

Making Trade Agreements Work for Women: What's Behind the South American Approach?

September 2022

Dr. Amrita Bahri
Co-Chair Professor, WTO Chair Program (Mexico);
Associate Professor of Law, ITAM University;
Trade and Gender Consultant, International Trade Centre
@bahri_amrita

Contents

Problem? – Existing Barriers, and how COVID-19 is Magnifying the Impact of Barriers

Solution? - Trade Agreements can Help: Regional Comparison

Approach? – South American Mainstreaming Approach

What remains missing? - Preparing Trade Policies to Reboot Inclusive Economy

COVID-19 Magnifying the Impact of Barriers

The Problem

Key Barriers

Access to education (STEM and digital learning)

Access to markets, technology, finance and other productive resources

Time poverty, domestic violence and culturally-prescribed stereotypes

Business and employment restrictions; bans and prohibitions

Unfair working conditions and employment discrimination

Disproportionate tariff and non tariff barriers for trade in goods and services

**COVID-19
exacerbating these
barriers**

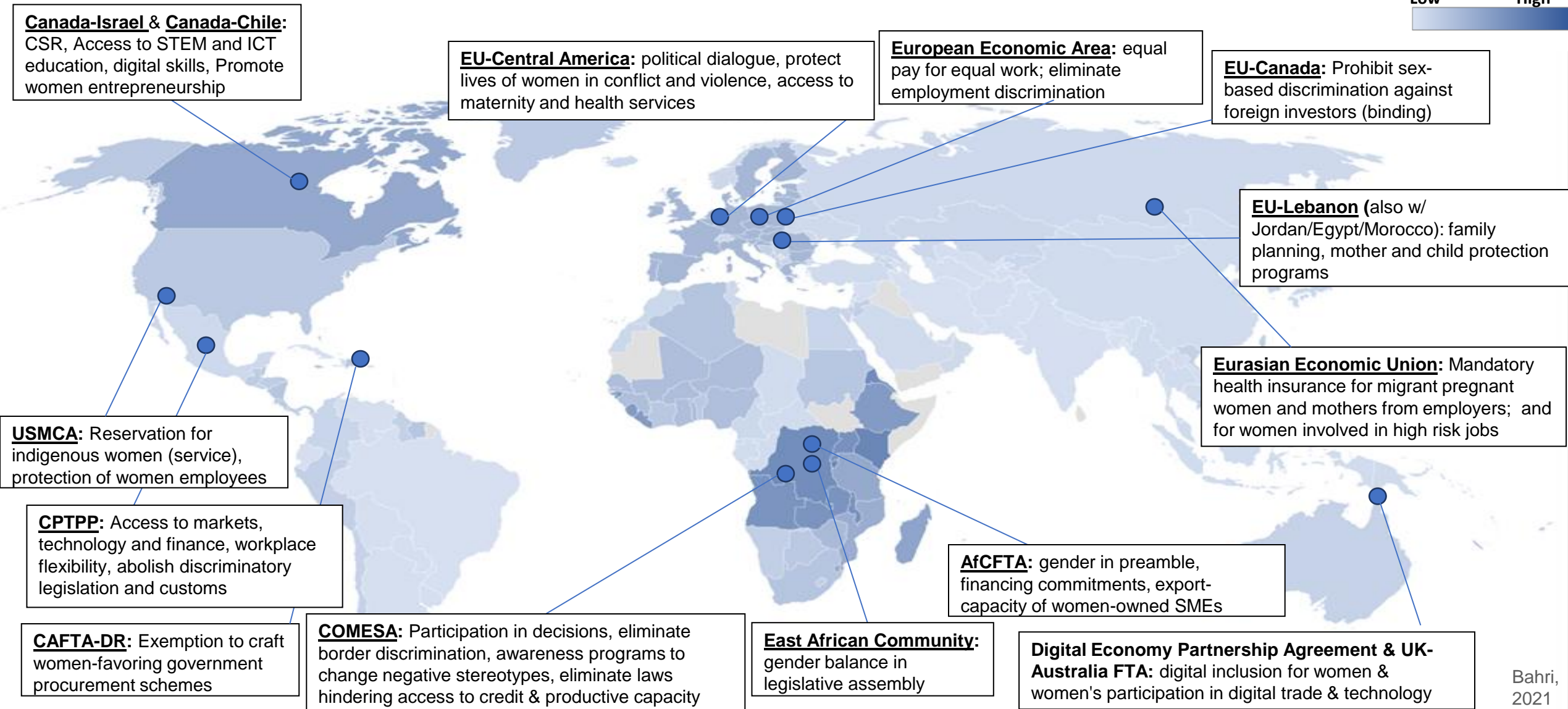
COVID-19-Inflicted Challenges

- 1 Loss of jobs for 30% of women in service industries (proximity-demanding, low paid and temporary jobs)
- 2 740 million women in informal economy, either exposed to contagion risk or face imminent loss of jobs
- 3 Women own close to 10 million of the world's SMEs; SMEs scaling down or facing closures
- 4 Spiralling household responsibilities and domestic violence
- 5 Reduced access to education, owing to lack of digital affordability and know-how
- 6 Restricted access to health facilities, including maternity care and abortive services

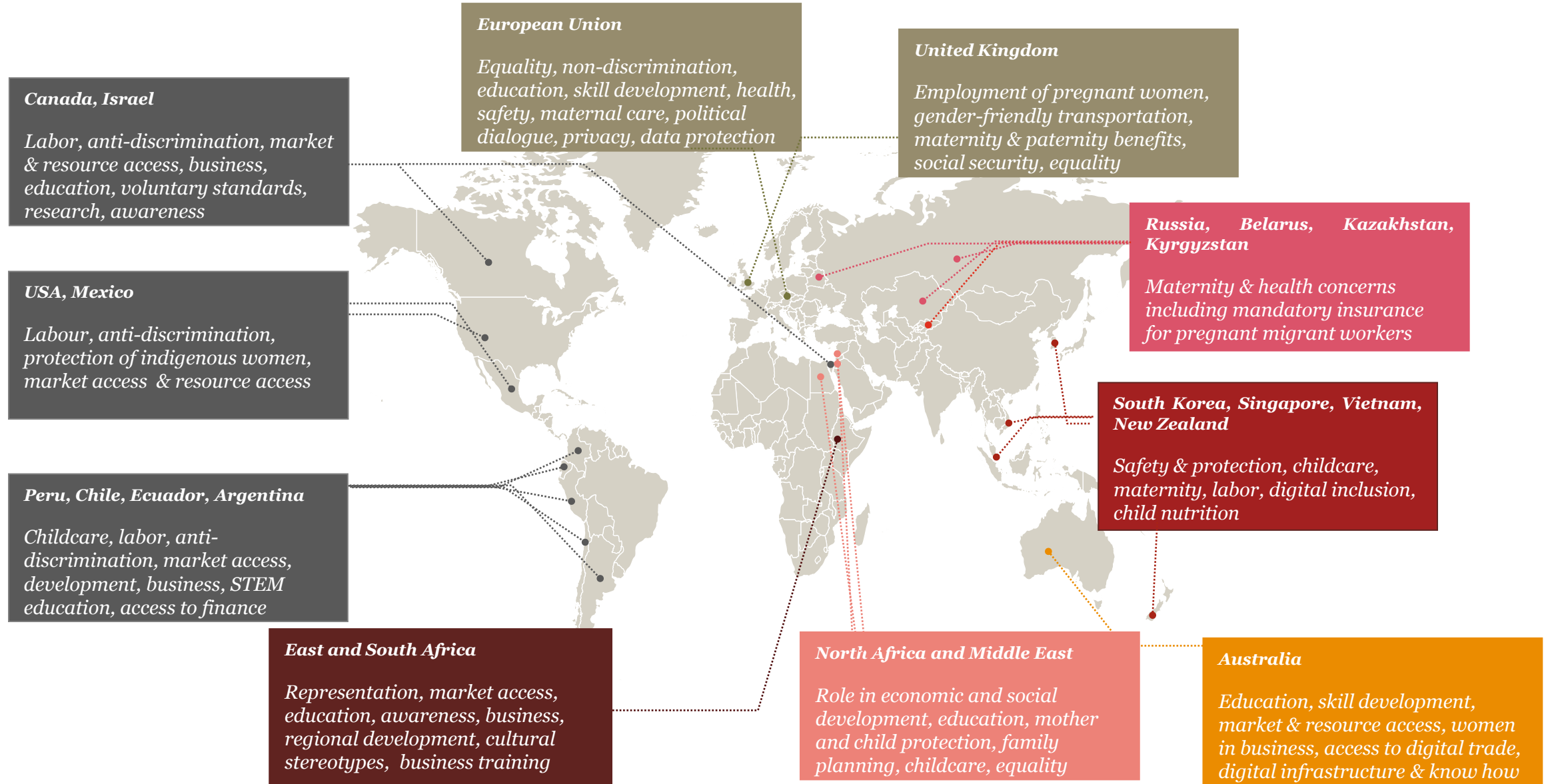
For more details, see [Bahri, Women at the frontline of COVID-19](#)

Trade Agreements can Help: International Experience

Measurement of Gender Responsiveness, as per ITC Toolkit



Focus Areas



North America

Coverage: labour concerns, resource access, markets & technology, participation in economic growth

Format: Mostly non-binding commitments; in main text, annex, side agreements & preamble

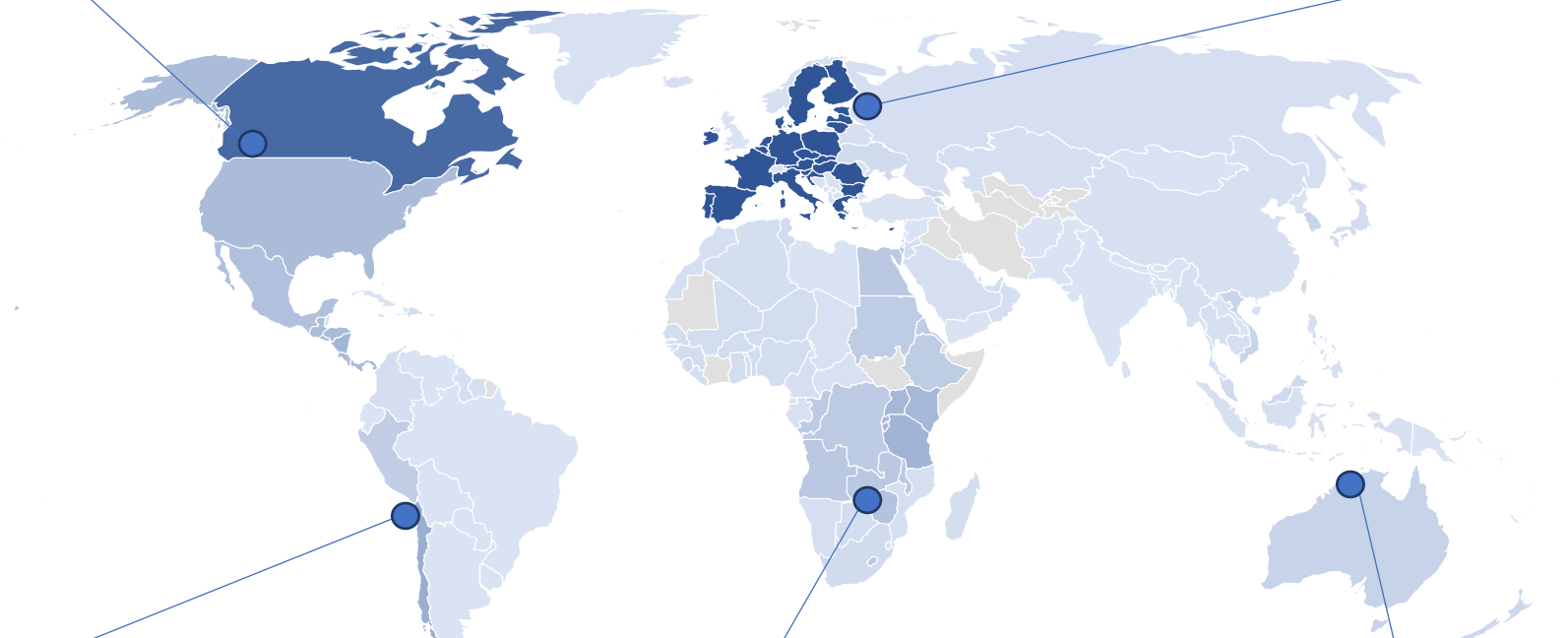
Scope: Mostly reaffirmation- & cooperation-based provisions

European Union

Coverage: equality, non-discrimination, education, skill development, health and safety, maternal care

Format: A mix of binding & non-binding commitments, in main text & annex

Scope: Commitments to act, mere acknowledgments & reaffirmations



South America

Coverage: labour, market access, resource access, women's role in growth and development, childcare

Format: Mostly non-binding commitments; in main text, annex

Scope: Mostly reaffirmation- & cooperation-based provisions

Africa

Coverage: access to resources, entrepreneurship, representation in decision-making positions

Format: Mix of binding and non-binding commitments, in main text, annex, complementary instruments

Scope: Commitments to act, reaffirmations

Asia Pacific

Coverage: health care, nutrition, childcare, maternity, and women's safety

Format: Mostly binding commitments, in main text and annex

Scope: Right to regulate provisions, reservations

Low High



South America

Stand alone chapters: FTAs with stand-alone chapters on trade and gender; Pioneers include Chile, Uruguay, Argentina, Brazil and Ecuador); Umbrella chapters with a variety of provisions

Topic areas and format: labour concerns, access to productive resources, markets and technology, skill development and increasing their participation in economic growth, drafted on spirit of cooperation

Implementation-focused: Creation of institutions to monitor and implement the envisaged activities; review and monitoring mechanisms; identification of procedures for implementation

Language & Location: Mostly non-binding commitments; drafted with non-mandatory verbs and “soft” permissive grammatical constructions; mainly located in main text and annexes



What Remains Missing?

- 1 | Promises, and more promises
- 2 | No enforcement, implementation & finance
- 3 | No definition and scope of gender-equality

