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**Panel C2 – Mind the Gender Gap: Achieving Women's Economic Empowerment
through Inclusive Trade Laws, Policies, and Agreements**

Co-Chairs: **Debra Steger** – University of Ottawa
 Valerie Hughes – Queen's University

Speakers

**Segment 1: Best Practices for Gender Equality in Trade Laws, Policies, and Agreements
(University of Ottawa)**

Dora Konomi – Articling student, Charney Lawyers
Lisa Page – Articling student, McMillian LLP

Segment 2: Trade and Gender in Public Procurement (Queen's University)

Katrina Crocker – Articling student at Bennet Jones
Laura Rowe – 3L Queen's University

Rapporteur: **Lily Wang**

The International Trade Center in Geneva – a network of international pro bono law clinics - was established to help third-world countries and aid and capacity for women's economic empowerment. It has served government agencies, SMEs and has completed over 340 projects to date. The University of Ottawa / Queen's University Joint International Trade and Investment Law Practicum was created in 2017 to look specifically how to achieve women empowerment through inclusive trade laws, policies, and agreements. The University of Ottawa research focused on researching best practices for gender equality in trade laws, policies and agreements, while the Queen's University project examined how trade and

gender factors were accounted for in procurement processes. Each university provided an overview of their respective focus areas and presented their findings and recommendations in their conclusions.

Segment 1: Best Practices for Gender Equality in Trade Laws, Policies, and Agreements (University of Ottawa)

1. What countries did you research and find most inclusive and progressive? Were there any surprises in your research between varying issues for women in developing and developed countries?

This report was modelled from the Global Gender Gap Index. From our research, the Scandinavian countries (Iceland, Sweden, and Finland) are the most advanced in terms of their gender equality. One contributing factor can be found in the high correlation of women in the workforce when their children are taken care of through high quality state-funded childcare services.

A surprise to us was that Rwanda was one of the top 5 countries that reduced up to 80% of their gender gap. This is due in large part from the support provided to women for basic skills training. The Rwandese government requires all its ministries to identify guidelines and follow policies that are gender-sensitive and are examined through a gender lens. Mexico was another country we found that invested in various subsidiary programs for women with great yields. Many small businesses were run by women and were thus more inclined to helping other women as well.

One key difference between the varying issues between women in developing and developed countries faced was the level of agency given to them. For some of the developing countries we examined, many women were unable to independently open a bank account or have full signing authority in finances. Though the impediments due to gender were felt by women universally, the degree to which the impediment varied dependent upon the developed status of the country itself as well.

Another undeniable factor in considering gender is also the social component. In the research we have discovered that though trade and commerce initiatives are certainly empowering and helpful for the advancement of women, they by themselves are also not sufficient. The advancement of women is an interconnected web that hinges on advancement in all aspects. How can we expect the full integration of women if they cannot afford childcare or have the financial means to go receive an university education? There is a need to offer a more holistic approach for women to have equal access.

2. Where does Canada stand in relation to the other countries examined?

Canada remains with approximately 70% gender gap filled and is somewhat in the middle in relation to other countries and their gender equality. Throughout this analysis, we examine section 15 of the Charter for equality protection as well as section 28 for all rights applicable to both men and women. Unfortunately, though, the few times in which these initiatives have been challenged before, they could likely be saved under section 15(2).

From the Trudeau government introducing more policies and government-sponsored programs to close the gender gap, there is a prominent push from the federal government to launch gender equality

initiatives across Canada. There is also an inclusion on gender in international agreements as well, most recently the gender chapter drawn in the new trade agreement with Chile is exemplary of this phenomenon.

3. Were there any types of trades or agreements which you found particularly empowering for women?

In Canada, there are examples of new initiatives, particularly with women and technology funds. There is also the largest venture capital in Canada dedicated to entrepreneurs to lift businesses off the ground and mechanisms to facilitate growth. Trade agreements that advance women's participation, especially in small business are particularly empowering for women too (case in point is the Chile-Uruguay trade agreement chapter signed).

4. What were the key recommendations of the report?

The key recommendations discussed were multi-faceted. From including women in the conversation, to having tools to examine data holistically it all needed social, cultural or political change. Another recommendation was to hold public consultations with women and governments as well as having gender chapters in international treaties in order to then develop evidence-based policies and trade agreements.

Segment 2: Trade and Gender in Public Procurement (Queen's University)

1. Which were the countries examined in the report and why were they chosen?

We examined six countries in total: Canada, Australia, Chile, Kenya, South Africa, and the United States. Canada because we wanted to examine our domestic commitment for women SMEs by the federal government. We had chosen Australia, Kenya, and South Africa because they had all implemented specific procurement policies that engaged women's participation, or enacted specific legislation that favoured women, or had initiatives which were noteworthy and successful. We examined Chile as part of our commitment to our beneficiary and also because they exemplified a trade agreement with Uruguay on gender. The United States, being Canada's largest trading partner also had well-established procurement groups of which could be strategically noteworthy for Canada to better understand.

2. How can procurement laws and practices be used to enhance women empowerment? What strategies are countries currently employing to this end?

Based upon our research, governments tend to create procurement programs and agreements in a discriminatory manner as there are certain limitations to the eligibility of candidates (often by citizenship or sex). These procurement methods are not effective for women-owned businesses in international trade. If we implement preferential procurement practices instead, this would reduce gender inequality and effectively, empower women.

Many countries we have studied currently employ strategies that can largely be defined into two categories: primary and secondary measures. Primary measures can be defined as tangible benefits for eligible women's businesses. These benefits can include certifications, set-asides (where there are elected contracts for women-owned businesses which tend to be economically disadvantaged groups), and bid adjustments, which promote competitiveness of women-owned businesses by giving a discount. Secondary measures are general support and training of personnel given to women-owned businesses. This can contain public outreach and training initiatives, and periodic reviews of standard legislation to ensure inclusion and equality.

3. What were the recommendations from the report?

The main conclusion based upon our research was that there was quantifiable proof that preferential public procurement does work to empower women, though we still have a ways till full equality. The recommendations were four-part on ways the current federal government can domestically push forward the international agenda. One, link procurement methods into existing global databases. This creates a connection between national and global databases in which women will be able to view procurement and public tenders internationally, thereby expanding their opportunities. Two, governments can house data on the percentage of female ownership of businesses. This will encourage countries to conduct public procurement by opening up to non-domestic suppliers. Three, provide preferential treatment to women in future international treaties and procurements. And lastly, to take a stance toward a universal declaration on defining "women-owned business". This will solidify a global certification and process and registry.