship and exporting, including economic activities by workers and entrepreneurs in the informal sector. At their 2002 meeting, APEC Ministers Responsible for Women drew attention to the need for comprehensive sex-disaggregated data to better assess the impacts of trade liberalization on women. One model that APEC GFPN may consider for potential replicability in other economies is the community-based monitoring system currently being piloted in the Philippines. The CBMS collects household-level data by and for local communities on a range of indicators, including employment and business entrepreneurship.

Appendix 1: An international Framework for Gender Equality in Trade

- **Convention on the Elimination of All Forms of Discrimination Against Women⁹⁹ (CEDAW), 1979**

CEDAW is based on the principle of substantive equality between women and men, guaranteeing equality of outcomes, not just equality of opportunity.

- CEDAW provides a comprehensive definition of discrimination against women as any distinction, exclusion, or restriction on the basis of sex, which intentionally or unintentionally nullifies or impairs the recognition, enjoyment and exercise of women's social, cultural, political and economic rights.
 - CEDAW binds all States Parties to fulfill, protect and respect women's rights. States Parties must not discriminate against women in any way.
 - CEDAW requires that States Parties must ensure that private organizations, enterprises and individuals promote and protect women's rights.
- **International Covenant on Economic, Social and Cultural Rights, 1966¹⁰⁰**
 - Art 11. Right to adequate standard of living, right to food – relevant in considerations of the Agreement on Agriculture, the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs)
 - Art 12. Right to the highest standard of health – relevant to considerations on TRIPs re: access to medicines; intellectual property rights and traditional knowledge in medicine.
- **Beijing Platform for Action (PFA), 1995**
 - Strategic Objective A.1: Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty
 - Strategic Objective F.1 (165 [d]) “devise mechanisms and take positive action to enable women to gain access to full and equal participation in the formulation of policies and definition of structures through such bodies as ministries of finance and trade, national economic commissions, economic research institutes and other key agencies, as well as through their participation in appropriate international bodies.”
 - Strategic Objective F.1 (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.”
- **Millennium Development Goals (MDGs)**
 - MDG 3: Promote gender equality and empower women
 - MDG 8: Develop a global partnership for development

⁹⁹ <http://www.un.org/womenwatch/daw/cedaw/>

¹⁰⁰ http://www.unhchr.ch/html/menu3/b/a_ceschr.htm

- **International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work, 1998**
 - Equal Remuneration for Men and Women Workers for Work of Equal Value Convention, 1951 (No. 100)
 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
 - Convention on Homework, 1996 (No. 177): home-based workers (informal sector) are entitled to minimum standards laid down by international law, including rights to accessible training to improve skills¹⁰¹

- **Convention on Biological Diversity, 1992 (CBD)**
 - This convention recognizes the central role of women, drawing specific attention to “the need for the full participation of women at all levels of policy-making and implementation for biological diversity conservation”. The CBD and TRIPs Agreement overlap in some areas. The TRIPs Council is reviewing CBD Art. 27.3(b) re: patent protection on “life forms”, and was tasked in the Doha Declaration to review the relationship between the CBD and TRIPs with respect to protection of traditional knowledge and folklore.

- **UN International Convention on the Protection of the Rights of All Migrant Workers and Their Families, 2003.**
 - Trade agreements on labour mobility, liberalization of agriculture in some regions, and shortages of health, care and education workers in developed countries are contributing to women’s increasing participation in temporary labour migration. The Institute on Migration estimates that about half of all migrants are now women. This convention addresses concerns over the lack of labour protection laws and job security, sexism, low wages and poor working conditions for migrants.

¹⁰¹ Other relevant conventions include: Workers with Family Responsibilities Convention, 1981 (No. 156) and the Maternity Protection Convention, 2000 (No. 183)

Appendix 2: Labour Force Participation by Sector: APEC Member Economies

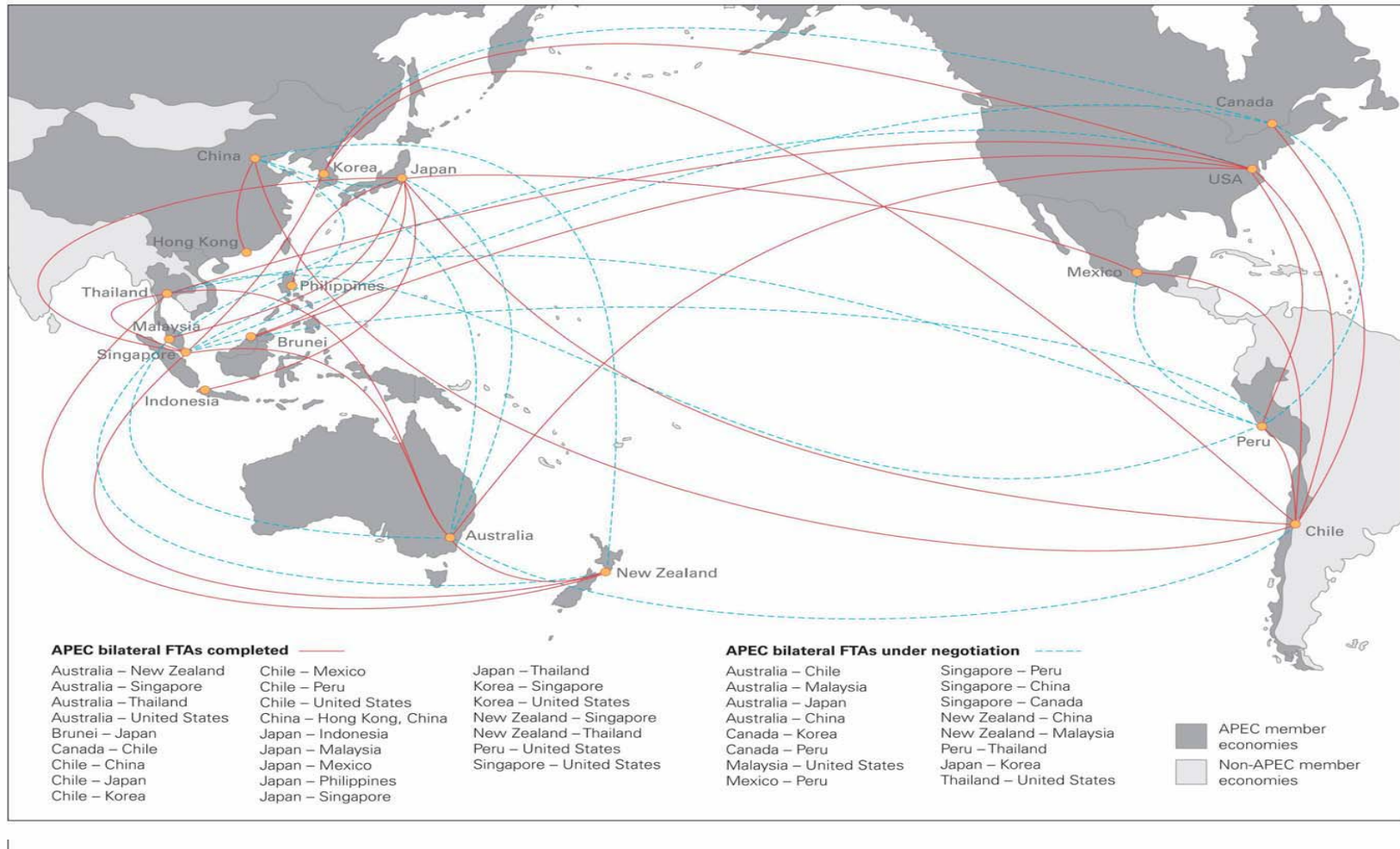
	Agriculture			Industry			Services		
	1990	2000	2004	1990	2000	2004	1990	2000	2004
Australia									
Male (% of male labour force)	7	6	5	34	31	30	59	63	65
Female (% of female labour force)	4	4	3	13	10	10	84	86	87
Canada									
Male (% of male labour force)	6	5	4	34	32	32	60	63	64
Female (% of female labour force)	3	2	2	12	11	11	85	87	87
Chile									
Male (% of male labour force)	25	19	18	30	29	29	44	52	53
Female (% of female labour force)	6	5	5	14	12	12	80	83	83
Hong Kong, China									
Male (% of male labour force)	1	0	0	39	28	25	60	72	75
Female (% of female labour force)	1	0	0	33	10	8	66	89	92
Indonesia									
Male (% of male labour force)	55	44	43	10	13	13	35	43	45
Female (% of female labour force)	56	47	45	12	15	14	32	39	42
Japan									
Male (% of male labour force)	6	5	5	39	38	36	55	57	59
Female (% of female labour force)	9	6	5	27	22	19	64	72	75
Korea									
Male (% of male labour force)	16	10	8	39	35	34	45	56	58
Female (% of female labour force)	20	12	10	30	19	18	50	69	72
Malaysia									
Male (% of male labour force)	26	21	16	27	34	35	46	45	49
Female (% of female labour force)	25	14	11	28	29	27	47	57	62
Mexico									
Male (% of male labour force)	29	23	22	30	29	28	31	47	50
Female (% of female labour force)	3	7	5	21	22	20	67	71	75
New Zealand									
Male (% of male labour force)	13	11	10	33	32	32	54	56	58
Female (% of female labour force)	8	6	6	14	12	11	78	81	83

Peru									
Male (% of male labour force)	2	1	1	32	29	28	66	70	71
Female (% of female labour force)	1	1	0	20	12	11	80	87	89
Philippines									
Male (% of male labour force)	53	45		16	18		31	37	
Female (% of female labour force)	31	25		13	13		56	62	
Russian Federation									
Male (% of male labour force)		15	12		36	39		49	48
Female (% of female labour force)		10	8		22	23		67	70
Singapore									
Male (% of male labour force)	1	0	0	37	43	29	62	57	70
Female (% of female labour force)	0	0	0	35	21	18	64	79	82
Thailand									
Male (% of male labour force)	62	50	47	15	19	21	23	32	33
Female (% of female labour force)	65	47	43	12	17	19	23	36	39
United States									
Male (% of male labour force)	4	4	4	36	32	31	60	64	65
Female (% of female labour force)	1	1	1	15	12	11	84	86	88
Viet Nam									
Male (% of male labour force)		64	58		15	20		21	23
Female (% of female labour force)		66	62		10	13		24	25

Source: World Bank Genderstats

Appendix 3

APEC bilateral free-trade agreements completed or under negotiation



Appendix 4: Rates of Entrepreneurial Activity by Gender

		Business Owners* (2006)		(a) % Employers**		(b)% Own Account workers**		a & b	
	HS year	Women	Men	Women	Men	Women	Men	Women	Men
Australia	2005	18.43	23.69	2.4	3.8	7.1	11.5	9.5	15.3
Canada	2005	9.99	14.47	11.2	19.0		
Chile	2005	11.42	20.58	1.7	3.5	20.5	27.3	22.2	30.8
China		26.25	29.37						
HK, China	2005			1.8	6.8	3.5	9.8	5.3	16.6
Indonesia		33.34	40.47						
Japan	2005	5.52	9.79	1.1	3.6	5.2	9.4	6.3	13.0
Korea	2005			3.5	10.0	15.4	22.8	18.9	32.8
Malaysia	2003	17.25	19.54	1.2	4.6	11.7	17.7	12.9	22.3
Mexico	2005	6.38	8.77	2.0	6.2	22.7	24.3	24.7	30.5
NZ	2005			4.3	8.4	8.2	14.1	12.5	22.5
Peru	2005	49.90	55.12	2.9	7.1	31.6	31.9	34.5	39.0
Philippines	2005	35.81	44.55	2.4	5.9	29.2	34.5	31.6	40.4
Russia	2005	3.18	9.16	1.0	1.5	6.0	6.3	7.0	7.8
Singapore	2004	5.12	11.48	2.2	7.0	4.7	11.5	6.9	18.5
Thailand	2004	31.45	33.82	1.5	4.3	24.0	36.4	25.5	40.7
US	2005	10.52	20.42		
Viet Nam	2004			0.3	0.7	31.3	50.7	31.6	51.7

* Prevalence Rates of Entrepreneurial Activity Across Countries by Gender 2006, 2006 Report on Women and Entrepreneurship, Global Entrepreneurship Monitor. The number represents “nascent” + “new” + “established” business owners.
http://www.gemconsortium.org/download/1205249110900/GEM_2006_Womens_Report_May_07.pdf

** United Nations Statistics and Indicators on Women and Men, Table 5c: Distribution of labour force by status in employment/. Data for selected countries are from household survey (HS) data.
<http://unstats.un.org/unsd/demographic/products/indwm/tab5c.htm>

“employer”: those workers who, working on their own-account or with one or few partners, hold the type of job defined as a “self employment job” and, in this capacity, on a continuous basis have engaged one or more persons to work with them in their business as “employee(s)”. Self-employment jobs are those jobs where the remuneration is directly dependent upon the profits (or the potential profits) derived from the goods and services (where own consumption is considered to be part of the profits).

“own account worker”: those workers who, working on their own account or with one or more partners, hold a “self-employment job and have not engaged on a continuous basis any “employees” to work for them during the reference period.

Appendix 5:

Summary Table of Language Referring to Gender in Trade Agreements

	Direct reference to gender equality	Indirect reference to gender equality
Multilateral Trade Agreements		
WTO		Doha Ministerial Declaration – Art. 8
Regional Association Agreements		
ANDEAN COMMUNITY	Cartagena Agreement – Art. 130 Sucre Protocol – art. 24 Decisión 584: Sustitución de la Decisión 547, Instrumento Andino de Seguridad y Salud en el Trabajo	Decisión 586: Programa de Trabajo para la Difusión y Ejecución de la Carta Andina para la Promoción y Protección de los Derechos Humanos
CARICOM		Revised Treaty of Chaguaramas – Art.17
MERCOSUR	GMC/RES. N°84/00	
Regional Trade Agreements		
CAFTA	Chap. 16 - art 16.5 (l)	Preamble Chap. 16 - art 16.1 Chap. 16 - art 16.5 (a)
Canada – Chile	Agreement on Labour Cooperation – art 11 Annex 1 – art 7; art 8	Preamble Agreement on Labour Cooperation - Preamble
Chile – EFTA		Preamble
Chile – US		Preamble Chap. 18: art 18.1
NAFTA	Agreement on Labour Cooperation – Art. 11; Art. 49 Annex 1 art 7; art 8	
US- Jordan		Preamble Art. 6
US- Singapore		Chap. 17

Agreements with Third Parties		
EU – ACP Partnership (Cotonou)	<i>Preamble</i> Art. 1 Art. 8 Art. 9 Art. 20 Art. 31	<i>Preamble</i>
EU – ANDEAN Political Dialogue	Art. 6 Art. 41 Art. 44	Art. 37
EU - CA Political Dialogue	Art. 6 Art. 37 Art. 41 Art. 44	
EU - CA Regional Strategy	<i>Preamble</i> Art. 5.1 Art. 6.4	
EU - Chile Association	Art. 44 (1) (4) Art. 45	<i>Preamble</i> <i>Part III – art 16</i>
EU - LA Regional Strategy	Art 3	
EU - MERCOSUR Cooperation		<i>Preamble</i> Title I – art. 1 Title III – art. 7
EU - MERCOSUR Regional Strategy	Art 2 Art 5.2	
EU - México Cooperation	Art. 36 Art. 37	

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