

Gender as Included in Bilateral and Multi-Party Trade and Integration Agreements



Haifa Bensalem

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Authored by:

Haifa Bensalem

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CUTS INTERNATIONAL, GENEVA

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Abstract

This study aims to look at the mention of gender in the bilateral and multi-party trade agreements. By examining a number of existing trade agreements, this study brings to the trade and gender literature corpus a language analysis of gender mention in trade agreements. Through the two tables shown in the Annex 1 and 2, this study has also developed a database displaying gender language.

Through this process, the study examines how gender dimension has been expressed; and the mechanisms through which it is implemented. The diversity of the gender mention in trade agreements analysed reveals different trends, since each agreement has its own settings and provisions regarding gender. The different trends regarding this language vary from a simple mention of women rights, to a specific commitment backed with legally enforced mechanisms.

Thus, the study after a substantive introduction part, provides analysis of gender mention in bilateral and multi-party trade agreements in parts two and three respectively.

Part two devoted to bilateral trade agreements starts by providing an overview of the mention of gender trends and its evolution through time. It then moves to a more specific language analysis by examining the themes through which gender is approached; i.e.: the labour theme, the social theme, the sustainability theme, and the sectorial theme.

Part three focusses on multi-party trade agreements and starts by specifying the contextual settings of multi-party agreements regarding gender mentions. It also gives an overview of the trends of gender mention and its historical evolution. Then it moves to the description and presentation of the formal dimension and the commitment dimension of gender mention in these agreements.

The study concludes with by offering broader insights on gender language in trade agreements.

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Abbreviations

ACP	African, Caribbean, Pacific
CAFTA-DR	Dominican Republic-Central America-United States Free Trade Agreement
CARICOM	Caribbean Community
CARIFORUM	The Caribbean Forum States
CCFTA	Canada Chile Free Trade Agreement
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CETA	Comprehensive Economic and Trade Agreement
COMESA	Common Market for Eastern and Southern Africa
CMC	Consejo del Mercado Común/ The MERCUR Common Market Council
CU	Custom Union
Direcon	Chile's Dirección General de Relaciones Economicas Internacionales
EAC	East African Community
EAEU	Eurasian Economic Union Eurasian
EALA	East African Legislative Assembly
EASSI	The Eastern African Sub-regional Support Initiative for the Advancement of Women
EC	European Community
ECOWAS	Economic Community of West African States
EEA	European Economic area
EIA	Economic Integration Agreement
EPA	Economic Partnership Agreement
ESA	Eastern and Southern Africa States
EU	European Union
FTA	Free Trade Agreement

GCC	Gulf Cooperation Council
GMC	Grupo Mercado Común/ The MERCUSOR Common Market
GTIAs	Gender trade impact assessments
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
IANWGE	United Nations Inter - Agency Network on Women and Gender Equality
ICTSD	International Centre for Trade and Sustainable Development
ILO	International Labour Organisation
MENA	Middle East North Africa
MERCUSOR	Southern Common Market
NAALC	North American Agreement on Labor Cooperation
NAFTA	North American Free Trade Agreement
RMAAM	Reunión de Ministras y Altas Autoridades de la Mujer del MERCOSUR/ Ministers and high authorities of the MERCOSUR women
SADC	Southern African Development Community
SDGs	Sustainable Development Goals
SIAs	Sustainable Impact Assessments
SMEs	Small and Medium sized Enterprises
TPRs	Trade Policy Reviews
UN	United Nations
UNCTAD	United Nations Conference for Trade and Development
UNESCWA	United Nations Economic and Social Commission for Western Asia
US	United States
WTO	World Trade Organization

SECTION 1

Introduction

1.1 The gender and trade nexus

Over the last three decades, the world witnessed a movement of trade liberalization driven by the globalization of the economy and the opening of new markets. Free trade, investment liberalization, and the reduction of economic barriers were perceived as crucial tools for a higher level of productivity, and more broadly, an opportunity for economic growth. Globally, trade liberalization contributed to driving many countries into a globalized economy, creating new employment and business opportunities, generating more states' revenues and improving countries' economic development. However, in view of these statements, many questions about the socially-conscious dimension of trade have emerged. Trade liberalization raised numerous concerns about who really benefits from trade, and how it affects different segments of the population and actors. A critical question is how to make a *"globalization which puts people first; which respects human dignity and equal worth of every human being"* (ILO, 2004), because economic activities impact populations in different ways and at different levels, depending on many variables, such as social-economic position, educational level, and gender. As Marzia Fontana suggests, the *expansion of trade has differentiated impacts on men and women due to a series of factors, such as availability of resources, labour regulations or institutions, systems of property rights, access to markets, and other social and economic conditions* (Fontana 2009). Thus, overlooking gender issues in trade analysis only provides a sketchy picture that increases women invisibility. Therefore, this study is inscribed in the wide trade and gender perspective and aims to find out the manner in which gender perspectives are being addressed in trade agreements.

Before moving forward, let's start by looking at the concept of gender. According to UN woman, the definition of gender is: *"the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities and relationships are socially constructed and are learned through socialization processes. They are context/ time-specific and changeable. Gender determines what is expected, allowed and valued in a woman or a man in a given context. In most societies there are differences and inequalities between women and men in responsibilities assigned, activities undertaken, access to and control over resources, as well as decision-making opportunities. Gender is part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic group and age"* (UN Women). Hence, women and men occupy different roles and positions in society, and therefore in the economy. Gender approaches have been used in the analysis of different realms: social sciences, political sciences, history, law, medicine, economy, etc. It is very important to recall that a gender approach is not the simple addition of a "women variable" to an already existing framework as pronated by structuralism and neoclassical theories (Nedelcu, 2005). A gender approach aims to address a more analytical and explicative picture of social relationships, by unfolding the effects and the dynamics behind concepts as "family", "gender roles", "network", "gender inequalities", etc.

BOX 1: WHAT'S GENDER MAINSTREAMING?

The Fourth United Nations World Conference on Women set up the gender mainstreaming in Beijing Platform for Action, 1995. Gender mainstreaming is “a globally accepted strategy for promoting gender equality. Mainstreaming is not an end in itself, but a means to the goal of gender equality. Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities - policy development, research, advocacy/dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects” (UN Women). Since then, various efforts were gathered to ensure a fair and efficient mainstreaming of gender at the institutional level. We can mention, for instance, some of the numerous mechanisms implemented by international organisations to include gender issues in their work programs: The Gender, Equality and Diversity Branch on the ILO, The Trade, Gender and Development Program in the Division on International Trade in Goods and Services, and Commodities of the UNCTAD, and the UN women. The common goal of those institutions is to ensure gender equality, which means “equal rights, responsibilities and opportunities of women and men and girls and boys” (UN Women). “Equality between women and men is seen both as a human rights issue and as a precondition for, and indicator of, sustainable people-centred development” (UN Women).

Tools for Gender Assessment

The topic of gender assessment consists of mapping where, and at which level, the structural gender inequalities are located. Multiple studies worked on addressing the barriers impeding women access to trade, which covers a continuum from cultural norms, poor working conditions and wages, lack of access to resources, assets, education and skill-building (UNCTAD, 2014). Postulating that those issues could be magnified by gender-blind policies and measures, multiple actors in the trade sphere focused on elaborating sharp ex-ante assessment tools with the objective to improve the policy formulation and implementation. In this context, the UNCTAD recently released its Trade and Gender toolbox (July 2017), which is an ex-Ante Gender Assessment tool aiming to evaluate the effects of trade reforms on women and gender equality prior to their application and thereby ensure targeted actions initiatives. This set of quantitative tools is based on four phases¹ and aims to reach policymakers, trade negotiators, and development practitioners working on gender equality. The UNCTAD gender toolbox is the latest assessment

instrument, and other tools have been including gender into their assessment process at different degrees. We can briefly mention the EU Sustainability Impact Assessments (SIAs), the UN Inter-Agency Network on Women and Gender Equality Task Force' Gender trade impact assessments (GTIAs), the WTO' Trade Policy Reviews (TPRs), etc.

Case Studies

The case studies are an important part of the trade and gender literature. Case studies provided by the literature examine women's situations in sectors or subsectors in different countries. To mention few examples, the study examining trade liberalization in sub-Saharan Africa through a gender lens (Kiratu; Roy, 2010); the analysis of the trade and gender linkages in the COMESA region (UNCTAD, 2016), the analysis of gender in agriculture and agro-processing in Lebanon (UNESCWA, 2001); the gender-sensitive study on challenges and opportunities in Kenya's Macadamia Nuts Industry (ICTSD, 2017); etc. Case studies are interesting to the extent that gender is used as a cross-cutting lens; which allows for a better

¹ Identification phase, Evaluation phase, Monitoring phase; and Synthesis phase. For further information, the toolbox is

available at:
http://unctad.org/en/PublicationsLibrary/ditc2017d1_en.pdf

understanding and analysis of the situation of women in trade from different perspective. For example, regional or country-focused case studies may aim to capture women's situations depending on the impact, e.g.: women as producers are differently impacted from cheap-imported products than women as consumers. On the other hand, sectorial case studies target gender imbalances within specific sectors and thereby allow a targeted intervention. Overall, case studies facilitate the comprehension of concrete situations, and facilitate the exchange of best practices especially within a regional/ sectorial context.

Some Recommendations and Best Practices

Different actors in trade and gender literature complement their analysis by offering recommendations aiming to include more women at different levels –national, regional and multilateral- of trade agendas. These recommendations include a wide range of measures varying from creating more female role-models, establishing gender-specific committees and programs, raising public expenditures on social care, involving more women in the decision-making process and policy making, etc. To cite few of them, following studies include interesting recommendations regarding more gender-sensitive trade policies: *Gender equality and trade policy* resource paper (IANWGE, 2011); which provides interesting way-forward insights for governments and civil society organization to include a gender perspective in trade policies. *Gender and Free Trade Agreements: Best Practices and Policy Guidance* (Higgins, 2013); which offers global, regional and bilateral insight into the best practices in promoting the participation of women entrepreneurs, women producers, and women-led export firms in accessing the market opportunities of FTAs. And *Gender equality in trade agreements* (Fontana, 2016), which has recommendations focusing on strengthening the gender analytical lens of the CETA SIA, and how to

encourage stronger commitment to gender equality in trade analysis and negotiations in practice.

Gender and SDGs Nexus

A large part of the literature and public discussions on gender focuses on the nexus between gender and Sustainable Development Goals (SDGs). On 25 September 2015, the United Nations General Assembly adopted the Resolution A/ RES/70/1: The 2030 Agenda for Sustainable Development. The 5th Sustainable Development Goal advocates the achievement of gender equality and empowerment of all women and girls. In this case, a consistent part of the literature argues that mainstreaming gender in trade policy² is deemed as an SDGs vehicle and accelerator, since it has a role in alleviating poverty (SDG 1)³; improving education (SDG 4)⁴, ensuring decent work, economic growth (SDG 8)⁵, and reducing inequalities (SDG 10)⁶. The intertwining between gender mainstreaming in trade and SDGs has been for example reviewed in *The 2030 Agenda and the Potential Contribution of Trade to Gender Equality*, think piece (Klugman, 2016).

1.2 The Study Perspective

Acknowledging the importance and the extreme relevance of the topics mentioned above, this study is however inscribed in a different approach and rather addresses gender and trade from perspective of the core texts of bilateral and multi-party trade agreements. By looking at a large number of existing bilateral and multi-party trade agreements, this study's objective is to give an overview of the gender mentions in them; and thereby bring to the trade and gender literature corpus a language analysis of how gender has been addressed. Through the two tables in the Annex 1 and 2, this study aims to both establish a database displaying gender language; and to analyse how is gender and trade language evolving in bilateral and multi-party trade agreements.

² See box 1 : What's gender Mainstreaming

³ SDG 1 : No poverty

⁴ SDG 4 : Quality education

⁵ SDG 8 : Decent work and economic growth

⁶ SDG 10 : Reduced inequalities

Methodology

This part will address the process and the definition of the study methodology; which has followed three steps:

Review and selection criterions

For this study, trade agreements in force displayed in the World Trade Organization database⁷ and in the Organisation of American States database⁸ were reviewed. To reduce the scope of the agreements analysed, a database comprising trade agreements mentioning the words “gender”; “women; “sex” was made.

The choice of this language illustrates the study aim to only analyse trade agreements where gender is explicitly and directly mentioned. However, it is acknowledged that multiple trade agreements mention gender indirectly through references to conventions, such as the CEDAW, the ILO declarations, the UN Human Rights Charter, etc.⁹

Also, this study doesn't omit that the concept of Gender is wide and could include LGBTIQ and children' issues. It happens that those issues are not addressed in many trade agreements; and could be an interesting topic for a further study.

Through this work, a wide database; comprising 55 trade agreements (19 multi-party agreements; and 36 bilateral agreements) was made. However, this study does not claim to be exhaustive and other trade agreements mentioning gender may exist.

Classification

A first review of the gathered trade agreements showed that each group of trade agreement has its own settings and language regarding gender. This is partly the reason to classify the agreements into two groups, i.e., bilateral and multi-party. Secondly, a table format was used to provide a clear and targeted reading due to the various and significant amount of information. Thirdly,

each agreement in the tables was examined and presented under five sections. These are:

- Title of the agreement: which allows the identification of the parties.
- Type: The sample analysed includes Free Trade Agreements (FTAs), Economic Integration Agreements (EIAs) and Custom Unions (CU).
- Entry into force: which indicates the time dimension of the agreement, which is helpful for a temporal comparison of gender mention among agreements.
- Where is Gender Addressed: First, this section is an attempt to capture in which part of the agreement is gender located: e.g.: main agreement, side agreement, annex, protocol, etc. Second this section looks at the specific document to sketch the location in which gender is addressed: Preamble, Article, Bill, Chapter; etc. The locations vary from cooperation mechanisms, labour cooperation, social issues, trade and sustainable development, education, etc. This process was deemed useful to the extent that this set of information could provide insights about the possible schemes of gender address in trade agreements; which is a crucial step for the analysis in terms of priorities and perception of gender in a trade perspective.
- a. Main elements addressing gender: This section is the core of the table and aims to look into the language used in the trade agreements based on an elaborated framework; which will be addressed in the next section “pyramidal framework”.

Pre-analytic section: Pyramidal framework

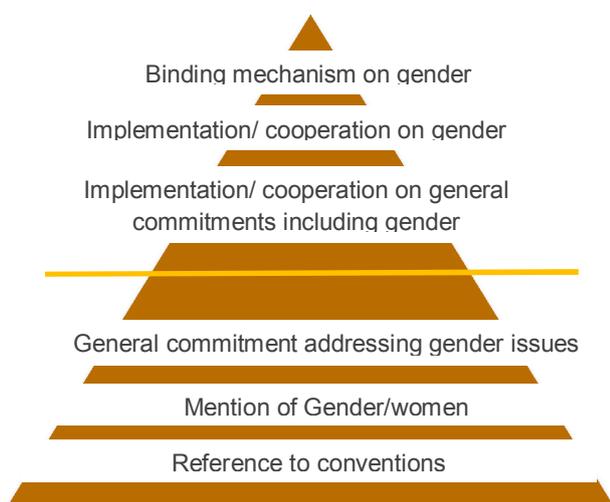
Framework challenges

⁷ Agreements notified at the WTO
<http://rtais.wto.org/UI/PublicAllIRList.aspx>

⁸ Not all agreements are notified at the WTO:
http://www.sice.oas.org/agreements_e.asp

⁹ Some of the agreements analysed comprise references to conventions beside a direct mention to gender.

The last column of the tables “Main elements addressing gender” is a pre-analytic section that shows the result of processing gender content and compacting it into a concise language. This processing work was made through the elaboration of a pyramidal framework; which is based on the following six criteria:



The main challenge faced in the elaboration of this framework was the diversity of gender language and location in the agreements set. Gender is addressed in various and sometimes distinct parts of the agreements. That’s why, the pyramidal framework was developed after the data gathering and various discussions and deemed as the most inclusive and comprehensive to describe various schemes of content in the agreements. This framework provides a relatively uniform analysis that tries to cover multiple gender address; and thus gives a coherent picture.

Criteria description

The pyramidal framework aims to provide a standard analysis that tries to fit many different gender addresses in trade agreements. For this purpose, the measure establishing the framework criteria is the degree of commitment. Reviewing the agreements showed that there is a continuum of commitment that varies from a simple mention to women/gender with no binding tools, to binding mechanisms specifically addressing gender.

The pyramidal framework illustrates the increasing commitment level and works as the following:

- Reference to conventions

This criterion was applied to the simple reference to conventions addressing gender. The reference here is not associated to any commitment by the parties to the agreement.

- Mention of gender-women

This criterion was applied to agreements’ sections mentioning gender without any commitments. Examples provided are definitions, acknowledgement of the role of women in trade/development, gender equality as a principle/value driving an agreement or a mechanism.

- General commitments addressing gender issues

This criterion was applied to agreements’ sections mentioning a commitment on gender, without referring to concrete tools to implement it.

Examples provided can show a commitment to promote/support gender equality.

- Implementation/ cooperation on general commitments including gender

This criterion was applied to agreements’ sections mentioning concrete tools addressing gender among other issues. Concrete tools’ set may comprise of cooperation activities, measures, action plan and frameworks, dialogue, programs, legislation, strategies, etc.

The level of commitment was measured here by two indicators: one, the priority dimension showing that gender is addressed as an issue among others, and not as the main issue; and, two, the consistency of the commitment dimension showing that concrete tools are considered for its implementation.

When existing, the mechanism¹⁰ responsible of the commitments' implementation are mentioned.

- Implementation/ cooperation on gender commitments

This criterion was applied to agreements' parts mentioning concrete tools specifically addressing gender. It was mainly used to describe when a chapter/article specifically addresses gender, i.e., when the priority matter of the content is gender. As shown above, the concrete tools' set may comprise cooperation activities, measures, action plan and frameworks, dialogue, programs, legislation, strategies, etc.

When existing, the mechanism responsible of the commitments' implementation is in the table.

- Binding mechanisms for gender

This criterion is the highest level of gender commitment among the trade agreements reviewed. It was applied to agreements mentioning a legally-binding mechanisms addressing gender.

Approach to Analysis

Based on the above-mentioned framework, the mention of gender in the bilateral and multi-party trade agreements in the two Tables has been analysed. Before presenting the analysis, it is important to provide further background and explanations as below regarding some key relevant points.

Reviewing the agreements displayed in the table reveals that bilateral and multi-party agreements have similarities but also differences: Each group of agreements has its own settings and institutional arrangements. This hence offers multiple gender addresses that vary from a simple mention of women rights, to very specific commitments backed with legally enforced mechanisms. The following will address the different trends observed in the

agreements reviewed; and the challenges related to each group.

Before moving forward, it is important to recall that this study aims at first to review how gender is addressed in trade agreements. However, some of the agreements reviewed tend to be comprehensive and cover both trade and non-trade areas. In fact, numerous multi-party agreements reviewed establish regional communities and aim for a political, economic and social integration project. They are therefore explicitly comprehensive; and cover more than trade issue such as migration, conflict resolution, political integration etc. This comprehensive trend appears to a lesser extent in the EU bilateral agreements reviewed; which are also inscribed in an ambitious economic integration perspective.

Since the purpose of this study is to identify and examine the gender language in trade agreements, the analysis part, particularly for bilateral trade agreements, focuses only on gender language in the trade-related sections i.e.: sections related to trade, economic and social cooperation, labour issues, etc.¹¹

However, the study deemed the inclusion of the non-trade aspects in the table on multi-party trade agreements valuable since they could provide crucial insights on the diverse possibilities of addressing gender; and best practices for comparative purposes¹². We recall that the issue of identifying proper gender and trade language will be explained for each agreement group.

The analysis will be divided in two major sections:

Bilateral agreements

This section will start by providing an overview of the gender and trade trends and their evolution over time. It will then address the integration dimension in bilateral trade agreements. Finally, it will move to a more specific language analysis through examining the dimension by which gender is approached; i.e.: the

¹⁰ Mechanisms could be Committees, Councils, etc.

¹¹ The use of « trade-related » sections will be explained under the section « gender fields».

¹² The multi-party table will the display both trade and non-trade language on gender. Trade-related language on gender will be highlighted in green.

labour dimension, the social dimension, the sustainable dimension, and the sectorial dimension.

Multi-party agreements

This section will specify the proper settings of multi-party agreements regarding gender mentions: first, by giving an overview of gender and trade language and its historical evolution; and, second, by considering the main trends those agreements contain i.e.: the formal dimension and the commitment dimension.

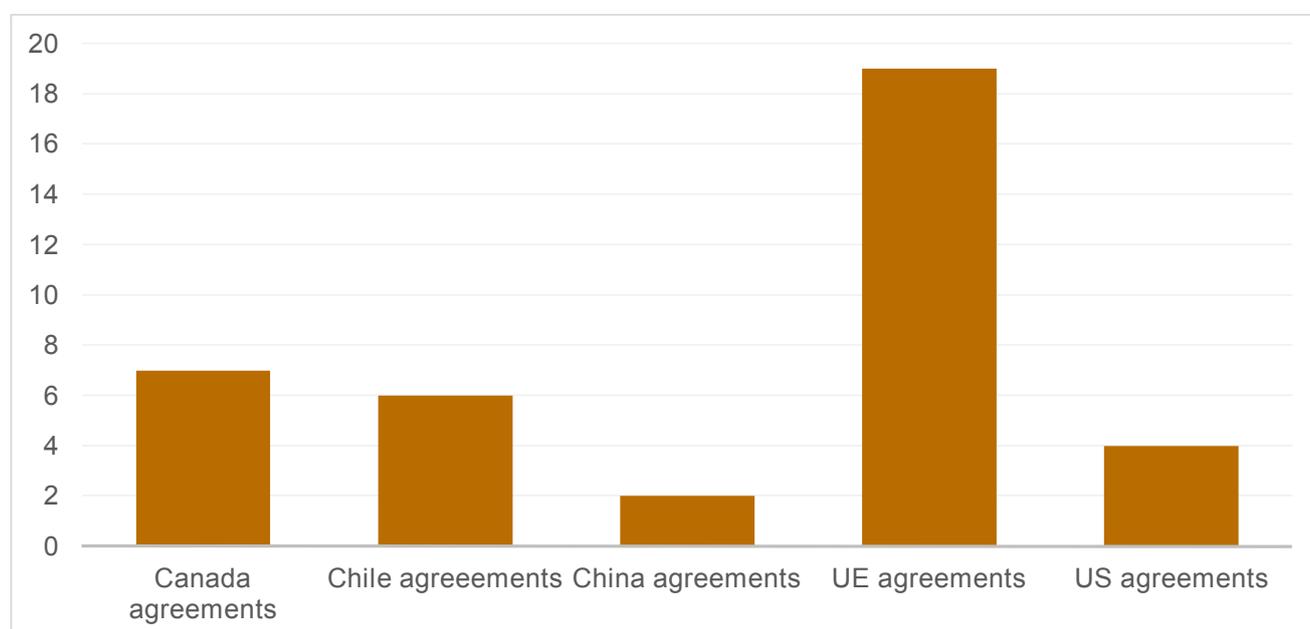
Analysis of Gender Mention in Bilateral Trade Agreements – Annex 1

2.1 Overview

The gender-mention leaders

This table shows that the EU, Canada, Chile and the US are leaders in terms of including gender issues in their bilateral agreements. Out of the 36 bilateral agreements reviewed, the EU comes on the first place with 19 bilateral agreements mentioning gender (EU agreements with: Albania, Algeria, Bosnia Herzegovina, Central Africa, Chile, Egypt, Georgia,

Israel Free, Jordan, Korea, Lebanon, Moldova, Montenegro, Morocco, Palestinian Authority, Serbia, South Africa, Tunisia and Ukraine). Canada is on the second place, with 7 agreements addressing gender (Canada FTAs with Chile, Colombia, Costa Rica, Honduras, Jordan, Panama, and Peru). Chile is on the third place, with 6 agreements mentioning gender (Chile agreements with Canada, Turkey, Thailand, Uruguay, Vietnam and EU). And finally: the US and its 4 agreements with Bahrain, Colombia, Panama and Peru. The remaining agreements include the China (Taiwan)-Nicaragua FTA, and the China-Peru FTA.



As the table shows, gender mentions vary in terms of recurrence and level of commitment. Gender recurrence varies between one mention (EU-Korea FTA) and five mentions (EU-South Africa) in the agreements reviewed. According to the pyramidal framework, agreements comprising multiple references to gender are more likely to show a gradual ascending pattern of commitment. For instance, the Chile-Uruguay FTA starts by a general commitment addressing gender issues in its preamble. This introductory part of the agreement recalls that the parties commit to promote gender equality, without mentioning by which tools or means. Gender is then addressed in the chapter 11 (Labour) and in the Chapter 13 (Cooperation), where it moves to the implementation/ cooperation on general commitments including gender. Finally, the Chapter on gender and trade (14) presents the level “Implementation/ cooperation on gender commitments” of pyramidal framework, where gender is approached through a Gender-specific mechanism.

The EU-Ukraine and EU-Chile Association Agreements show a similar ascending scheme, starting by the reference to conventions’ level, moving to the implementation/ cooperation on general commitments including gender level and reaching the implementation/ cooperation on gender commitments level.

In addition, the degree of commitment in agreements with fewer mentions of gender shows two different trends. First, some agreements such as the EU-Korea, the EU-Central Africa and the China-Peru agreements display a gender commitment limited to the third level of the pyramidal framework, i.e. agreements mentioning general commitment to gender issues; and lacking tools to implement them. Similarly, the China-Peru FTA mentions that the Parties shall include a gender approach in development policies and strategies related to agriculture cooperation without specifying by which means.

The second trend shows that a fewer mention of gender is not necessarily linked to less commitment. The example of all the US bilateral agreements, the

EU-Morocco and the Canada-Colombia agreements shows that gender issues are addressed through the tool of cooperation and fall therefore under the fourth level of the pyramidal framework; despite a limited occurrence in the agreement text.

Historical evolution of gender mention in bilateral trade agreements

Gender mentions in bilateral¹³ trade agreements have evolved from 1997 to 2017. In the bilateral agreements reviewed, the proper expression “gender” appears relatively recently, the first time being the EU-South Africa agreement that entered into force in 2000. Before that, the word “women” was used to address gender issues; its first mention was in the Canada-Chile Free Trade Agreement CCFTA (1997). The language evolution from “women” to “gender” could be interpreted as correlated to the progressive elaboration and development of the gender-mainstreaming paradigm, which flourished after the 1995 Beijing Platform for Action. It is important to note that until 2017 some agreements used both gender and women jointly.

In the CCFTA, gender is mentioned in the Labour cooperation side agreement. It addresses the issue of equal pay and equal treatment of women and men in the workplace. It is important to recall that the first references to gender in trade agreements are done through the labour channel. In June 2017, Canada and Chile added to the CCFTA new amendments including sanitary and phyto-sanitary measures, technical barriers to trade, and trade and gender. The Trade and Gender chapter is modernizing the CCFTA to the extent that it moved gender mentions from a side agreement (Agreement on Labour cooperation) to the main agreement. It also made Canada the first G20 economy dedicating an entire chapter to gender and trade. This measure was deemed as a source of inspiration for Cecilia Malmström, the EU Trade Commissioner, who wants to *include a chapter on*

¹³ Multi-party trade agreements showed an earlier inclusion of gender issues.

*gender equality in an update to the bloc's trade deal with Chile, which is due to be negotiated soon*¹⁴.

Gender and trade mention in the EU integration agreements

It is important to recall that, as shown earlier, some trade agreements address gender in both trade and non-trade related provisions.

In particular, the EU bilateral agreements tend to cover both trade and non-trade related issues. They widen their scope to cover areas such as social issues, migration, conflict-prevention, peace building, free-movement of persons, regional-stability, etc.

The integration and association process is also expressed through a clear will from a party to approximate its legislation with that of the EU. For instance, the article 52 "Approximation of legislation" of the title 5 "Economic cooperation" of the EU-Tunisia agreement states that:

"Cooperation shall be aimed at helping Tunisia to bring its legislation closer to that of the Community in the areas covered by this Agreement."

If this case shows a global will to approximate a party's legislation to the EU's; the example of the EU's agreements with Georgia, Moldova and Ukraine show a more gender-specific commitment regarding this issue. All three countries undertake to gradually approximate their legislation to the EU's legislation and international instruments in terms of anti-discrimination and gender equality.

This comprehensive aspect shows that the EU's agreements address multiple areas, not necessarily related to trade. These areas include social issues, where gender is more likely to be located.

2.2 Gender themes

This study is now going to look closer into the recurrent themes from which gender is approached; and in

¹⁴ <http://www.ractiv.com/section/economyjobs/news/wantsgenderchapterincludedinchiletradedealupdate/>

which gender is considered in the bilateral agreements reviewed. Although the themes can be overlapping in some cases, the study tried to gather them in four groups: (i) Gender as a labour issue; (ii) Gender as a social issue; (iii) Gender as sustainable issue; (iv) Gender as a sectorial issue.

Mention of gender as a labour issue

Forms of gender and labour issue

Gender is included in the labour theme in different agreements reviewed. The main forms in which it appears are:

Side agreements on labour cooperation, in the case of all the Canada bilateral agreements. In this case, there is a specific mechanism –a Ministerial council- in charge of overseeing the implementation and reviewing the progress of this Labour Cooperation Agreement.

Chapters on labour. In the case of all the US bilateral agreements: Gender address is set in the annexes of the Labour chapters. In all the US Chapters on Labour, a Labour Affairs Council¹⁵ is established to specifically oversee the implementation and to review the progress of the chapter. The China (Taiwan)-Nicaragua FTA also addresses gender in an annex on labour principles and establish a Labour Affairs Committee to coordinate the activities of the Labour Cooperation and Capacity Building Mechanism.

Articles: The EU-Korea FTA mentions gender in the Article 13.4.2 "Multilateral labour standards and agreements".

Labour and gender language

The table shows that different angles exist to address gender issues in a Labour perspective. For instance,

¹⁵ The mechanism is called a Joint Committee in the US-Bahrain FTA

the US bilateral agreements opted for language on the elimination of discrimination in respect of employment and occupation. The EU agreements with Albania, Bosnia-Herzegovina, Montenegro and Serbia, address labour issues and gender through the prism of working conditions. This approach is interesting to the extent that evidence shows women tend to be more subject to both discrimination and to poor working conditions.

In addition, equal pay remains a focus point in terms of gender equality in the place of work issues. The gender wage gap is the percentage shortfall in the average wage of women relative to the average wage of men (ILO, 2016). The ILO Global Wage Report 2016/17 shows that estimations of hourly gender pay gap vary from about zero to almost 45 percent (ILO, 2016). It is notable that this issue is not recent and has been addressed in trade agreements since the 1997 CCFTA. Canada FTAs with Costa-Rica and with Jordan also committing to eliminate discriminations including equal wages for women and men.

In addition, the EU agreements with Georgia and Korea, links labour and gender language through explicit references to the 2006 Ministerial Declaration of the UN Economic and Social Council on Full Employment and Decent Work; to the ILO Declaration on Fundamental Principles and Rights at Work; and to the ILO Decent Work Agenda. All these mentions underline the need for the creation of an enabling work environment for women; and call for gender equality at the place of work.

Furthermore, through developing capacity-building activities and programs, the Chile-Uruguay FTA highlights the issue of addressing women safety and health and keeping women in the labour market. Also, the example of the China (Taiwan)-Nicaragua FTA is interesting since the gender and labour theme is approached from an *intersectional* perspective. Intersectionality (Crenshaw, 1991) is a concept developed by Kimberlé Crenshaw. It stipulates that gender should be addressed through its intersection with class and race. The China (Taiwan)-Nicaragua FTA indeed mentions that the Parties are committed to promote principles including the elimination of employment discrimination on such grounds as race, religion, age, and sex.

Also, the article 291 of the EU-Ukraine agreement is interesting since it addresses gender, sustainability and labour at the same time: *Parties commit to promote the development of trade in a way that is conducive to full and productive employment and decent work for women, men and young people.* This shows that gender mentions in some EU agreements are multidimensional and approached through various angles.

To conclude this part, it is worth noting that both the Canada-Chile FTA and the China (Taiwan)-Nicaragua FTA highlight that the labour principles mentioned in the agreements are promoted at the respective domestic levels and that the parties do not establish common minimum standards for the countries' respective domestic law. It is also interesting to state the point 4 of the article 291 "Multilateral labour standards and agreements" of the EU-Ukraine agreement:

"The Parties stress that labour standards should not be used for protectionist trade purposes. The Parties note that their comparative advantage should in no way be called into question.

Mention of gender as a social issue

In the bilateral agreements reviewed, gender is also approached through the social theme. Aside the Canada-Costa Rica FTA, that addresses the issue of social security, the social theme is predominately present in the EU bilateral agreements.

In fact, gender is mostly located in the social-related cooperation sections and encompasses various topics. The topics include education and training as a social issue regarding gender. The education and training is a mean through which women can be empowered: e.g. the EU-Algeria Association agreement, where cooperation between the Parties includes the promotion of the role of women in the economic and social development process *through* education and the media; as well as an area where improvements are needed, . e.g.: in the EU-Bosnia Herzegovina the Parties shall *ensure* an equal access to education and training.

Also, education and training language is approached in an intersectional perspective in the EU agreement with South Africa, which explicitly links social cooperation to the social issues of post-apartheid society. The cooperation in this agreement is willing to promote the economic empowerment of historically disadvantaged groups, including women. Depicting gender as embedded to the issues of a post-apartheid is worth mentioning since it offers a contextual lecture and thereby challenges the assumption that all trade agreements are gender-blind. In this context, the link between the social language and discrimination is present in the EU agreements with Georgia, Moldova, and Ukraine. As shown earlier, all three agreements mention in their annexes that they undertake to gradually approximate their legislation to the EU legislation and international instruments in terms of anti-discrimination and gender equality within a certain time frame. In the three agreements, the language is the same. This fact shows an interesting trend about gender language that appears similar/resembling in EU agreements with parties –countries-showing geographic and/or cultural rapprochements. As an example, the EU agreements with Algeria, Jordan, Morocco and Tunisia –all MENA countries-underline that promoting women role in the economic and social development shall be *in line with the domestic policies*. It seems that a special attention is drawn to the cultural background of the countries mentioned; which reveals that those EU agreements approach gender from a cultural-aware perspective. Also, EU agreements with a larger subgroup of MENA countries show a special interest to the family dimension in the respective countries. For instance, EU agreements with Algeria, Egypt, Jordan, Lebanon, Morocco, and Tunisia mention that cooperation between the Parties includes *bolstering and developing countries' family planning and mother and child protection programmes*. The EU-Palestinian authority agreement notes that the Parties *give priority to the development of family planning and the protection of mothers and children*. Although there is not a proper gender-monitoring mechanism here, it is interesting to see how those EU agreements enlarge the cooperation scope and address such specific and non-trade issues. Finally, it is worth mentioning that the trend of

groups/subgroups showing similar/resembling language on gender is not only limited to cultural issues; neither to the EU agreements. The Canada FTAs with third Parties display resembling language on gender and mechanisms addressing gender and labour issues. It goes similarly for the US and Chile's set of agreements with respective third parties e.g.: US FTAs with Bahrain, Colombia, Panama, and Peru show almost the same language on gender. This trend of similar/ resembling gender mentions could be present in two different agreements including the same part. In this context, the following box explores the resemblances between the gender chapters of the Canada-Chile FTA and the Chile Uruguay FTA.

To conclude the social issue part, we can say that the prolific presence of gender mentions in the EU agreements reviewed is in line with the EU general commitment on mainstreaming gender in its activities¹⁶: Gender equality appears as a driving value in the EU policies through multiple initiatives; such as the EU Strategies for Equality between Women and Men (2010-2015) and (2016-2019).

¹⁶ Articles 2 and 3 of the Treaty on European Union, Article 8 Treaty on the Functioning of the European Union.

BOX 2: CHAPTERS ON GENDER AND TRADE IN BILATERAL FTAS: THE CASE OF CCFTA AND THE CHILE-URUGUAY FTA

The specific and detailed gender measures in the CCFTA (July 2017) show a gender language that echoes the commitments of the Chile-Uruguay FTA; which also sets a chapter on gender and trade since 2016.

In fact, the Chile-Uruguay FTA is the first agreement to dedicate an entire chapter to gender in a bilateral trade agreement. A closer look to both the CCFTA and the Chile-Uruguay FTA' gender chapters shows an important set of similarities. First, both chapters acknowledge the importance of incorporating gender as a mean of achieving sustainable socioeconomic development; and inclusive economic growth. Second, both Chapters also recognize the role of gender in benefiting the entire population through the more equitable participation of men and women in business, industry, and the labour market. Also, both chapters establish institutional arrangements on gender consisting in Committees with resembling characteristics in terms of duties and means of cooperation.

As mentioned above, gender language varies in the bilateral agreements reviewed from a simple mention to very specific commitments. The Gender and trade chapters in the CCFTA and the Chile-Uruguay FTA are indeed very specific since they define a large scope of cooperative activities: capacity building; women place in multiple areas: labour, enterprises, business, sciences, technology and innovation; women access to resources, opportunities and education; women leadership; sex-disaggregated data, etc.

In this sense, both chapters are deemed revolutionary since, on one hand, they show a high level of commitment to gender issues in terms of priority, i.e.: an entire chapter is entitled to gender and trade, and on the other hand, they address issues responding to the most crucial and specific issues of gender in trade.

However, it is important to recall that both FTAs explicitly exclude the Gender chapters from the dispute settlement provisions:

CCFTA:

“Article N bis06: Non-application of Dispute Resolution:

A Party shall not avail itself of the dispute resolution mechanism provided for in Chapter N (Institutional Arrangements and Dispute Settlement Procedures) with respect to any matter arising under this Chapter.”

Chile-Uruguay FTA:

“Article 14.6: Non-application of dispute settlement:

No party may have recourse to the dispute settlement mechanism as the chapter 18 (dispute settlement), with respect to any matter arising from the present chapter.”

Mention of gender as a sustainability issue

In some trade agreements, gender fall into the sustainability theme either through its location, e.g.: the EU-Korea FTA addresses gender in the article 13.4.2 of the Chapter 13 “Trade and sustainable development”; or through the language itself. Although this trend may seem recent, gender as a sustainability issue was mentioned in 2000 in the EU-South-Africa agreement. Afterwards, the sustainability theme is mentioned in the EU-Georgia agreement, the EU-Moldova agreement, and the EU-Ukraine agreement, all entered into force in 2014¹⁷. In the case of the EU-Georgia agreement, article 239 “Working together on trade and sustainable development” notes that the Parties recognise the importance of working together on trade-related aspects of environmental and labour policies. That is, the Parties may cooperate in the trade-related aspects of the ILO Decent Work Agenda, which includes the interlink between trade and full and productive employment, labour market adjustment, core labour standards, labour statistics, human resources development and lifelong learning, social protection and social inclusion, social dialogue and gender equality¹⁸.

The environmental theme is also present in the EU agreements with South Africa. It indeed displays two articles joining gender and environmental issues: 1. The article 50 (Title 4), which is an introduction to the economic cooperation, mentions that cooperation between the Parties aims to promote different matters including the protection and improvement of the environment and the economic empowerment of women among others. 2. The article 66 (Title 5, Section A), which addresses the development cooperation priorities, mentions that programmes shall reflect the gender and environmental dimensions of development.

Although gender is not directly linked to environment here, addressing both issues under the same article could be interpreted as them both belonging on the same level: the paradigm of sustainability.

In addition, in the article 348 of the chapter 14 of the UE-Georgia agreement, the parties note that they shall strengthen their dialogue and cooperation on advancing gender equality among other issues in a view of promoting more and better jobs, poverty reduction, enhanced social cohesion, *sustainable development* and improved quality of life. Gender is therefore a tool to achieve sustainable development and ensure social cohesion¹⁹.

To conclude this section, it is interesting to note that the sustainable perspective depicts gender as intertwined with environment, labour, health, and thereby with human rights if we refer to the article 23 and 25 of the Universal Declaration of Human Rights. The reference to the human rights dimension is particularly evident in the EU bilateral agreements compared with the other agreements reviewed. Almost all the EU agreements reviewed refer to a set of international and regional declarations promoting human rights either in their preambles, in their general provisions or in both. The documents evoked are mainly the Charter of the United Nations, the Helsinki Final Act, the Stability Pact for South-Eastern Europe, the concluding documents of the Madrid and Vienna Conferences, the United Nations Universal Declaration of Human Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms, etc. It is useful to recall that all documents listed also include in their turn gender equality and prohibit any discrimination based on sex/gender.

¹⁷ Diverse bilateral trade agreements address the sustainability issue. However, they don't necessarily link it to gender.

¹⁸ The EU-Moldova agreement shows the same language on gender and sustainable development in the article 375 “Working together on trade and sustainable development.”

¹⁹ The EU-Moldova Association agreement shows the same language in the article 31 of the chapter 4 “Employment, social policy and equal opportunities”.

Mention of gender as a sectorial issue

In some of the agreements reviewed, gender is approached through the sectorial theme. Although this trend is not very common and lacks concrete implementation tools in the agreements reviewed, it is worthy to mention it. In fact, trade and gender experts tend to call for a sectorial approach to assess and then examine gender issues in trade. For instance, the UNCTAD Gender and trade toolbox second component aims to evaluate the impacts of trade reforms on the sectors where women are prominent in order to identify how trade liberalization could address gender inequalities through a sectorial lens. The sectorial theme is then relevant to the extent that it suggests a targeted and specific map of women's situation. First, women entrepreneurship is addressed in the Chile-Uruguay FTA chapter on gender, which carries out cooperation activities on improving the ability of

women entrepreneurs. Women entrepreneurship is also promoted in the EU-Central Africa agreement, even though this point is not developed further. Here, the economic cooperation links SMEs to gender by stating that a gender-sensitive approach is crucial in promoting SMEs. Similarly, the China-Peru FTA mentions the inclusion of a gender approach in development policies and strategies related to agriculture cooperation.

As seen above, the sectorial approach is not developed further; nor complemented by tangible tools. However, it shows that gender mentions are diverse and relate to different themes including some sectors. This diversity is yet more likely to be in cooperation activities for the majority of the agreements. Cooperation appears as a crosscutting paradigm, which includes gender as an area of labour cooperation, social cooperation, etc.

Analysis of Gender Mention in Multi-Party Trade Agreements – Annex 2

3.1 Overview

Gender mentions in multi-party agreements

In Annex 2 are presented 19 multi-party agreements that mention gender which, compared to bilateral agreements, tend to be longer and more complex. Moreover, gender mentions are likely to be more elaborated in multi-party agreements than in bilateral agreements. In quantitative terms, elaborated means the recurrence of gender mentions in one agreement: 15 agreements out of the 19 reviewed refer to gender more than two times. In qualitative terms, “elaborated” means both the diversity of the gender-related topics and the level of commitment regarding gender issues.

It should be noted that very often the context and coverage of multi-party agreements are much broader and comprehensive (e.g. aiming at economic, social, and even political integration) than bilateral trade agreements. This is one of the reasons multi-party agreements contain more elaborated gender mentions. This issue will be examined further under the “gender fields” sections.

While multi-party agreements do not follow the same exact patterns as the bilateral agreements while mentioning gender, some similarities are still observable. We can mention for instance the cooperation paradigm, which is present in both types of agreements. Similar to the bilateral agreements, gender issues are more likely to be located in cooperation activities: the EU-Central America association shows for example, multiple occurrences of gender in its Cooperation section. Gender is also

located under the Economic and social Cooperation in the Cartagena agreement, and in the Labour cooperation in the CAFTA-DR, etc.

Historical evolution of gender inclusion in multi-party agreements

Historically, and similarly to the bilateral agreements, the first references to gender in a trade perspective are found under the labour theme. The first agreement to mention gender in this context is the Treaty of Rome (1957) establishing the European Economic Community. The article 119 of the Social Provisions chapter addresses gender issues from the equal pay lens; and mentions that Each Member State shall ensure and maintain the application of the principle that men and women should receive equal pay for equal work.

While some agreements mentioned gender in their first versions, other agreements show a progressive trend on including gender. For instance, in the 1992 first version of SADC Treaty (entered into force in 1994), gender mention was limited to the article 6 of the Chapter 3; in which the SADC Member states committed not to discriminate against any person based on their gender among other grounds. The 2001 amendment added to the article 5 of the Chapter 3 “Principles, objectives and general undertakings”; the three following points: Combatting HIV/AIDS or other deadly diseases or communicable diseases; ensuring that poverty eradication is addressed in all SADC activities and programs; and mainstreaming gender in the process of community building. Later, the 2008 amendment replaced the article 12 of the Treaty by

adding points defining the establishment of the Sectoral and Cluster Ministerial Committees. The points defined its activities of integration and cooperation, which include gender issues. This gradual integration of gender and trade issues in multi-party agreements is also observable in the MERCUSOR arrangements.

After briefly giving the historical evolution, the following part of the study will consider the specific trends regarding gender and trade language in multi-party agreements. This will be done in two steps:

First, by examining the arrangements addressing gender and the fields in which gender mentions are located. Second, by considering the commitment dimension of this type of agreements. The latter will specifically focus on the following topics: explicit commitment to mainstreaming gender; gender-specific mechanisms; involvement of gender actors in decision-making processes; binding mechanisms for gender, and gender concepts.

3.2 Formal dimension of gender mention in multi-party agreements

In multi-party agreements, gender issues are not only addressed in a main or a side agreement, but are also present in other types of arrangements, such as protocols, decisions, bills, etc. Also, gender is approached from different perspectives since the multi-party agreements are comprehensive and both cover both trade and non-trade issues. That is why it was challenging²⁰ to identify the trade-related sections addressing gender and to distinguish them from the non-trade related sections in these agreements.

Arrangements addressing gender

Multi-party agreements show diverse arrangement where gender language is addressed. Similar to

bilateral agreements, the side agreement trend is also present such as the example of the North American Agreement on Labour Cooperation (NAALC); which is the side agreement of the North American Free Trade Agreement (NAFTA).

In addition to gender mentions in the main agreements reviewed, it is interesting to note that gender is also addressed through other arrangements as described below.

Protocols

The Sucre protocol is an amendment through which the governments of Bolivia, Colombia, Ecuador, Peru and Venezuela amend the Andean sub-regional Integration Agreement (Cartagena Agreement). From a gender lens, this protocol amends the Cartagena agreement by incorporating a provision aiming to set gender issues among the Enlarged Committee duties. The SADC protocol on gender and development, signed in 2008 and entered into force in 2013, aims to integrate and mainstream gender issues into the SADC Programme of Action and Community Building initiatives in the perspective of sustainable development of the SADC region²¹. The SADC Protocol covers various areas as shown in the Annex. Issues addressed include women in trade under the article 17 “Economic empowerment”:

“1. States Parties shall, by 2015, adopt policies and enact laws which ensure equal access, benefit and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors.

2. States Parties shall, by 2015, review their national trade and entrepreneurship policies, to make them gender responsive.

3. States Parties shall, by 2015, and with regard to the affirmative action provisions in Article 5, introduce measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes”.

²⁰ The challenge will be explained under the section « gender fields ».

²¹ http://www.sadc.int/documents-publications/show/Protocol_on_Gender_and_Development_2008.pdf

In terms of commitment, this protocol is notable since it both sets a deadline and displays a dispute settlement under the article 36 “Settlement of disputes”, which will be addressed further later. Similarly, the EEA Protocol 31 on cooperation in the specific fields outside the four freedoms refer to a set of Community Acts addressing gender issues through which cooperation on social policies shall be done. To conclude the section on protocols, it is worth stating other brief mentions of gender: the EU-SADC Protocol 1, recalls that “*any reference to the male gender simultaneously means a reference to the female gender and vice versa*”; and the Eurasian Economic Union Protocol on technical regulations within the Eurasian Economic Union, where “*Technical regulations may, with account of the risk of harm, contain specific requirements ensuring the protection of certain categories of people (minors, pregnant women, nursing mothers, the disabled)*”.

Decisions and Resolutions

The other type of arrangements in which gender is mentioned is the decisions and the resolutions. It is the case of the Andean Community and the MERCUSOR. MERCUSOR has indeed a set of 7 decisions and resolutions through which gender issues are gradually incorporated from a broad range of perspectives, including trade.

While the institutional dynamics of the decisions and resolutions will be addressed under the “Commitment dimension” section, this section will state the trade and gender content highlighted in the resolutions/ decisions set.

First, trade and gender related topics are briefly mentioned in the Resolution 84/00; where the special meeting of women²² duties includes the analysis of women’ situation in terms of access to equal opportunities; in a perspective of ensuring the social, economic, and cultural development of the MERCUSOR States Parties. Then, the Decision 13/14 displays the MERCUSOR “Gender Equality Policy Guidelines” which shall be adopted for the design, preparation, implementation, monitoring and

evaluation of policies, regulations, strategies, programs, action plans, as well as resource management and budgeting within MERCOSUR. The 13 Guidelines address trade among diverse and broad gender issues such as access to health, gender-based violence, migration, etc.

More specifically, trade and gender issues are addressed from the labour approach in point 6.1 and from the broader trade policy approach in point 6.10.

Point 6.1 “Economic autonomy and equality in the labour and care sphere” promotes the adoption of public policies aiming to recognize the unpaid care work and its impact on the sex-segregated division of labour. This point also supports the state-guaranteed care services; which could alleviate the burden of women workers and encourages gender equality in the workplace, female facilitated access to labour market and insertion in non-traditional occupations. It also encourages women access to productive resources and credit, with special attention to rural women.

Point 6.10 “Inclusive and productive trade policies” promotes the incorporation of a gender dimension in trade agreements. This point promotes an inclusive analysis of the different impacts of trade on women and men in the regional bloc and calls for the consideration of those differences in the elaboration and implementation of trade agreements and policies.

In parallel to these guidelines, MERCUSOR also has the Strategic Plan of Social Action of MERCUSOR, which is set in the Decision 12/11; and where gender appears as a crosscutting issue. The topics linking trade and gender are displayed in directive 17 “Promoting the development of SMEs, cooperatives, family farms, economy of solidarity, integration of production networks, and productive complementarity in the context of the regional economy”; and in directive 18 “Incorporating a gender perspective in elaborating labour public policies”. While the first focuses on women access to land and women economic and financial autonomy through technical assistance and capacity-building; the latter commits to ensuring equal pay for men and women; guaranteeing

²² Courtesy translation of « Reunión Especializada de la Mujer »

domestic workers' rights -specially in border regions-, adopting measures to recognize care work, etc.

Albeit those directives contain a similar gender language as in the above mentioned “Gender Equality Policy Guidelines”, it is evident that the MERCUSOR set of resolutions and decisions addresses gender from a very targeted perspective; through capturing concrete barriers impeding women in trade (lack of access to credit and resources, burden of care work, inequality at the work place, etc.).

Legislative Bills

Finally, the last and more recent type of arrangement addressing gender and trade is the EAC Gender Equality and Development Bill. This section will focus on the bill's content; details about its institutional functioning will be seen in the section “Commitment dimension”. Topics considered in this bill are broad and cover multiple areas such as gender issues in peace and security, in food security, in health, education, etc. The Bill also comprises concrete measures; such as gender-responsive budgeting.

More specifically, the Bill's trade and gender language is quite advanced and specialized. For instance, article 11 raises the issue of women economic empowerment; women's access to credit, the right to security for all persons working in the formal and informal sector, and the development of subsidized programmes to create and sustain women's entrepreneurial skills. Article 13 focuses on land Rights and mentions that Member states shall ensure that land ownership, access to and control of land is void of any cultural barriers that inhibit women to have access to and from ownership of land; and enact or review laws and policies that determine access to control of productive resources. Article 14 explicitly addresses trade. Through it, Member States shall promote equal participation of women and men in regional trade, taking into consideration gender dimensions and the right to personal safety when engaging in cross border trade. Member States shall also review their trade policies to make them gender-responsive and ensure that women and men in the informal sector have equal access to financial resources, legal aid and other resources. Finally, Article 17 is more sectorial-focused and addresses gender

issues in extractive industries. This is done through both encouraging a regional cooperation that effectively protects the rights of indigenous communities especially women; and ensuring that exploitation contracts are awarded and implemented in a gender responsive manner.

Gender fields

As discussed earlier, gender is approached from different angles in the core text of multi-party agreements. In some agreements, gender issues were clearly addressed in the trade section, e.g. the EC-CARIFORUM Economic Partnership Agreement, where gender is addressed in both parts: Part 1 “Trade partnership for sustainable development”; and Part 2 “Trade and trade-related matters”. For other cases, the challenge while tracking gender language in multi-party agreements was first, to identify and differentiate the trade-related sections from the non-trade-related sections (health, migration, humanitarian, etc.).

Second, gender and trade language is not always located in the proper and explicit “trade” part. Gender and trade as content are also present in sections that are not formally related to the trade sections; such as social policies, women issues in business, etc.

Hence, it was challenging to assess which sections to include in the analysis since gender and trade language is more likely to be diffused and not confined in one section -the trade section-. That is why, by *trade-related sections*, the study means the sections where the content expresses trade and gender language, but not necessarily the location. Gender and trade language is thereby inscribed in a broad perspective.

The following will enumerate the most interesting trade-related locations of gender language, to show the diversity of the angles from which gender is approached in multi-party comprehensive integration agreements:

- *Objectives of the Community*: Article 5 of the Chapter 2 “Establishment and principles of the Community” of the EAC Treaty: The Community shall ensure the mainstreaming of gender in all its endeavours and the enhancement of the role of

women in cultural, social, political, economic and technological development.

- *Social policies:* Title 10 of the Consolidated version of the Treaty on the functioning of the European Union: The Union shall support the equality between men and women with regard to labour market opportunities and treatment at work.
- *Cooperation strategies:* Part 3 of the Cotonou agreement, where gender is addressed in the article 31: The cooperation shall strengthen gender-related policies and programmes; and create a framework to integrate a gender-sensitive approach and concerns at every level of development cooperation (macroeconomic policies, strategies and operations); and encourage the adoption of specific positive measures in favour of women, such as participation in national politics and access to labour market and to productive resources (land and credit).
- *Women in development and business:* Chapter 24 of the COMESA Treaty: Member states shall promote women's inclusion at all levels of development especially in the decision-making level; eliminating discriminatory regulations and customs such as those preventing women from owning land and assets; changing negative attitudes toward women by promoting education; creating or adopting technologies ensuring the employment stability and progress of women workers; and encouraging institutions engaged in the promotion and development of labour-saving devices aimed at improving the productive capacity of women
- *Social Development and Social Cohesion:* Title 3 of the part 3 "Cooperation" of the EU- Central America association Agreement: Cooperation between the Parties shall include the protection of human rights, the creation of economic opportunities and specific social policies and other measures for vulnerable social segments including women.

3.3 Commitment dimension of gender mention in multi-party agreements

Explicit commitment to mainstreaming gender

The multi-party agreements reviewed tend to be more committed to gender issues in trade than bilateral agreements. This degree of commitment is captured by an explicit and clearly expressed will to mainstream gender. This is the case of the EAC main treaty, where the Community commits to ensure the mainstreaming of gender in all its endeavours at a regional level. Also, the EC-ESA Interim Economic Partnership Agreement contains in its annex 4 a development matrix mentioning gender mainstreaming in access to production factors with a view to promote trade among other objectives. SADC and MERCUSOR also commit to respectively mainstream gender: in the process of the Community building process of the SADC; and in the political institutions of MERCUSOR. Furthermore, the Cooperation in the EU-Central America association agreement sets gender as an area of cooperation through which the Parties shall promote the integration of the gender perspective in all the relevant fields of cooperation.

Finally, gender issues are explicitly described as crosscutting issues and are set within the development strategies in the Cotonou agreement. Through this, the cooperation shall integrate a gender-sensitive approach at every level of development cooperation.

Gender-specific mechanisms

The commitment to gender issues is also captured through the presence of mechanisms specifically addressing gender. In this case, agreements establishing gender-specific institutional mechanisms reveal a higher degree of commitment to gender issues; and a concrete political will to implement them. For instance, the MERCUSOR is provided with bodies and institutional dynamics specifically addressing gender issues. In fact, through the Resolution 20/98, the

Common Market Group (GMC)²³ –i.e. the executive organ of the common market- established the Special Council of Women²⁴; which is a special mechanism addressing equal opportunities in terms of gender in the perspective of ensuring the social, economic and cultural development of the MERCUSOR States Parties. In 2012 and through the Decision 14/12, the Common Market Council (CMC) –i.e. the highest organ of the common market- decided to establish a gender equality policy for MERCUSOR, which shall be the duty of the Committee of Ministers and high authorities of the MERCOSUR women (RMAAM)²⁵. The CMC also shall enable the RMAAM to coordinate efforts with other bodies within the institutional structure of MERCUSOR on gender; and the RMAAM shall also submit a report on the progress of its work to the CMC.

In 2013, and through the decision 13/14, the CMC decided to implement the already mentioned gender equality Policy²⁶ and to instruct the MERCUSOR institutional organs to implement it. It is the RMAAM that is instructed to carry its monitoring and follow-up; and which is empowered in implementing it with the focal points of the MERCUSOR bodies.

To sum up, actions such as establishing a Women Council; empowering the RMAAM by enabling it to coordinate efforts with other MERCUSOR bodies on gender; instructing the RMAAM by enabling it to monitor gender equality policy and to report its progress -with a special attention to the follow-up dimension-; are all elements showing a high commitment to implement and a desire to monitor gender equality within the MERCUSOR activities.

Involving gender actors in decision-making processes

In addition, agreements such as the COMESA and the ECOWAS promote an inclusive environment encouraging the participation of women at the

intuitional level through involving gender actors in the development process. In fact, the article 155 of the Chapter 24 of COMESA Treaty states that the Member States shall commit to support the Federation of National Associations of Women in Business, which is an institution established under the Preferential Trade Area for Eastern and Southern African States- and allow it to be represented at the Consultative Committee²⁷ and at the Technical Committees of the Common Market²⁸ meetings. Article 82 of Chapter 19 of the ECOWAS also explicitly mentions that the Community shall cooperate with women and youth organisations, among others, with a view to ensure the involvement of various actors in the integration process of the region. Both of these commitments aim to promote a more inclusive approach towards gender issues; emphasizing women’s voices in the decision-making process.

Binding mechanisms for gender

In opposition to the Canada-Chile and the Chile-Uruguay FTAs, where the Parties explicitly exclude the Gender chapters from the dispute settlement provisions; some multi-party agreements display a higher degree of commitment in terms of legally binding arrangements. In fact, The EAC, the SADC and the Andean Community frameworks are provided with legally binding arrangements regarding gender commitments.

The EAC Gender Equality and Development Bill

On 8th March 2017, the East African Legislative Assembly (EALA) passed into law the EAC Gender Equality and Development Bill, which is a legal act calling for an inclusive participation in regional trade and *legally obliging the Member States to promote gender equality*²⁹. The institutional dimension of this bill is defined in the articles 20 and 21: The first sets

²³ Grupo Mercado Común

²⁴ Courtesy translation of Reunión Especializada de la Mujer

²⁵ La Reunión de Ministras y Altas Autoridades de la Mujer del MERCOSUR

²⁶ “Guidelines of the Gender Policy of MERCUSOR”

²⁷ It is the consultative Committee of the business community and other interest groups established by Article 7 of this Treaty

²⁸ Any of the technical committees established by the article 7 of the Treaty. Technical committees are organs of the Common Market.

²⁹ Informations are provided by the EASSI website: <http://www.eassi.org/home/news/finally-the-eac-gender-equality-and-development-bill-passed-into-law>

out the mechanisms implementing this act, which comprise a Ministerial Council for gender and women affairs, gender experts; and the EAC Secretariat. The latter states that *the Council may make regulations providing for any matter which by this Act is required to be prescribed or which the Council considers necessary for giving effect to the purposes of this Act.* This bill is in line with the article 121 of the EAC Treaty; in which the Community acknowledges the role of women in development and sustainable growth. Its legal commitment dimension is embodied in its form: it is a legal act deliberated by a legislative body (the EALA). Despite its form, the bill does not mention any dispute settlement mechanism.

SADC Protocol on Gender and Development

The SADC Protocol on Gender and Development was signed in 2008 and entered into force in 2013. It has the same legal force as the treaty itself and aims to integrate and mainstream gender issues into the SADC Programme of Action and Community Building initiatives in the perspective of sustainable development of the SADC region.

It is interesting to note that this Protocol, unlike the EAC bill, is provided with a dispute settlement mechanism, addressed in the article 36 “Settlement of disputes”:

“1. States Parties shall strive to resolve any dispute regarding application, interpretation or implementation of the provisions of this Protocol amicably.

2. Any dispute arising from the application, interpretation or implementation of this Protocol, which cannot be settled amicably, shall be referred to the SADC Tribunal, in accordance with Article 16 of the Treaty”.

The article 16 of the SADC Treaty to which this article directly refers, states that “The decisions of the Tribunal shall be final and binding”. This makes the Protocol provisions - including trade- concrete and legally binding.

The Andean Community Decisions

Another interesting example of legally binding mechanisms is the Andean Community Decisions. Beside the fact that the Cartagena agreement was amended by the Sucre Protocol that incorporated gender issues through the duties of the Enlarged Committee, The Andean Community legal framework is provided with two decisions addressing gender issues: Decisions 584 and 586. While the first approaches women workers’ safety and health at work, the latter focuses on the implementation of the Andean Charter for the Promotion and Protection of Human Rights. Gender is mentioned in both Decisions, which are legally binding for Member Countries according to the article 2 of the treaty creating the Court of Justice of the Cartagena Agreement.

Gender concepts

It is instructive to note that multi-party comprehensive agreements also include advanced gender-specific concepts. While these may or may not be linked to specific commitments and / or mechanisms, they demonstrate an advance towards understanding and addressing gender issues more comprehensively and thoroughly. Therefore, this section is devoted to presenting some of these concepts.

Intersectionality

The concept of intersectionality, already reviewed under the bilateral agreements, is present in the NAALC agreement in its annex on labour principles, where Parties commit to promote principles including the elimination of employment discrimination based on race, religion, age, sex or other grounds. Nevertheless, the most interesting example is the MERCUSOR decisions, where intersectionality is elaborated on and mentioned as such:

“Directive 8 of the MERCUSOR Gender equality policy guidelines: Intersectionality, multiple and aggravated discrimination:

To develop strategies, policies and actions that guarantee special protection of the rights of women in situations of social exclusion and all forms of discrimination: gender, generational, racial, ethnic, socioeconomic, language, sexual orientation and

gender identity, political, religious, immigration status, disability, deprivation of liberty, among others.”

While the directive 2 of the PEAS promotes policies aware of the perspective of gender, age, race, and ethnicity; the directives 9 and 11 explicitly include the issues of indigenous, black, afro-descendants, and disabled women. On the one hand, this approach is crucial in the policy-making process since it gives visibility to population segments that are more vulnerable due to social and historical dynamics. On the other hand, it shows that women are not a homogeneous group. Each subgroup of women has its own specificities; and a gender approach should beware of them in order to provide targeted solutions.

Reproductive rights

The second gender concept is reproductive rights. The Decision 584 of the Andean Community Commission and the Andean Council of Foreign Ministers entitled “Andean Instrument of Safety and Health at Work” shows concrete measures regarding workers’ reproductive rights. In article 26 of Chapter 5 “Workers subject to special protection”, *the employer shall take into account the risk factors that may affect the reproductive functions of workers (exposure to physical agents, chemical, biological, ergonomic and psychosocial) and shall take the preventive measures.*

In article 27 of the same Chapter, the measures are more explicit:

“When the activities normally carried out by a worker are dangerous during the period of pregnancy or breastfeeding, employers must take the necessary measures to avoid their exposure to such risks. To this end, they will adapt the working conditions, including the temporary transfer to a different job and compatible with their condition, until their state of health allows their reinstatement to the corresponding job. In any case, the worker will be guaranteed their labour rights, in accordance with the provisions of the national legislation of each of the Member Countries.”

This concept also appears in directive 4 of the MERCUSOR Gender equality policy guidelines:

“Sexual rights and reproductive rights:

To develop policies that ensure the full exercise of sexual and reproductive rights of women and men. Ensure the right to make free, informed, voluntary and responsible decisions about sexuality and reproduction without coercion, violence, or discrimination based on sexual orientation, gender identity, racial / ethnic group, religious beliefs, disability, place of residence.”

Care work

The third gender concept mentioned in multi-party agreements is care work. According to Diane Elson, Care work is the unpaid work in households and communities, which is generally handled by women on a daily basis (Elson, 2010). Care work is important to highlight as a gender and trade issue since it assigns women as more suitable for household activities, and thereby impedes them from accessing the labour market. Care work is also deemed as a burden since it is unpaid labour and has the power to shape women career’s strategies i.e.: it is one of the reason women are confined in part-time jobs or in informal jobs to manage balancing between both duties. Part-time and informal jobs are indeed less stable and secure. The mention to care work is recurrent in the MERCUSOR framework: in PEAS (directives 2 and 18) and in MERCUSOR “Gender equality policy guidelines” (directives 1, 10). Directives encourage an equal share of care work between men and women and acknowledge its impacts on the sex-segregated division of the labour market. A more equal share of the household work is deemed a first step toward women’s economic autonomy; and could lead thereby to the women economic empowerment, a concept addressed, as shown earlier, in the SADC protocol; and in the EAC Bill.

Parity and political/legislative representation

Broadly, the next gender concept evoked in the multi-party agreements is the parity and the political/legislative representation. While the SADC Protocol commits to promote parity in different areas, the EAC

Community undertakes to take into account gender balance in the appointment of staff and composition of the organs and institutions. The EAC Community also sets women legislative representation as a crucial issue, both in its Bill and in chapter 50 that addresses the Election of Members of the East African Legislative Assembly (EALA):

“The National Assembly of each Partner State shall elect, not from among its members, nine members of the Assembly, who shall represent as much as it is feasible, the various political parties represented in the National Assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.”

Gender-based violence

The last, but certainly not the least, concept to mention is the gender-based violence. Although this issue does not seem directly related to trade; the gender and trade literature shows that there is a link between both. In fact, gender-violence could be a barrier impeding cross-border women traders from pursuing their activities, since they tend to face direct sexual harassment and gender-based violence. Also, domestic violence is a barrier hindering women to access the labour market. Some cultural norms tend to confine women in the domestic sphere; hence women’s access to work is deemed as an infraction to marital authority; which could expose her to marital violence. It is hence interesting to capture how agreements approach this issue: While EC treaty postulates that the Union aims to combat all kinds of domestic violence in its policies; the cooperation between the EU and Central America shall support the execution of strategies and policies combatting gender-based discriminations.

The MERCUSOR and SADC cases are also very interesting since they address explicitly the femicide (Lagarde y de los Ríos , 2010), a concept developed by Marcela Lagarde y de los Ríos; which means *the murder of women because of their gender identity*. Femicide is the highest form of gender-based violence. It is considered as a penal legal category with specific penal provisions in the following countries: Bolivia, Argentina, Chile, Costa Rica, Colombia, El Salvador, Guatemala, Mexico, and Peru.

The MERCUSOR addresses this very specific issue in its “Gender Policy Guidelines”:

Directive 7 of the MERCUSOR Guidelines of the Gender Policy: *“Addressing all forms of gender-based violence:*

Taking all necessary measures to prevent, address, eradicate, punish, and redress various forms of violence against women, such as physical, sexual, property, economic, psychological, symbolic or any other that impairs the exercise of the rights or dignity of women, including femicide / femicide, and trafficking in women, bearing in mind that gender violence constitutes a serious violation of the human rights of women.”

The SADC raises this question in its Gender and Development Protocol:

Article 20 of the Part 6 *“Gender-based violence*

“LEGAL

1. States Parties shall:

(a) by 2015, enact and enforce legislation prohibiting all forms of gender based violence; and

(b) ensure that perpetrators of gender based violence, including domestic violence, rape, femicide, sexual harassment, female genital mutilation and all other forms of gender based violence are tried by a court of competent jurisdiction.”

Conclusion

Overall, gender language is found in both bilateral and multi-party trade agreements in diverse forms and shows different levels of commitments. If the main difference between the bilateral and the multi-party agreements is the level of commitment; which is consolidated in the latter by gender-specific binding arrangements; the gender dimensions are similar in both.

It is evident that the most prolific theme in the bilateral trade agreements is the labour theme. In terms of perception, it is important to state that women are more likely to be depicted as workers than consumers or traders in the bilateral agreements. The multi-party agreements show a more targeted gender addresses, such as women in fisheries (EUC-EAC, EC-ESA); and women in business (EAC, COMESA), etc.

Since they are comprehensive, multi-party agreements, and especially Custom Unions, tend to encompass diverse non-trade topics where gender is addressed. The broader gender-related provisions displayed in the table show multiple themes. For instance, the EU- Central America Association Agreement approaches the issue of conflict prevention and resolution from a gender lens: it indeed mentions that cooperation between the Parties shall strengthen capacities to resolve conflicts and includes strategies promoting peace and efforts to help children, women and elderly people.

Similarly, the Cotonou agreement stipulates that activities in the field of peace building, conflict prevention and resolution aim to an active involvement of women; and requires that humanitarian assistance shall not discriminate the victims of the crisis situation on ground of their race, religion, ethnic origin, gender, etc.

In addition, other agreements look at health issues from a gender perspective. For instance, the EU-Central America Association Agreement mentions in its public health article that cooperation between the parties shall ensure an equitable access to quality

health services, particularly for vulnerable groups including women. Also, the Cotonou agreement elaborated an article on HIV/AIDS as thematic and crosscutting issues in the cooperation strategies. This article aims to promote the fight against HIV/AIDS, ensuring the protection of sexual and reproductive health and rights of women. It underlines the urge to strengthen ACP States' national health by addressing gender inequalities, gender-based violence and abuse, and developing services and programs to safeguard women's and girls' rights in terms of prevention, treatment, care, and support.

The Cotonou agreement also addresses gender issues from the scope of migration. In the article 13 of the title "Political dimension", the Parties reaffirm their obligations and commitments in international law to ensure respect for human rights and to eliminate all forms of discrimination, including gender-based discrimination regarding migration. In this context, the EC Treaty and the MERCUSOR framework tackle this issue by highlighting the urge to combat women in situation of human trafficking.

Finally, The Cotonou agreement and the ECOWAS are examples of how gender is inscribed in a wider and more holistic strategy since it is set as a crosscutting principle affecting different levels of activities

To conclude this study, it is important to recall that those observations challenge the assumption that trade policies in general; and trade agreements specifically are all gender-neutral. This study, on the contrary, shows that gender has been included gradually in trade agreements since the EC Treaty. It also shows that there is no single template to addressing gender in such agreements. This in fact can allow for sharing of knowledge and experience regarding diverse manner in which gender is being addressed, thus leading to the identification of better ways of doing that.

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Annex 1: Bilateral Agreements Table

Pyramidal framework guide:

- Reference to conventions
- Mention of gender-women
- General commitments addressing gender issues
- Implementation/ cooperation on general commitments including gender
- Implementation/ cooperation on gender commitments
- Gender binding mechanisms
- Trade-related language on gender

Title of the agreement	Type	Entry into force	Where is Gender addressed	Main elements addressing gender
Canada-Chile Free Trade Agreement	Free Trade Agreement/Economic Integration Agreement (FTA/EIA)	1997	<p>a. Parallel/side agreement Agreement on labour cooperation between Canada and Chile Part 3: Institutional mechanisms Article 11: Cooperative activities</p> <p>b. Parallel/side agreement Agreement on labour cooperation between Canada and Chile: Annex 1: Labour principles</p> <p>c. Main agreement Appendix 2</p>	<p>Implementation/ cooperation on general commitments including gender: The ministerial council shall oversee the implementation and review the progress of this labour cooperation agreement, which sets gender issues as an area of cooperation activities. Gender issues include here the equality of women and men in the workplace.</p> <p>Mention of Gender-women: Guiding principles: Parties are committed to include equal wages for women and men by applying the principle of equal pay for equal work in the same establishment.</p> <p>Implementation/ cooperation on gender commitments: The parties commit to adopt, maintain and implement gender equality, laws, regulations, policies and practices.</p> <p>The parties shall establish the trade and gender committee, which shall facilitate cooperative activities regarding gender between both parties, facilitate the exchange of information and experiences on policies and programs on</p>

			chapter N bis, added through an amendment in 2017 ³⁰	<p>gender, discuss joint proposals to support policies on trade and gender, consider matters related to the implementation and operation of this chapter, among others.</p> <p>The committee shall determine the areas of gender cooperation between the parties, which include developing capacity-building activities and programs at work; improving women access to resources and education; promoting women participation and leadership in sciences, technology and innovation; encouraging gender equality in enterprises, etc. This shall be done through workshops, seminars, research studies, internships, technical knowledge exchange, etc.</p> <p>Each party shall develop mechanisms to report publically on the activities developed under this chapter.</p>
Canada-Colombia Free Trade Agreement	FTA/EIA	2011	<p>Parallel/side agreement</p> <p>Agreement on labour cooperation between Canada and the Republic of Colombia:</p> <p>Annex 1: Cooperative activities</p> <p>Paragraph1.(k)</p>	<p>Implementation/ cooperation on general commitments including gender:</p> <p>The ministerial council shall oversee the implementation and review the progress of this labour cooperation agreement, which sets gender issues as an area of cooperation activities. Gender issues include here the elimination of discrimination in respect of employment and occupation.</p>
Canada-Costa Rica Free Trade Agreement	FTA	2002	<p>a. Parallel/side agreement</p> <p>Agreement on labour cooperation between the government of Canada and the government of the Republic of Costa Rica:</p> <p>Annex 1: Fundamental principles and rights at work.</p> <p>b. Parallel/side agreement</p> <p>Agreement on labour cooperation between the government of Canada and the government of the Republic of Costa Rica</p> <p>Annex 3: Cooperative activities</p>	<p>Reference to conventions/</p> <p>General commitment addressing gender issues:</p> <p>The parties are committed to respect the principles of the ILO declaration³¹, which include equal pay for women and men, in their laws, regulations, procedures and practices.</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>The ministerial council shall oversee the implementation of this labour cooperation agreement and review progress under it. Cooperation between parties include strengthening the departments and bodies with jurisdiction over social security matters, including those responsible for the administration of policies and programs for working women among others.</p>

³⁰ The Chapter N bis was agreed on July 2017. The amendments will enter into force after both parties complete their domestic implementation procedures.

³¹ ILO Declaration on Fundamental Principles and Rights at Work

2014	<p>Parallel/side agreement Agreement on labour cooperation between Canada and the Republic of Honduras Annex 1: Cooperative activities Paragraph 1.(i)</p>	<p>Implementation/ cooperation on general commitments including gender: The ministerial council shall oversee the implementation and review the progress of this labour cooperation agreement, which sets gender issues as an area of cooperation activities. Gender issues include here the elimination of discrimination in respect of employment and occupation.</p>
2012	<p>a. Parallel/side agreement Agreement on labour cooperation between Canada and Hashemite Kingdom of Jordan Obligations Article 1: general commitments 1.(d)</p> <p>b. Parallel/side agreement Agreement on labour cooperation between Canada and Hashemite Kingdom of Jordan Annex1: Cooperative activities Paragraph1.(k)</p>	<p>General commitment addressing gender issues: The parties are committed to ensure that their labour law and practices embody the elimination of discrimination in respect of employment; including equal pay for women and men.</p> <p>Implementation/ cooperation on general commitments including gender: The ministerial council shall oversee the implementation and review the progress of this labour cooperation agreement, which sets gender issues as an area of cooperation activities. Gender issues include here the elimination of discrimination in respect of employment and occupation.</p>
2013	<p>Parallel/side agreement Agreement on labour cooperation between Canada and the Republic of Panama Annex1: Cooperative activities Paragraph 1.(j)</p>	<p>Implementation/ cooperation on general commitments including gender: The ministerial council shall oversee the implementation and review the progress of this labour cooperation agreement, which sets gender issues as an area of cooperation activities. Gender issues include here the elimination of discrimination in respect of employment and occupation.</p>
2009	<p>Parallel/side agreement Agreement on labour cooperation between Canada and the Republic of Peru Annex1: Cooperative activities Paragraph1.(k)</p>	<p>Implementation/ cooperation on general commitments including gender: The ministerial council shall oversee the implementation and review the progress of this labour cooperation agreement, which sets gender issues as an area of cooperation activities. Gender issues include here the elimination of discrimination in respect of employment and occupation.</p>
2015	<p>Main agreement Chapter 11: Economic cooperation Article 11.3: Fields of cooperation</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes trade-related gender issues as an area of cooperative activities.</p>
2011	<p>Main agreement Title 4: Cooperation Article 27.9</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes gender issues as an area of cooperative activities</p>

<p>Chile-Uruguay Free Trade Agreement³²</p>	<p>FTA</p>	<p>2016</p>	<p>a. Main agreement Preamble</p> <p>b. Main agreement Chapter 11: Labour Article 9: cooperation (6)</p> <p>c. Main agreement Chapter 13: Cooperation Article 3: Areas of cooperation and capacity building 2.(j)</p> <p>d. Chapter 14: Gender and trade</p>	<p>General commitment addressing gender issues: Parties decide to promote the incorporation of a gender perspective in international trade, and encourage equal rights, treatment and opportunities between men and women.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of equal rights, treatment and opportunities in the field of gender.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes gender issues as an area of cooperative activities.</p> <p>Implementation/ cooperation on gender commitments: Parties reaffirm their commitment to implement effectively its regulations, policies and practices regarding gender equality.</p> <p>Parties establish the gender committee, which shall facilitate the exchange of information and experience on the formulation and implementation of national policy on gender, discuss joint proposals for future activities aiming to develop gender and trade policies, consider issues related to the implementation and operation of this chapter, among others.</p> <p>The committee shall identify areas of gender cooperation, which include developing capacity-building activities and programs regarding labour, business and social skills; improving women access to technology, science and innovation; promoting an inclusive access to finance and education; developing women leadership, women entrepreneurship and women access to decision-making positions in the public and private sector; ensuring women health and safety at work, developing best practices in terms of incorporating and keeping women in the labour market, etc. This shall be done through workshops, seminars, dialogues and other forums to exchange knowledge, experiences and best practices, etc.</p> <p>Each party shall, if necessary, develop mechanisms to report the activities carried out under this chapter in accordance with its rules, policies and practices.</p>
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³² The agreement was translated from Spanish to English

Chile-Vietnam Free Trade Agreement	FTA	2014	Main agreement Chapter 9: Cooperation Article 9.3: Fields of cooperation (j)	Implementation/ cooperation on general commitments including gender: Cooperation between parties includes gender issues as an area of cooperative activities.
China (Taiwan)-Nicaragua Free Trade Agreement	FTA/EIA	2008	a. Main agreement Annex 18.01: Labour principles Paragraph 7 and paragraph 8 b. Main agreement Annex 18.05.3: Labour cooperation and capacity building mechanism (m)	General commitment addressing gender issues: Parties are committed to promote various principles protecting both parties' workforces. Principles include elimination of employment discrimination on such grounds as race, religion, age, sex, etc.; and equal pay for women and men working in the same establishment. Implementation/ cooperation on general commitments including gender: The labour affairs committee shall coordinate the activities of the labour cooperation and capacity building mechanism. It may initiate bilateral or regional cooperative activities on labour issues comprising gender. Gender issues include here the elimination of discrimination in respect of employment and occupation.
China-Peru Free Trade Agreement	FTA	2010	Main agreement Chapter 12: Cooperation Article 146.a: Agricultural cooperation	General commitment addressing gender issues: The parties mention the inclusion of a gender approach in development policies and strategies related to agriculture cooperation.
EU-Albania Stabilisation and Association Agreement	FTA/EIA	2009	a. Main agreement Title 8: Cooperation policies Article 99: Social cooperation (1) b. Main agreement Title 8: Cooperation policies Article 100: Education and training (2)	Implementation/ cooperation on general commitments including gender: Cooperation between parties may involve the adjustment of the Albanian legislation in terms of working conditions and equal opportunities for women. Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to ensure that access to all levels of education and training in Albania is free of any discrimination on the grounds of gender, colour, ethnic origin or religion.
EU-Algeria Association agreement Euro-Mediterranean agreement	FTA	2005	Main agreement Title 5: Economic cooperation Chapter 3: Cooperation in the social field Article 74.2.a.(d),(e)	Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development processes, through education and the media, in line with Algerian policy; and bolstering and developing Algeria's family planning and mother and child protection programmes.
EU-Bosnia Herzegovina Stabilisation and	FTA/EIA	2015	a. Main agreement Title 8: Cooperation policies Article 99: Social cooperation	Implementation/ cooperation on general commitments including gender: Cooperation between parties seeks the adjustment of the Bosnian legislation in terms of working conditions and equal opportunities for women.

<p>Association Agreement</p>			<p>b. Main agreement Title 8: Cooperation policies Article 100: Education and training</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to ensure that access to all levels of education and training in Bosnia-Herzegovina is free of any discrimination on the grounds of gender, colour, ethnic origin or religion.</p>
<p>EU-Central Africa Interim Agreement With a view to an EPA</p>	<p>FTA</p>	<p>2014</p>	<p>Main agreement Annex 1: Capacity building and modernisation of the economies of Central Africa under the EPA Central Africa/European Union joint guidance document B: EPA regional fund: areas of assistance B.3: Industry, diversification and competitiveness of economies in conjunction with regional development B.3.10</p>	<p>General commitment addressing gender issues: Promoting women entrepreneurship.</p>
<p>EU-Chile Association Agreement</p>	<p>FTA/EIA</p>	<p>2005</p>	<p>a. Main agreement Title 5: Social cooperation Article 44: Social cooperation 44.1 b. Main agreement Title 5: Social cooperation Article 44: Social cooperation 44.4.(b) c. Main agreement Title 5 Social cooperation Article 45: Cooperation related to gender</p>	<p>Reference to conventions/ General commitment addressing gender issues: The Parties refer to the ILO convention and engage to promote respect for fundamental social rights such as equal treatment between men and women. Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development process. Implementation/ cooperation on gender commitments: Cooperation between parties includes strengthening policies and programs aiming to ensure equal participation of men and women in all sectors of political, economic, social and cultural life. Cooperation should promote the creation of a framework ensuring the inclusion of gender issues in all areas (macroeconomic policy, strategy and development operations); and promoting measures in favour of women.</p>
<p>EU-Egypt Association Agreement Euro-Mediterranean agreement</p>	<p>FTA</p>	<p>2004</p>	<p>a. Main agreement Title 5: Economic cooperation: Article 42: Education and training</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties shall give special attention to the access of women to higher education and training. This point is addressed in the context of public and private enterprises, trade-related services, public administrations, etc.</p>

			<p>b. Main agreement Title 6, Chapter 1: Dialogue and cooperation on social matters Article 65.(b), (c)</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development through projects and programs; and bolstering /developing Egypt's family planning and mother and child protection programmes.</p>
<p>EU-Georgia Association Agreement</p>	FTA/EIA	2014	<p>a. Main agreement Title 4: Trade and trade-related matters Chapter 13: Trade and sustainable development Article 239: Working together on trade and sustainable development (h)</p> <p>b. Main agreement Title 6: Other cooperation policies Chapter 14:Employment, social policy and equal opportunities Article 348</p> <p>c. Main agreement Title 6: Other cooperation policies Chapter 14: Employment, social policy and equal opportunities Article 349.(e)</p> <p>d. Annex 30 Employment, social policy and equal opportunities,</p>	<p>Reference to conventions/ Implementation/ cooperation on general commitments including gender: Cooperation between parties includes working on trade related-aspects of the ILO decent work agenda including gender equality.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties shall strengthen their dialogue and cooperation on promoting gender equality, among other issues.</p> <p>Implementation/ cooperation on general commitments including gender: Through the exchange of information and best practices, cooperation between parties includes equal opportunities and anti-discrimination.</p> <p>Implementation/ cooperation on gender commitments: Georgia undertakes to gradually approximate its legislation to the EU legislation and international instruments in terms of anti-discrimination and gender equality³³ within a certain timeframe.</p>
<p>EU-Israel Association Agreement</p> <p>Euro-Mediterranean Agreement</p>	FTA	2000	<p>Main agreement Title 8: Social matters Article 63.1</p>	<p>Implementation/ cooperation on general commitments including gender: Parties shall conduct a dialogue comprising experts' meetings, seminars and workshops through which they shall address social issues, including equal treatment for men and women.</p>
<p>EU-Jordan Association Agreement</p>	FTA	2002	<p>Main agreement Title 6: Cooperation in social and cultural matters Chapter 2: Social cooperation actions Article 82.2.(c),(d)</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development process through education and the media, in keeping with Jordanian policy; and developing and consolidating Jordan's family planning as well as mother and child protection programmes.</p>

³³ The EU legislation and international instruments could be found in the following website: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2014:261:FULL&from=EN>

Euro-Mediterranean Agreement				
EU-Korea Free Trade Agreement	FTA/EIA	2011	Main agreement Chapter 13: Trade and sustainable development Article 13.4: Multilateral labour standards and agreements (2)	Reference to conventions/ General commitment addressing gender issues: Parties commit to recognise full / productive employment and decent work for all, under 2006 Ministerial Declaration of the UN Economic and Social Council on full employment and decent work. ³⁴
EU- Lebanon Association Agreement Euro-Mediterranean Agreement	FTA	2003	Main agreement Title 6: Cooperation in social and cultural matters Chapter 1: Dialogue and cooperation in the social field Article 65.1.(b),(c) Article 65.2	Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development process, particularly through education and the media; and developing and consolidating Lebanon's family planning and mother and child protection programmes. Equal treatment of women and men is an area of interest in the dialogue on social issues, among others.
EU- Moldova Association Agreement	FTA/EIA	2014	a. Main agreement Title 4: Economic and other sectoral cooperation Chapter 4: Employment, social policy and equal opportunities Article 31 b. Main agreement Title 4: Economic and other sectoral cooperation Chapter 4: Employment, social policy and equal opportunities Article 32.(f) c. Main agreement Title 5: Trade and trade-related matters Chapter 13: Trade and sustainable development Article 375: Working together on trade and sustainable development (h) d. Main agreement	Implementation/ cooperation on general commitments including gender: Cooperation between parties shall strengthen their dialogue and cooperation on promoting gender equality among other issues. Implementation/ cooperation on general commitments including gender: Through the exchange of information and best practices, cooperation between parties includes equal opportunities and anti-discrimination. Reference to conventions/ Implementation/ cooperation on general commitments including gender: Cooperation between parties includes working on trade related-aspects of the ILO decent work agenda, including gender equality. Implementation/ cooperation on gender commitments: Moldova undertakes to gradually approximate its legislation to the EU legislation and international instruments in terms of anti-discrimination and gender equality ³⁵ within a certain timeframe.

³⁴ The Declaration itself also underlines the importance of gender mainstreaming in policies and programs, and promotes gender equality ; and women and girls empowerment.
http://www.un.org/en/ecosoc/docs/declarations/ministerial_declaration-2006.pdf

³⁵ The EU legislation and international instruments could be found in the following website [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830(01)&from=EN)

			Annex III to chapter 4 (Employment, social policy and equal opportunities) of title IV: Anti-discrimination and gender equality	
EU-Montenegro Stabilisation and Association Trade Agreement	FTA/EIA	2010	<p>a. Main agreement Title 8: Cooperation policies Article 101: Social cooperation</p> <p>b. Main agreement Title 8: Cooperation policies Article 102: Education and training</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties may involve the adjustment of the Montenegrin legislation in terms of working conditions and equal opportunities for women.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to ensure that access to all levels of education and training in Montenegro is free of any discrimination on the grounds of gender, colour, ethnic origin or religion.</p>
EU-Morocco Association agreement Euro-Mediterranean Agreement	FTA	2000	<p>Main agreement Title 6: Cooperation in social and cultural matters Chapter 3: Cooperation in the social field Article 71.(c)</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development process. This is through education and the media, in line with Moroccan policy; and through bolstering and developing Morocco's family planning and mother and child protection programmes.</p>
EU-Palestinian Authority Euro-Mediterranean Interim Association Agreement	FTA	1997	<p>a. Main agreement Title 3: Economic cooperation and social development Article 45: Social development</p> <p>b. Main agreement Title 4: Cooperation in audio-visual and cultural matters, information and communication Article 58</p>	<p>General commitment addressing gender issues: Through education and media, parties give priority to the promotion of balanced participation in decision-making process and equality; in the economic and social sphere.</p> <p>Parties give priority to the development of family planning and the protection of mothers and children.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties will give special attention to improve the access of women to education, including technical courses, higher education, and vocational training</p>
EU-Serbia Stabilisation and Association Agreement	FTA/EIA	2013	<p>a. Main agreement Title 8: Cooperation policies Article 101: Social cooperation</p> <p>b. Main agreement Title 8: Cooperation policies Article 102: Education and training</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties may involve the adjustment of the Serbian legislation in terms of working conditions and equal opportunities for women.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to ensure that access to all levels of education and training in Serbia is free of any discrimination on the ground of gender, colour, ethnic origin or religion.</p>

<p>EU-South Africa agreement on Trade, Development and Cooperation</p>	<p>FTA</p>	<p>2000</p>	<p>a. Main agreement Preamble</p> <p>b. Main agreement Title 4: Economic cooperation Article 50: Introduction</p> <p>c. Main agreement Title 4: Economic cooperation Article 54: Micro-enterprises and small and medium-sized enterprises</p> <p>d. Main agreement Title 5: Development cooperation Section A Article 66: Priorities (3)</p> <p>e. Main agreement Title 6: Cooperation in other areas Article 86: Social issues (1)</p>	<p>Reference to conventions: Parties underline the importance of the values and principles of the Fourth World Conference on Women held in Beijing in 1995.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to promote the economic empowerment of historically disadvantaged groups, such as women.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to develop micro-enterprises and small and medium-sized enterprises in South Africa; and aims to promote cooperation between SMEs in the community and in South Africa and the region in a manner that is sensitive to gender equality.</p> <p>Implementation/ cooperation on general commitments including gender: Parties' cooperation programmes shall focus on the basic needs of the previously disadvantaged communities and reflect the gender and environmental dimensions of development.</p> <p>Implementation/ cooperation on general commitments including gender: Parties will engage a dialogue addressing social issues including post apartheid society, poverty alleviation, gender equality, and violence against women among others.</p>
<p>EU-Tunisia Association Agreement</p> <p>Euro- Mediterranean Agreement</p>	<p>FTA</p>	<p>1998</p>	<p>a. Main agreement Title 6: Cooperation in social and cultural matters Chapter III: Cooperation in the social field Article 71.(c),(d)</p>	<p>Implementation/ cooperation on general commitments including gender: Cooperation between parties includes the promotion of the role of women in the economic and social development process through education and media, in keeping with Tunisian policy; and bolstering and developing Tunisia's family planning and mother and child protection programmes.</p>
<p>EU-Ukraine Association Agreement</p>	<p>FTA/EIA</p>	<p>2014</p>	<p>a. Main agreement Title 6: Trade and trade-related matters Chapter 13: Trade and sustainable development Article 291: Multilateral labour standards and agreements</p> <p>b. Main agreement Title 5: Economic and sectorial cooperation Chapter 21: Cooperation on employment, social policies and equal opportunities</p>	<p>Reference to conventions/ General commitment addressing gender issues: Parties commit to promote development of trade in a way that is conducive to full and productive employment and decent work for all, including men, women and young people. Parties commit to effectively implement the ratified ILO Conventions, and the ILO 1998 Declaration on Fundamental Rights and Principles at Work.</p> <p>Implementation/ cooperation on general commitments including gender: In accordance with chapter 13 (on trade and sustainable development), cooperation between parties shall consist in promoting decent work including gender equality and non-discrimination among other issues.</p>

			<p>Article 419</p> <p>c. Main agreement</p> <p>Title V: Economic and sectorial cooperation</p> <p>Chapter 21: Cooperation on employment, social policies and equal opportunities</p> <p>Article 420.(l)</p> <p>d. Main agreement</p> <p>Annex XL to chapter 21 (cooperation on employment, social policy and equal opportunities, anti-discrimination and gender equality, health and safety at work)</p>	<p>Implementation/ cooperation on general commitments including gender:</p> <p>Cooperation between parties aims to ensure equal opportunities for women and men in employment, education, training, economy and society, and decision-making.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>Ukraine undertakes to gradually approximate its legislation to the EU legislation and international instruments in terms of anti-discrimination and gender equality within a certain timeframe³⁶.</p>
US-Bahrain free Trade Agreement	FTA/EIA	2006	<p>Main agreement</p> <p>Annex 15-A</p> <p>Labour cooperation mechanism</p> <p>Paragraph 4.(f)</p>	<p>Implementation/ cooperation on general commitments including gender:</p> <p>The joint committee shall consider issues and review activities related to the operation of the chapter on labour (15) including the labour cooperation mechanism; and may establish a subcommittee on labour affairs. The labour cooperation mechanism sets gender-related issues as an area of cooperation activities, including the elimination of discrimination in respect of employment and occupation.</p>
US- Colombia Trade Promotion agreement	FTA/EIA	2012	<p>Main agreement</p> <p>Annex 17.6: Labour cooperation and capacity building mechanism</p> <p>Paragraph 2: Cooperation and capacity building priorities (n)</p>	<p>Implementation/ cooperation on general commitments including gender:</p> <p>The labour affairs council shall oversee the implementation and review the progress of the chapter on labour (17), including the activities of the labour cooperation and capacity building mechanism.</p> <p>The labour cooperation mechanism sets gender-related issues as an area of bilateral and regional cooperation activities; including the elimination of discrimination in respect of employment and occupation.</p>
US-Panama Trade Promotion Agreement	FTA/EIA	2012	<p>Main agreement</p> <p>Annex 16.6: Labour cooperation and capacity building mechanism</p> <p>Paragraph 3: Cooperation and capacity building priorities (l)</p>	<p>Implementation/ cooperation on general commitments including gender:</p> <p>The labour affairs council shall oversee the implementation and review the progress of the chapter on labour (16), including the activities of the labour cooperation and capacity building mechanism.</p> <p>The labour cooperation mechanism sets gender-related issues as an area of bilateral and regional cooperation activities; including the elimination of discrimination in respect of employment and occupation.</p>

³⁶ The legal instruments can be found in the following website:

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2014:161:FULL&from=EN>

<p>US-Peru Trade Promotion Agreement</p>	<p>FTA/EIA</p>	<p>2009</p>	<p>Main agreement Annex 17.6: Labour cooperation and capacity building mechanism Paragraph 2: Cooperation and capacity building priorities (n)</p>	<p>Implementation/ cooperation on general commitments including gender: The labour affairs council shall oversee the implementation and review the progress of the chapter on labour (17), including the activities of the labour cooperation and capacity building mechanism. The labour cooperation mechanism sets gender-related issues as an area of bilateral and regional cooperation activities, including the elimination of discrimination in respect of employment and occupation.</p>
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Annex 2: Multi-Party Agreements Table

Pyramidal framework guide:

- Reference to conventions
- Mention of gender-women
- General commitments addressing gender issues
- Implementation/ cooperation on general commitments including gender
- Implementation/ cooperation on gender commitments
- Gender binding mechanisms
- Trade-related language on gender

Title of the agreement	Type	Entry into force	Where is Gender addressed	Main elements addressing gender
Andean Community: Cartagena agreement	CU	1988	<p>a. Sucre protocol (1997/ entered into force in 2003); Article 24 to incorporate to article 148 of the agreement under the Chapter 14: Economic and social cooperation; which mentions the joint cooperation between parties in achieving social development objectives.</p> <p>b. Decision 584: Substitution of decision 547, Andean instrument of safety and health at work; Chapter 5 of workers subject to special protection; Article 26</p> <p>c. Decision 584: Substitution of decision 547, Andean instrument of safety and health at work; Chapter 5 of workers subject to special protection; Article 27</p>	<p>Implementation/ cooperation on general commitments including gender: The respective social ministers, meeting as an enlarged committee, shall adopt different programs; including programs for harmonizing policies with regard to women's participation in economic activities.</p> <p>Gender binding mechanism: The employer shall take into account the risk factors that may affect the reproductive functions of workers (exposure to physical agents, chemical, biological, ergonomic and psychosocial) and take preventive measures.</p> <p>Gender binding mechanism: When the activities normally carried out by a worker are dangerous during the period of pregnancy or breastfeeding, employers must take the necessary measures to avoid their exposure to such risks. Measures include adapting working conditions, and temporary transfer to a different</p>

			<p>d. Decision 586: Work program for the dissemination and implementation of the Andean charter for promotion and protection of human rights; I. Background And II. Goals of the work program; 2. Implementation of the ANDEAN charter; 2.1: National mechanisms</p>	<p>and more compatible job. The worker will be guaranteed their labour rights, in accordance with the provisions of the national legislation of each of the member countries.</p> <p>Mention of gender-women:</p> <p>The Andean charter for the promotion and protection of human rights highlights the human rights priorities such as the protection of women rights among other groups that require special protection.</p> <p>Implementation/ cooperation of general commitments including gender:</p> <p>Member countries shall promote the creation of sub-regional coordination bodies for the administration of justice, human rights defenders, human rights plans and programs, including rights of groups subject to special protection, such as women.</p>
Caribbean Community and Common Market (CARICOM)	CU/EI A	Goods: 1973 Services: 2002	<p>Revised treaty of Chaguaramas establishing the Caribbean Community: Article 17: Council for human and social development 2.(d)</p>	<p>Implementation/ cooperation of general commitments including gender:</p> <p>The council shall be responsible for the promotion of human and social development in the community, which includes establishing policies and programmes to promote the development of youth and women in the community, with a view of encouraging and enhancing their participation in social, cultural, political and economic activities.</p>
Common Market for Eastern and Southern Africa (COMESA)	CU	1994	<p>a. Main agreement: Chapter 24: Women in development and business; Article 154: Role of women in development</p> <p>b. Main agreement: Chapter 24: Women in development and business; Article 155: Role of women in business</p>	<p>Mention of gender-women:</p> <p>The member states acknowledge the role of women in development and sustainable growth.</p> <p>Implementation/ cooperation of gender commitments:</p> <p>Through legislation and other measures, the member states shall promote women inclusion in all levels of development especially in the decision-making process; eliminate discriminatory regulations and customs such as those preventing women from owning land and assets; change negative attitudes toward women by promoting education; create or adopt technologies ensuring the employment stability and progress of women workers; and encourage institutions engaged in the promotion and development of labour-saving devices, aimed at improving the productive capacity of women.</p> <p>Mention of gender-women:</p> <p>The member states acknowledge the importance of women as a vital economic link within the chain of agriculture, industry and trade.</p> <p>Implementation/ cooperation on gender commitments:</p>

		<p>The member states shall recognise the institutions established under the preferential trade area for Eastern and Southern African states, such as the federation of national associations of women in business. The federation shall be represented in the consultative committee and be represented at the meetings of the technical committees of the common market. The member states commit to support it.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>The member states agree to increase the awareness of women in business issues at policy level and increase women participation in common trade market via an enabling environment; promote special programmes for women in small and medium-size enterprises; eliminate discriminatory laws impeding women from accessing to credit; and improving women technical and industrial employment through various forms of vocational and on-the-job training.</p>
06	Main agreement: Annex 16.5: Labour cooperation and capacity building mechanism; Paragraph 3: Cooperation and capacity building priorities (I)	<p>Implementation/ cooperation on general commitments including gender:</p> <p>The labour affairs council aims to coordinate the activities of the labour cooperation and capacity building mechanism, which sets gender issues as an area of bilateral and regional cooperation activities. Gender issues include here the elimination of discrimination in respect of employment and occupation.</p>
nds: 00 ces: 10	<p>a. Main agreement: Chapter 1: Interpretation ; Article 1: interpretation</p> <p>b. Main agreement: Chapter 2: Establishment and principles of the community; Article 5: Objectives of the community; 3.(e)</p> <p>c. Main agreement: Chapter 2: Establishment and principles of the community: Article 6: Fundamental principles of the community.(d)</p> <p>d. Main agreement: Chapter 3: Establishment of the organs and</p>	<p>Mention of gender-women:</p> <p>Gender means in this agreement the role of women and men in society.</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>Among other commitments at the regional level, the community shall ensure the mainstreaming of gender in all its endeavours and the enhancement of the role of women in cultural, social, political, economic and technological development; through policies and programs.</p> <p>Mention of gender-women: The fundamental principles of the community include gender equality and equal opportunities, among others.</p> <p>General commitment to address gender issues:</p> <p>The community shall ensure gender balance in the appointment of staff and</p>

			<p>e. Main agreement: Chapter 9: The East African Legislative Assembly (EALA); Article 50: Election of members of the assembly; 1</p> <p>f. Main agreement: Chapter 22: Enhancing the role of women in socio-economic development; Article 121: The role of women in socio-economic development.</p> <p>g. Main agreement: Chapter 22: Enhancing the role of women in socio-economic development Article 122: The role of women in business</p> <p>h. Bill: EAC gender equality and development bill (2017)</p>	<p>General commitment to address gender issues: The national assembly of each partner state shall elect nine members of the East African Legislative Assembly (EALA)³⁷, and shall represent as much as it is feasible, various aspects such as gender, political parties, opinions, etc.</p> <p>Mention of gender-women: The community acknowledge the role of women in development and sustainable growth.</p> <p>Implementation/ cooperation on gender commitments: Through legislation and other measures, the member states shall promote women empowerment and inclusion in all levels of development -especially at the decision-making level-; abolish discriminatory regulations and customs; change negative attitudes toward women by promoting education; create or adopt technologies ensuring the employment stability and progress of women workers; and take other measures aiming to eliminate prejudices against women and to promote gender equality.</p> <p>Mention of gender-women: The community shall acknowledge the importance of women as a vital economic link between agriculture, industry and trade.</p> <p>Implementation/ cooperation on gender commitments: The member states agree to increase the participation of women in business at the policy formulation and implementation level; promote special programmes for women in small, medium and large-size enterprises; eliminate laws and regulations impeding women from accessing to credit; improve women technical and industrial employment through various forms of vocational and on-the-job training; and recognize and support the national and regional associations of women in trade in the community.</p> <p>Gender binding mechanism: The EALA Gender and Development Bill addresses the issues of women economic empowerment, women access to credit, ownership, and women security in the formal and informal sector, etc.</p>
European Community Treaty (EC)	CU	1959	a. Main agreement: Consolidated version of the treaty on the European Union (2012)	Mention of gender-women:

³⁷ The legislative organ of the Community

		<p>Title 1: Common provisions Article 1 and 2.</p> <p>b. Main agreement: Consolidated version of the treaty on the functioning of the European Union (2012) Title 2: Provisions having general application Article 8:</p> <p>c. Main agreement: Consolidated version of the treaty on the functioning of the European Union (2012) Title 5: Area of freedom, security and justice Chapter 2: Policies on border check, asylum and immigration Article 79.2.(d)</p> <p>d. Main agreement: Consolidated version of the treaty on the functioning of the European Union (2012) Title 5: Area of freedom, security and justice Chapter 4: Judicial cooperation in criminal matters, Article 83.1</p> <p>e. Main agreement: Consolidated version of the treaty on the functioning of the European Union (2012) Title 10: Social policies Article 153.1.(i)</p> <p>f. Main agreement: Consolidated version of the treaty on the functioning of the European Union (2012) Title 10: Social policies Article 157</p>	<p>Equality between women and men is one of the values founding the union and promoted by it.</p> <p>General commitment addressing gender issues: The union aims to eliminate inequalities, to promote equality between men and women in all its activities.</p> <p>Implementation/ cooperation on general commitments including gender: Through a common immigration policy, the union shall combat trafficking of persons, in particular women and children.</p> <p>Mention of Gender-women: The European parliament and the council shall establish minimum rules concerning the definition of criminal offences and sanctions in the areas of serious crimes, which include women and children sexual exploitation.</p> <p>Implementation/ cooperation on general commitments including gender: Through measures, the union shall support the equality between men and women with regard to labour market opportunities and treatment at work.</p> <p>Implementation/ cooperation on gender commitments: The European parliament and the council, acting in accordance with the ordinary legislative procedure, and after consulting the economic and social committee, shall adopt measures ensuring the application of the principle of equal opportunities and equal treatment of men and women regarding</p>
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			g. Main agreement: Declarations; annexed to the final act of the intergovernmental conference which adopted the treaty of Lisbon. Declaration on Article 8 of the Treaty on the functioning of the European Union	employment and occupation, including the principle of equal pay for equal work. Implementation/ cooperation on gender commitments: The union will aim in its different policies to combat all kinds of domestic violence through necessary measures.
EC-CARIFORUM Economic Partnership Agreement	FTA/EA	2008	a. Main agreement: Part 1: Trade partnership for sustainable development, Article 5: Monitoring b. Main agreement: Part 2: Trade and trade-related matters Chapter 5: Social aspects Article 191: Objectives and multilateral commitments 2	General commitment addressing gender issues: Parties undertake to monitor the agreement in order to maximize the benefits of men, women and young people. Reference to conventions: Parties reaffirm their commitment to the ministerial declaration by the UN economic and social council on full employment and decent work.
EU-EAC Economic Partnership Agreement	FTA	--	a. Main agreement, Title 2: Agriculture, Article 83: Areas of cooperation, 2, (i) Rural development, (iii) b. Main agreement: Title 4: fisheries, Article 89: Inland fisheries and aquaculture development, (g): Socioeconomic and poverty alleviation measures, (ii)	Implementation/ cooperation on general commitments including gender: Cooperation between parties addresses socio-cultural barriers such as language differences, literacy levels, gender biases, community health influencing the nature of farming systems; Implementation/ cooperation on general commitments including gender: Cooperation between parties aims to promote gender equity in fisheries and developing the capacity of women traders involved and intending to engage in fisheries.
EC- Eastern and Southern Africa (ESA) Interim Economic Partnership Agreement	FTA	2012	a. Main agreement: Chapter 3: Fisheries; Title 3: Inland fisheries and aquaculture development; Article 35: Areas of cooperation ; 1.(f): Socio-economic and poverty alleviation measures; (ii) b. Main agreement: Chapter 3: Fisheries; Title 3: Inland fisheries and aquaculture development; Article 38: Scope; 2.(h)	Implementation/ cooperation on general commitments including gender: Through cooperation, parties shall contribute to encourage participation of marginal groups in the fishing industry. This shall be done through promoting gender equality and developing the capacity of women engaged in fisheries. Implementation/ cooperation on general commitments including gender: Parties set out gender mainstreaming as an area of cooperation. Implementation/ cooperation on general commitments including gender: The development matrix includes different activities including gender mainstreaming in access to production factors; in order to promote

			<p>c. Main agreement: Annex 4: Development matrix; Key areas: 2: Productive sectors ; (a): Agriculture and livestock ; (iii)</p> <p>d. Main agreement: Annex 4: Development matrix; Key areas: 2: Productive sectors ; (g): Gender</p>	<p>sustainable agriculture, improve production / productivity / diversification, develop agro-industry, trade, and ensure food security.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>The development matrix promotes female entrepreneurship through targeted interventions. Activities could include programmes helping women to access all resources, particularly for trade development; and promoting female entrepreneurship to facilitate their participation in regional and global markets.</p>
Economic Community of West African States (ECOWAS)	CU	1993	<p>a. Main agreement: Chapter 2: Establishment, composition, aims and objectives and fundamental principles of the Community; Article 3: Aims and objectives ; 2.(l)</p> <p>b. Main agreement: Chapter 11: Cooperation in human resources, information, social and cultural affairs; Article 61: Social affairs ; 2.(c)</p> <p>c. Main agreement Chapter 11: Cooperation in human resources, information, social and cultural affairs; Article 63: Women and development</p> <p>d. Main agreement: Chapter 19: Relations between the executive, secretariat and the specialized institutions of the community; Article 82: Relations between the</p>	<p>General commitment addressing gender issues:</p> <p>The community shall ensure the strengthening of relations and the promotion of flow of information among organisations including youth organisations, businessmen and women organisations.</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>Through cooperation, member states shall promote women and youth organisations and professional associations in order to ensure their mass involvement in the activities of the community.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>Member states undertake to formulate, harmonise, co-ordinate and establish policies and mechanisms to enhance the economic, social and cultural conditions of women. This shall be done through assessing the constraints inhibiting women from contributing to regional development efforts; and providing a framework to address those constraints.</p> <p>At the community level, member states shall integrate women into development process through dialogues among themselves; establish two mechanisms: (i) a mechanism for cooperation with bilateral, multilateral and non-governmental organisations; and (ii) another to encourage the exchange of experiences and information.</p> <p>Mention of gender-women:</p> <p>The Community shall cooperate with women and youth organisations – among others- in a view to ensure involvement of various actors in the integration process of the region.</p>

			community and regional socio-economic organisations and associations; 1	
EU-African Caribbean Pacific (ACP) Economic Partnership Agreement (Cotonou agreement)	FTA	2000	<p>a. Main agreement: Preamble</p> <p>b. Main agreement: Part 1: General provisions; Title 1: Objectives, principles and actors; Chapter 1: Objectives and principles Article 1: Objectives of the partnership</p> <p>b. Main agreement: Part 1: General provisions; Title 2: The political dimension; Article 8: Political dialogue</p> <p>c. Main agreement: Part 1: General provisions; Title 2: The political dimension; Article 9: Essential elements regarding human rights, democratic principles and the rule of law, and fundamental element regarding good governance; 2</p> <p>d. Main agreement: Part 1: General provisions; Title 2: The political dimension Article 11: Peace building policies, conflict prevention and resolution, response to situations of fragility 2 and 3</p> <p>e. Main agreement: Part 1: General provisions; Title 2: The political dimension Article 13: Migration; 1</p> <p>f. Main agreement: Part 3: Cooperation strategies; Title 1: Development strategies; Chapter 1: General framework; Article 20: the approach; 1.(b) and 2</p> <p>g. Main agreement: Part 3: Cooperation strategies; Title 1: Development strategies; Chapter 2: Areas of support; Section 2:</p>	<p>Reference to conventions: Parties refer to the CEDAW.</p> <p>General commitment addressing gender issues: Parties commit to take into account the situation of women and gender issues in political, economic and social areas when operationalizing the partnership.</p> <p>Implementation/ cooperation on general commitments including gender: The political dialogue shall encompass gender among other issues.</p> <p>General commitment addressing gender issues: Parties undertake to promote and protect all fundamental human rights; and reaffirm women and men equality.</p> <p>Implementation/ cooperation on general commitments including gender: Activities in the field of peace building, conflict prevention and resolution aim at an active involvement of women among other. The activities shall address violence against women and children, among other issues.</p> <p>General commitment addressing gender issues: Parties reaffirm their obligations and commitments in international law to ensure respect of human rights, and to eliminate all forms of discrimination, including gender-based discrimination regarding migration.</p> <p>Implementation/ cooperation on general commitments including gender: Trough cooperation strategies at national and regional levels, parties shall promote gender equality, among other issues</p>

			<p>Social and human development; Article 25: Social sector development; 1.(d)</p> <p>h. Main agreement: Part 3: Cooperation strategies; Title 1: Development strategies; Chapter 2: Areas of support; Section 4: Thematic and cross-cutting issues ; Article 31: Gender issues</p> <p>i. Main agreement: Part 3: Cooperation strategies; Title 1: Development strategies; Chapter 2: Areas of support; Section 4: Thematic and cross-cutting issues ; Article 31A: HIV/AIDS</p> <p>j. Main agreement: Part 4: Development finance cooperation; Title 2: Financial cooperation; Chapter 6: Humanitarian, emergency and post-emergency assistance Article 72: General principles ; 4</p> <p>k. Main agreement: Declarations; Declaration 1: Joint declaration on the actors of the partnership (Article 6) Definition of civil society include women organisations</p>	<p>Implementation/ cooperation on general commitments including gender: Trough cooperation, parties aim to ensure protection of sexual and reproductive rights of women within the fight against HIV/AIDS.</p> <p>Implementation/ cooperation on gender commitments: In order to promote gender equality, the cooperation shall strengthen gender-related policies and programmes; and create a framework to integrate a gender-sensitive approach and concerns at every level of development cooperation (macroeconomic policies, strategies and operations); and encourage the adoption of specific positive measures in favour of women, such as enhanced participation in national politics as well as enhanced access to labour market and productive resources (land and credit).</p> <p>Implementation/ cooperation on gender commitments: Cooperation aims to strengthen sectors, policies and programmes aimed at addressing HIV/AIDS and sustains universal access to HIV/AIDS prevention and treatment. Cooperation also aims to strengthen national health and to address gender inequality, gender-based violence and abuse, and develop services and programs to safeguard women's and girls' rights. Moreover, cooperation aims to support the full involvement of women in planning and decision making related to HIV/AIDS strategies and programmes; to develop, supportive legal and policy frameworks; and to remove punitive laws, policies, practices, stigma undermining human rights and inhibiting access to effective HIV/AIDS prevention, treatment, care and support.</p> <p>Mention of Gender-women: Humanitarian assistance shall not discriminate the victims in crisis situation on ground of their race, religion, ethnic origin, gender, etc.</p> <p>Mention of gender-women: The definition of civil society –as actors of cooperation- may include women's associations, among others.</p>
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<p>EU- Central America Association Agreement</p>	<p>FTA/E IA</p>	<p>2013</p>	<p>a. Main agreement : Part 2: Political dialogue ; Article 13: Areas; 2</p> <p>b. Main agreement: Part 3: Cooperation; Article 24: Objectives; 2.(b)</p> <p>c. Main agreement: Part 3: Cooperation; Article 25: Principles; (e)</p> <p>d. Main agreement: Part 3: Cooperation; Title 1: Democracy, human rights and good governance; Article 32: Conflict prevention and resolution; 2</p> <p>e. Main agreement: Part 3: Cooperation; Title 3: Social development and social cohesion; Article 41: Social cohesion including the fight against poverty, inequalities and exclusion; 2.(h)</p> <p>f. Main agreement: Part 3: Cooperation; Title 3: Social development and social cohesion; Article 42: Employment and social protection; 1.(f)</p> <p>g. Main agreement: Part 3: Cooperation; Title 3: Social development and social cohesion; Article 43: Education and training 1.(a);</p> <p>h. Main agreement: Part 3: Cooperation; Title 3: Social development and social cohesion; Article 44: Public health; 2</p>	<p>Implementation/ cooperation on general commitments including gender: The political dialogue between parties shall pave the way for initiatives in multiple areas, including equal opportunities and gender equality.</p> <p>Implementation/ cooperation on general commitments including gender: By promoting certain resources, tools, mechanisms, and procedures, cooperation between parties shall contribute to reinforce full applicability of gender equality and all forms of non-discrimination.</p> <p>Mention of Gender-women: Gender equality shall be a principle governing cooperation as a crosscutting issue, among others.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties shall strengthen capacities to resolve conflicts; and may include strategies promoting peace, and efforts developed to help children, women and elderly people.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties shall support the execution of strategies and policies to combat gender-based discrimination, among other sorts of discrimination.</p> <p>Implementation/ cooperation on general commitments including gender: Through actions and programmes, cooperation between parties aims to promote employment and social protection, including equal treatment between women and men.</p> <p>Reference to conventions: Reference to the principles and rights at work set out in the ILO core labour standards convention.</p> <p>Implementation/ cooperation on general commitments including gender: Cooperation between parties shall promote equitable access to education for women.</p> <p>Implementation/ cooperation on general commitments including gender:</p>
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		<p>i. Main agreement: Part 3: Cooperation; Title 3: Social development and social cohesion; Article 46: Vulnerable groups; 2</p> <p>j. Main agreement: Part 3: Cooperation; Title 3: Social development and social cohesion; Article 47: Gender</p> <p>k. Main agreement: Part 3: Cooperation; Title 7: Regional Integration; Article 72: Cooperation in the field of regional integration; 4</p> <p>l. Main agreement: Part 4: Trade; Title 8: Trade and sustainable development; Article 286: Multilateral labour standards and agreements</p>	<p>Cooperation between parties shall draw special attention to sectorial reforms and ensure an equitable access to quality health services, as well as food and nutritional security, particularly for vulnerable groups including women.</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>Cooperation between parties shall include the protection of human rights, the creation of economic opportunities and specific social policies, and other measures for vulnerable populations including women.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>Cooperation between parties shall help to strengthen policies, programmes, mechanisms and actions aiming to ensure equal participation and opportunities for women and men in different sectors; in view of the effective implementation of the CEDAW.</p> <p>Cooperation between parties shall promote the integration of gender in all the relevant fields of cooperation: public policies, development strategies / actions, and indicators to measure their impact.</p> <p>Cooperation between parties shall help to facilitate equal access of women and men to all services and resources: education, health, vocational training, employment opportunities, political decision making, governance structures and private undertakings.</p> <p>Cooperation between parties shall draw particular attention to programmes addressing and preventing violence against women.</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>A particular attention shall be given to the gender dimension when developing and harmonizing common policies of legal frameworks covered by the Central American integration instruments.</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>Parties reaffirm their will to promote development of macroeconomic policies in a way that is conducive to full and productive employment and decent work for all, including men, women and young people.</p> <p>Reference to conventions:</p> <p>Parties reaffirm their commitments to respect, promote, and realise the principles of the fundamental ILO conventions.³⁸</p>
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³⁸ Which include the Convention 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value.

EU-SADC Economic Partnership Agreement	FTA	2016	Protocol 1; Title 1: General provisions; Article 1: Definitions; (a)	<p>Mention of gender-women:</p> <p>Any reference to the male gender simultaneously means a reference to the female gender, and vice versa</p>
Eurasian Economic Union (EAEU)	CU/EI A	2015	Protocol on technical regulations within the Eurasian economic union	<p>Implementation/ cooperation on general commitments including gender:</p> <p>Technical regulations may, with account of the risk of harming, contain specific requirements ensuring the protection of certain people (minors, pregnant women, nursing mothers, the disabled).</p>
European Economic Area (EEA)	EIA	1994	<p>a. Main agreement; Preamble</p> <p>b. Main agreement: Part 5: Horizontal provisions ; Chapter 1: Social policy; Article 69, article 70 and; Annex 18: Health and safety at work, labour law, and equal treatment for men and women</p> <p>d. Protocol 31 on cooperation in the specific fields ; Article 5: Social policy; 2</p>	<p>Mention of gender-women:</p> <p>Contracting parties note the importance of the development of the social dimension, including equal treatment of men and women in the European economic area.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>Each contracting party shall ensure and maintain the application of the principle that men and women should receive equal pay for equal work. The articles refer to the annex 18; which contains a list of specific provisions to be implemented in order to promote the principle of equal treatment for women and men.³⁹</p> <p>Implementation/ cooperation on general commitments including gender:</p> <p>Parties shall seek to strengthen cooperation in the framework of the community activities, which may result from the different community acts (including the one addressing gender issues).⁴⁰</p>
Gulf Cooperation Council (GCC) Economic Agreement	CU	2003	Main agreement: Chapter 5: Development of Human Resources; Article 13: Population Strategy	<p>Implementation/ cooperation on general commitments including gender:</p> <p>Member states shall implement the “General framework of population strategy of the GCC states” which aims to increase women economic participation, ensure an equal education for women and men, open new avenues of work for Gulf women, and other demographic measure in favour of women.</p>

³⁹ The annex can be found here: [http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:21994A0103\(68\)&qid=1399560383383&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:21994A0103(68)&qid=1399560383383&from=EN)

⁴⁰ The protocol can be found here: <http://www.efta.int/media/documents/legal-texts/eea/the-eea-agreement/Protocols%20to%20the%20Agreement/protocol31.pdf>

North American Free Trade Agreement (NAFTA)	FTA/E IA	1994	<p>a. Parallel/side agreement: North American Agreement on Labour Cooperation (NAALC) Part 3: Commission for labour cooperation Article 11: cooperative activities 1.(m)</p> <p>b. Parallel/side agreement: NAALC Annex 1: Labour principles Paragraph 8</p> <p>Related to the Part 1, article 1: Objectives b.: Promote, to the maximum extent possible, the labour principles set out in Annex 1</p>	<p>Implementation/ cooperation on general commitments including gender: The council of the commission for labour cooperation⁴¹ shall promote cooperative activities between parties regarding equality of women and men in the workplace.</p> <p>General commitment addressing gender issues: Parties are committed to promote at a domestic legal level -without establishing common minimum standards for their domestic law- principles including equal pay for women and men; and elimination of employment discrimination based on race, religion, age, sex or other grounds.</p>
Southern African Development Community (SADC)	FTA	1994	<p>a. Main agreement: Chapter 3: Principles, objectives and general undertakings: Article 6: General undertakings 2</p> <p>b. Main agreement: Amendment to the main agreement (2001): Chapter 3: Principles, objectives and general undertakings Amendment to article 5: Objectives</p>	<p>General commitment addressing gender issues: SADC and member states shall not discriminate against any person based on their gender.</p> <p>General commitment addressing gender issues: The objectives of SADC include mainstreaming gender in the process of community building.</p>

⁴¹ The Commission comprises a ministerial Council and a Secretariat.

			<p>1.(k)</p> <p>c. Main agreement: Amendment to the main agreement (2008): Chapter 5: Institutions Amendment to article 12: Commissions 2.(a).(iv)</p> <p>d. SADC gender and development protocol: (same legal force as the treaty itself)</p>	<p>Implementation/ cooperation on general commitments including gender: The sectorial and cluster ministerial committees (formerly the “commissions”) shall oversee the activities on the areas of integration and cooperation, which include gender issues.</p> <p>Gender binding mechanism: The protocol aims to ensure gender mainstreaming in SADC programme of action and community building initiatives. Reviewing discriminatory policies and laws. Ensure equal access to justice. Promoting parity in different areas. Ensure women access to property, resources, information and employment. Enhance women participation in decision-making in different sectors. Promote women economic empowerment. Prohibit gender-based violence, including femicide; and sexual harassment. Encouraging media to challenge gender stereotypes. The committee of ministers responsible for gender/ women’s affairs; the committee of senior officials responsible for gender/women's affairs; and the SADC secretariat shall all implement the protocol. States parties shall ensure the implementation of this protocol at the national level through action plans, with measurable time frames. Moreover, national and regional monitoring and evaluation mechanisms shall be developed and implemented. States parties shall strive to resolve any dispute regarding application, interpretation or implementation of provisions of this Protocol amicably. Disputes, which cannot be settled amicably, shall be referred to the SADC tribunal.</p>
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Southern Common Market (MERCUSOR) ⁴²	CU/EI A	Goods 1991 Services 2005	<p>a. Resolution: MERCUSOR/GMC/RES.N° 20/98: Creation of the specialized meeting of women⁴³</p> <p>b. Resolution: MERCUSOR/GMC/RES. N°84/00: Incorporation of gender</p>	<p>Implementation/ cooperation on gender commitments:</p> <p>MERCUSOR shall create the special meeting of women. Its mission is to analyse the situation of women, taking into account the legislation in force in the states parties of MERCOSUR, looking at the concept of equality of opportunities. It shall be composed of government representatives of the four parties. The national organs determined by each state party shall exercise the coordination of the national sections.</p> <p>Implementation/ cooperation on gender commitments:</p> <p>The Common Market Group (CMG)⁴⁴ resolves to instruct the different MERCOSUR forums within their respective mandates and competencies, to incorporate the gender perspective in the planning, elaboration, implementation and evaluation of its activities, policies and programs. This is done in order to allow analysis of their impact on women, and to ensure gender equality and equity on the topics of labour, employment, social security, health, small and medium-sized enterprises and cooperation projects.</p>

⁴² MERCUSOR decisions and resolutions are only available in Spanish and Portuguese. Information provided in this table result from a courtesy and informal translation from Spanish to English.

⁴³ Courtesy translation of « Reunión Especializada de la Mujer »

⁴⁴ Grupo Mercado Común/ The Common Market Group is the executive organ of the common market.

			<p>perspective in the framework of MERCUSOR</p> <p>c. Decision: MERCUSOR/CMC/DEC.Nº 12/11: Strategic plan of social action of MERCUSOR</p>	<p>Implementation/ cooperation on general commitments including gender:</p> <p>The Common Market Council (CMC)⁴⁵ decides to approve the document "Priority axes, guidelines and objectives of the Plan Strategy for Social Action (PSAS)⁴⁶.</p> <p>Its main guidelines regarding gender issues are:</p> <ul style="list-style-type: none"> Promoting distributive policies by looking at the issues of gender, age, race, and ethnicity. Ensuring the equitable responsibility of household members, involving men in family care tasks. Ensuring civil, cultural, economic, political and social rights, without discrimination based on gender and other social conditions. Combatting trafficking and violence, sexual exploitation, especially against women, girls, boys and teenagers. Promoting women's participation in leadership positions and in representative entities, through regional normative instruments ensuring equal opportunities, between women and men. Deepening public health policies for women and for first-time care childhood Reducing female mortality in the states parties, and promote qualified and humanized obstetric care, especially among black, indigenous and disabled women. Articulating social programs to eradicate female illiteracy, especially among African descendants, indigenous, disabled women and women over 50 years. Promoting women's rights concerning access to land, and sustainable rural development. Promoting economic and financial autonomy of women, through technical assistance, capacity-building, and partnership cooperation. Mainstreaming gender in labour policy elaboration, by ensuring equal pay for men and women; guaranteeing domestic workers rights, especially in
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⁴⁵ Consejo del Mercado Común/ The Common Market Council is the highest organ of the common market.

⁴⁶ Translation of Plan Estratégico de Acción Social del MERCOSUR

				<p>border regions; and adopting measures to advance social valuation and recognition of domestic care work.</p> <p>Gender binding mechanism:</p> <p>The CMC decides to establish a gender equality policy for MERCUSOR. The committee of ministers and high authorities of the MERCOSUR for women (RMAAM)⁴⁷ shall prepare a proposal to the CMC before its second ordinary meeting in 2013. The CMC shall enable the RMAAM to coordinate efforts with other bodies within the institutional structure of MERCUSOR on gender. The RMAAM shall also submit a report on the progress of its work to the CMC at its second meeting in 2012.</p> <p>Gender binding mechanism:</p> <p>Member states should leverage mutual assistance and full cooperation when women are in situation of human trafficking in the MERCOSUR. They shall ensure a gender perspective and a regional perspective in the implementation of already ratified international human rights law.</p> <p>States parties shall ensure assistance and protection of women in situation of trafficking through their respective competent authorities, in accordance with the Palermo protocol on human trafficking.</p> <p>States parties undertake to provide women in situation of trafficking with free psychosocial and medical services, legal advice, and accommodation or shelter.</p> <p>States parties shall develop and strengthen coordinated prevention actions of women trafficking, training, research, information and awareness campaigns; especially at the borders.</p> <p>The CMC approves joint mechanisms for the attention to women in situation of international trafficking. The RMAAM shall be the responsible body for its compliance monitoring and shall submit every two years a follow-up report to the CMC.</p>
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⁴⁷ Courtesy translation of « La Reunión de Ministras y Altas Autoridades de la Mujer del MERCOSUR »

			<p>c. Decision: MERCUSOR/GMC/DEC.N° 14/12: Gender equality policy guidelines of MERCOSUR</p> <p>d. Decision: MERCUSOR/CMC/DEC.N° 32/12: Mechanism of articulation for the attention to women in situation of international trafficking</p>	<p>Gender binding mechanism: The CMC decides to instruct the RMAAM; which shall submit to the CMC a report in the second ordinary meeting of each year.</p> <p>Other commitments are the same as those in the MERCUSOR/CMC/DEC.N° 32/12</p> <p>Gender binding mechanism: The CMC decides to incorporate gender mainstreaming in political institutions of MERCUSOR. It also decides to implement a gender equality policy through the “Guidelines of the gender policy of MERCUSOR”; and to instruct MERCUSOR institutional organs to implement it. The CMC decides also to instruct the RMAAM to carry out monitoring and follow-up of the gender equality policy; and to link with the focal points of the MERCUSOR bodies in implementing this policy.</p> <p>General guidelines shall be applied in design, preparation, implementation, monitoring and evaluation of policies, strategies, programs, actions, plans and resource management and budgeting of MERCUSOR. They include - among others- economic autonomy and equality in the labour and care sphere; joint participation in decision-making; equal participation of men and women in all areas; the right to integral health; the recognition of biological, social, economic, cultural differences, and sexual-reproductive rights; the inclusive access to education, etc.</p>
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			<p>f. Decision: MERCUSOR/CMC/DEC.N° 26/14: Mechanism of articulation for the attention to women in situation of international trafficking</p> <p>e. Decision:</p>	
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			MERCUSOR/GMC/DEC.N° 13/14: Guidelines of the MERCUSOR Gender equality policy	
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