



Re-Globe Seminar  
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# Women, Trade and Sustainable Development (part 1)

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# The UN 2030 Agenda for the SDGs

Resolution adopted by the General Assembly on 25 September 2015 established at Sustainable Development Goal 5 to *achieve gender equality and empower all women and girls*.



**Achieve gender  
equality and  
empower all  
women and girls**

**Why do we need to achieve «gender equality» ?**

**What do you understand by «empowering» women?**

**Why «empowering women» is important  
to achieve sustainable development?**



# General International Framework on Women's Rights

- 1975 to 1985: designated the *United Nations Decade for Women*;
- 1979: The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), which entered into force on Sept. 3, 1981;
- 1995: The Beijing Declaration and Platform for Action;
- 1999: CEDAW's Optional Protocol, which *entered into force* Dec. 22, 2000.
- 2015: the UNGA adopted the 2030 Agenda and established at Sustainable Development Goal n.5 to *achieve gender equality and empower all women and girls*.



# The United Nations Role in the Promotion of Women's Rights

## COMMISSION on the STATUS OF WOMEN



Still in 1946 the UN established a body to monitor the situation of women and women's rights - the *Commission on the Status of Women* (CSW) - which worked on drafting the *Declaration on the Elimination of Discrimination against Women* (DEDAW), adopted in 1967 following the structure of the UDHR.

Although the Declaration was a considered *soft law* and so a not legally binding treaty, it was endowed with considerable authoritative force which opened the way for the negotiation of an international treaty dedicated to women's rights.



# The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

During the Women's Decade, on 18 December 1979 the UN General Assembly adopted the **Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)** which entered into force on Sept. 3, 1981 for its contracting parties. The Conventions comprises 30 Articles spread through 6 parts.



# The CEDAW – The Women’s Bill of Rights

The CEDAW is considered the Women’s Bill of Rights and provoked a revolution in the promotion of women’s rights due to its notable progressive approach when acknowledging that “*a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women.*”

According to the CEDAW, the state’s parties shall work towards the **modification of social and cultural patterns** of individual conduct in order to eliminate “*prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women*” (Article 5) generating a total equality between the men and women in all areas: economic, social, cultural, civil and political.



# CEDAW Structure:

## Part I

Article 1: Purpose of the Convention.

**Article 2: Measures to condemn discrimination against women in all its forms.**

Article 3: Measures to ensure the full development and advancement of women in equality with men.

Article 4: Adoption by States Parties of **temporary special measures** aimed at accelerating de facto equality between men and women.

Article 5.a Measures to modify social and cultural patterns that perpetuates stereotypes between men and women.

Article 5.b common responsibility of men and women in the upbringing and development of their children.

Article 6. Measures to suppress all forms of traffic in women and exploitation of prostitution of women.



# CEDAW's Structure:

## Part II

Article 7: Measures to eliminate discrimination against women in the political and public life.

Article 8: Measures to promote women's representation in their Governments at the international level and to participate in the work of international organizations:

Article 9: Equal rights for Nationality.

## Part III

Article 10: Equal Rights to Education.

Article 11: Equal Rights to employment and Remuneration.

Article 12: Right to Health care.

Article 13: Equal rights in other areas of economic and social life, as family benefits, financing, sportive activities.

Article 14: Protection for women that live and work in rural areas.



## CEDAW's Structure:

Part IV:

Article 15: Equality before the law.

**Article 16: Elimination of discrimination against women in all matters relating to marriage and family relations.**

Part V:

Article 17: Establishment of the Committee on the Elimination of Discrimination against Women.

Article 18: Duty to periodically submit state reports to the Committee.

Article 19: Committee Procedural rules.

Article 20: Committee meetings.

Article 21: Committee General Recommendation's.

Article 22: Specialized agencies.

# CEDAW's Structure:

Part VI:

Article 23: Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained: (a) In the legislation of a State Party; or (b) In any other international convention, treaty or agreement in force for that State.

Article 24: best-efforts duty to implement the Convention.

Article 25: Signatures.

Article 26: Revision.

Article 27: Convention's validity,

Article 28: About Reservations.

Article 29: Dispute Settlement and ICJ Compromissory Clause

Article 30: Convention's official Languages

# The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

Fundamental rights guaranteed by the CEDAW to promote women's empowerment in the public affairs comprise the ones which allow women to carry out an economic activity in the same level playing field of men. They are the **right to education** (article 10) with the same conditions for career vocational guidance, access to studies and opportunities, and the **right to work** (article 11), which is considered inalienable. The right to work comprises the right to the same employment opportunities, **the right to free choice of profession and employment**, the **right to equal remuneration**, the right to social security, and the right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.



# Temporary Measures in Benefit of Women

The Convention adopts a positive approach guaranteeing affirmative actions, including the adoption of **temporary special measures** to benefit women, aiming at accelerating a *de facto* equality between men and women. The Convention highlights that this preferential treatment shall not be considered discriminatory and shall be discontinued when the objectives of equality of opportunity and treatment have been achieved (Article 4).

Moreover, in order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, the Convention guarantees labor rights to women as employees, such as **maternity leave** and the **prohibition of dismissal on the grounds of pregnancy** (Article 11.2), but without limitation of time.



# **The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)**

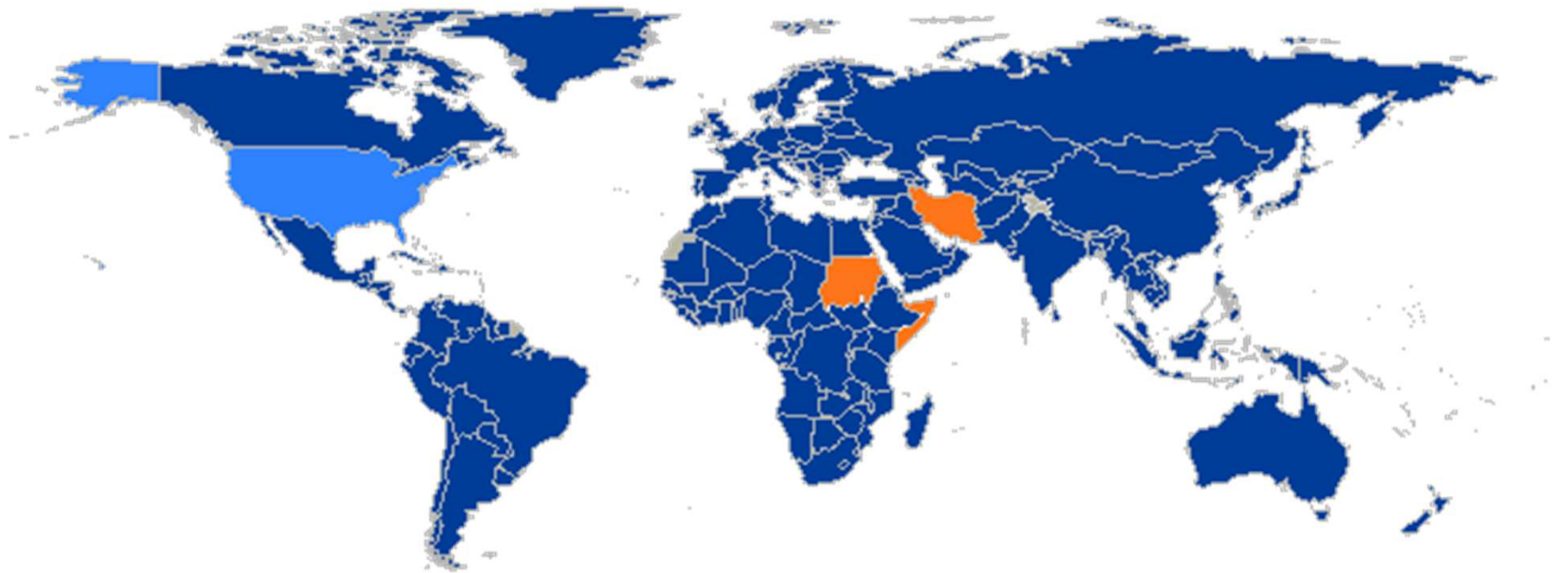
As the other human rights treaties, the CEDAW provides for a body made up of independent experts that monitors compliance with the treaty: the Committee on the Elimination of Discrimination Against Women, which is made up of 23 experts on women's rights from around the world elected by the state parties to the Women's Convention.

The Committee is competent to examine the State Reports on the legislative, judicial, and administrative measures they have taken to implement the Convention.



# Ratification of the CEDAW

Up to date, 189 states have ratified the Convention (almost universal). However, approximately one-third of the ratifications has reservations, predominantly in Muslim countries, that alleges the application of the *Sharia law*. Although the US was one the first signatories of the Convention in 1979, the Senate has still not ratified it. The six States that haven't even signed the CEDAW are the Holy See, Iran, Niue, Somalia, Sudan and Tonga.



# Reservations to the CEDAW

After the Convention of the Rights of the Child, the CEDAW is the human rights treaty with the most reservations: 108.

As defined by the Vienna Convention, a reservation is any statement made by a state representative when ratifying a treaty that “purports to exclude or to modify the legal effect of certain provisions of the treaty in their application to that State”.

While a state has the right to make reservations to articles or provisions, these reservations are deemed impermissible if they are incompatible with the fundamental aims of the treaty. Reservations are often considered a public declaration of the state’s intention to only partly implement a particular section of a treaty or to avoid implementing all together.





# Reservations to the CEDAW

## Article 28.2

A reservation **incompatible with the object and purpose** of the present Convention **shall not be permitted.**

3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.



## Reservations Syrian Arab Republic [29 March 2003]

Reservations to: **article 2 (pursue by all appropriate means and without delay a policy of eliminating discrimination against women)**; article 9, paragraph 2, concerning the **grant of a woman's nationality to her children**; article 15, paragraph 4, concerning **freedom of movement and of residence and domicile**; article 16, paragraph 1 (c), (d), (f) and (g), concerning **equal rights and responsibilities during marriage and at its dissolution with regard to guardianship, the right to choose a family name, maintenance and adoption**; article 16, paragraph 2, concerning the **legal effect of the betrothal and the marriage of a child, inasmuch as this provision is incompatible with the provisions of the Islamic sharia**; and article 29, paragraph 1, **concerning arbitration between States in the event of a dispute**. The accession of the Syrian Arab Republic to this Convention shall in no way signify recognition of Israel or entail entry into any dealings with Israel in the context of the provisions of the Convention.



## Impermissible Reservations

“Although the Convention does not prohibit the entering of reservations, those which challenge the central principles of the Convention are contrary to the provisions of the Convention and to general international law. As such they may be challenged by other States parties.

**Articles 2 and 16 are considered by the Committee to be core provisions of the Convention.** Although some States parties have withdrawn reservations to those articles, the Committee is particularly concerned at the number and extent of reservations entered to those articles.”



# Reservations to the CEDAW

Article 16 has the highest number of state reservations and concerns women's rights in the family. It addresses rights in marriage and divorce, as well as rights concerning work, children, property ownership and inheritance, and family planning.

Specifically, Article 16(e) mentions the right for women “to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights”. The most common reason for state parties to reserve the rights in Article 16 mentions the Sharia law as regulating affairs concerning marriage, divorce, and custody.





# 1995 – The Beijing Declaration and Platform for Action



# 1995 – The Beijing Declaration and Platform for Action

“ The Platform for Action is **an agenda for women’s empowerment**. It aims at accelerating the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women 1/ and at removing all the obstacles to women’s active participation in all spheres of public and private life through a full and **equal share in economic, social, cultural and political decision-making**. This means that the principle of **shared power and responsibility should be established between women and men at home, in the workplace and in the wider national and international communities**. Equality between women and men is a matter of human rights and a condition for social justice and is also a necessary and fundamental prerequisite for equality, development and peace. **A transformed partnership based on equality between women and men is a condition for people centred sustainable development**. A sustained and long-term commitment is essential, so that women and men can work together for themselves, for their children and for society to meet the challenges of the twenty-first century.”



# 1995 – The Beijing Declaration and Platform for Action

## **F. Women and the economy**

F.1. Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources

F.2. Facilitate women's equal access to resources, employment, markets and trade

F.3. Provide business services, training and access to markets, information and technology, particularly to low-income women

F.4. Strengthen women's economic capacity and commercial networks

F.5. Eliminate occupational segregation and all forms of employment discrimination

**F.6. Promote harmonization of work and family responsibilities for women and men**

# CEDAW's Optional Protocol

On 6 October 1999 at the 54<sup>th</sup> Session of the UNGA an Optional Protocol to the CEDAW (OP-CEDAW) was adopted considerably upgrading the competence of the Committee on the Elimination of Discrimination against Women.

The OP-CEDAW comprises 17 Articles and do not admit any reservation.

The Committee had competence to receive State Reports and issue General Recommendations and Concluding Observations.

From the OP, the Committee became competent to:

- **receive individual communication** from women or on behalf of individuals or women claiming to be victims of a violation of any of the rights set forth in the Convention;
- **initiate inquiry procedures** in cases of grave and systematic violation of women's rights.



# CEDAW's Optional Protocol

Obs: The individual communications have a **subsidiary quality**, which means that it is only admissible when *all available domestic remedies have been exhausted unless the application of such remedies is unreasonably prolonged or unlikely to bring effective relief*. In cases when national judicial systems unreasonably delay in giving judicial remedies or reveals to be ineffective.

In the occasion of the *Human Rights Day 2020*, the OP-CEDAW has been ratified by 114 States which has significantly contributed to promote compliance with the CEDAW since when a State party is considered responsible for a failure in the compliance with the Convention provisions it is requested to **take specific actions, issue policies** and legislation to effectively implement the Convention's provisions, as well as, when is the case, **repair the victims that had suffered damages** from a violation of a right entitled by the CEDAW 20 years from the entry into force of the OP-CEDAW.



## Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

Last Updated: 20 March 2020



### Country Status

■ State Party (114)
 ■ Signatory (11)
 ■ No Action (72)

Definition and meta-data: <http://www.ohchr.org/Documents/Issues/HRIndicators/MetadataRatificationStatus.pdf>

Source: Database of the United Nations Office of Legal Affairs (OLA) <https://treaties.un.org>

For application of treaties to overseas, non-self-governing and other territories, shown here in grey, see <https://treaties.un.org>

# CEDAW's Optional Protocol

The OP CEDAW adopted a cooperative approach to overcome violations of women's rights by States' parties.

Article 9.1: If the Committee receives reliable information indicating grave or systematic violations by a State Party of rights set forth in the Convention, **the Committee shall invite that State Party to cooperate** in the examination of the information and to this end to submit observations with regard to the information concerned.

Article 29: 1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by **negotiation** shall, at the request of one of them, be submitted to **arbitration**. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may **refer the dispute to the International Court of Justice** by request in conformity with the Statute of the Court.



# Core ILO Conventions for Women

**ILO Equal Remuneration Convention (No. 100).**

**ILO Elimination of Discrimination on Employment and Occupation Convention (No. 111).**

**ILO Workers with Family Responsibilities Convention (No. 156).**

**ILO Maternity Protection Convention (No. 183).**

**ILO Elimination of violence and harassment in the world of work Convention (No. 190).**

<https://www.ilo.org/gender-equality>



# Women and Sustainable Development

All UN declarations and resolutions have included women's rights in the human rights and sustainable development agendas, as we see in 20th Principle of the **1992 Rio Declaration** on Environment and Development:

**“Principle 20 Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.”**

Followed by the Agenda 21 , the Vienna Declaration on Human Rights , and The **Beijing Declaration and Platform for Action**, adopted by the Fourth World Conference on Women which set out a plan of action to promote Women's empowerment on the basis of equality in all spheres of society, including participation in the decision making process and access to power in order to achieve equality, development and peace, and adopted the term “gender”.



United Nations Entity for Gender Equality  
and the Empowerment of Women

To reinforce the UN's mission with gender equality, in July 2010 the United Nations General Assembly established **the *UN Women - the United Nations Entity for Gender Equality and the Empowerment of Women*** – an UN entity that reunited in a single body the Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI), the Division for Advancement of Women (DAW), the United Nations Development Fund for Women (UNIFEM) and the International Research and Training Institute for the Advancement of Women (INSTRAW). The *UN Women* is entrusted to promote gender equality and the empowerment of women through the interconnection among the UN system, governments, civil society and women's and youth organizations, the private sector, and a broad range of other relevant actors.



# The goal of SDG 5 is to achieve gender equality and empower all women and girls

## WHAT?



5.1 End discrimination against all women and girls



5.2 Eliminate violence against women and girls



5.3 Eliminate all harmful practices such as child marriage



5.4 Recognize and value unpaid care and domestic work



5.5 Ensure women's participation and leadership in decision-making



5.6 Ensure universal access to sexual and reproductive health and rights

## HOW?



5a. Undertake reforms to give women equal rights to economic resources including land



5b. Enhance the use of information and communications technology



5c. Adopt and strengthen policies and legislation



## Goal 5. Achieve gender equality and empower all women and girls

5.1 **End all forms of discrimination** against all women and girls everywhere

5.2 **Eliminate all forms of violence** against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

5.3 **Eliminate all harmful practices**, such as child, early and forced marriage and female genital mutilation

5.4 **Recognize and value unpaid care and domestic work** through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate

5.5 **Ensure women's full and effective participation and equal opportunities** for leadership at all levels of decision-making in political, economic and public life

5.6 **Ensure universal access to sexual and reproductive health and reproductive rights** as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.





## 5<sup>th</sup> SDG

5.a Undertake reforms to **give women equal rights to economic resources**, as well as **access to ownership and control over land and other forms of property, financial services, inheritance and natural resources**, in accordance with national laws:

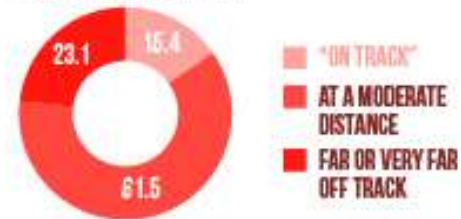
5.b **Enhance the use of enabling technology**, in particular information and communications technology, to promote the empowerment of women

5.c **Adopt and strengthen sound policies** and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels



# THE WORLD IS **NOT ON TRACK** TO ACHIEVE GENDER EQUALITY BY 2030

OUT OF GOAL 5 INDICATORS:



AT THE CURRENT RATE, IT WILL TAKE



**300 YEARS** TO END CHILD MARRIAGE



**286 YEARS** TO CLOSE GAPS IN LEGAL PROTECTION AND REMOVE DISCRIMINATORY LAWS



**140 YEARS** TO ACHIEVE EQUAL REPRESENTATION IN LEADERSHIP IN THE WORKPLACE

## LEGISLATED GENDER QUOTAS ARE **EFFECTIVE** TO ACHIEVE EQUALITY IN POLITICS

WOMEN'S REPRESENTATION IN PARLIAMENT

[2022]



**30.9%**  
COUNTRIES APPLYING QUOTAS



**21.2%**  
COUNTRIES WITHOUT QUOTAS



**NEARLY HALF** OF MARRIED WOMEN LACK DECISION-MAKING POWER OVER THEIR SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

**1 IN 5 YOUNG WOMEN**

**ARE MARRIED** BEFORE THEIR 18TH BIRTHDAY



# Paris Agreement adopted by the 196 Parties at the UN Climate Change Conference (COP 21) on 12 December 2015

Recital 11: *Acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, **as well as gender equality, empowerment of women and intergenerational equity,***

*Article 7 (5) Parties acknowledge that adaptation action should follow a country-driven, **gender-responsive**, participatory and fully transparent approach, taking into consideration vulnerable groups*

*Article 11 (2) (...) Capacity-building should be guided by lessons learned, including those from capacity-building activities under the Convention, and should be an effective, iterative process that is participatory, cross-cutting and **gender-responsive.***



# WTO Joint Declaration on Women and Economic Empowerment (2017)

The signatories of the Declaration agreed to **collaborate**:

- on making trade and development policies more gender-responsive, including by sharing experiences relating to policies and programmes aimed at encouraging women's participation in trade. by sharing best practices for conducting gender-based analysis of trade policies and for monitoring their effects.
- by sharing ways of collecting gender data and analysing gender-focused statistics related to trade.
- by working together in the WTO to remove barriers for women's economic empowerment and increase their participation in trade
- by ensuring that Aid for Trade supports efforts to analyse, design and implement more gender-responsive trade policies.




## From the Buenos Aires Declaration:


- **WTO specific Database to track gender provisions** in RTAs;
- **WTO *Women and Trade 2021-2026 Action Plan on Trade and Gender*** - *from gender awareness to gender responsiveness, by the WTO Gender Research Hub*, a platform idealized to promote dialogue between researchers
- **WTO Bridge Programme** dedicated to strengthening women entrepreneurs trade capacity offering courses to women and providing support by reinforcing coordination and collaboration between businesswomen associations at national, regional and international levels.
- In December 2022 the WTO hosted the first *ever* **World Trade Congress on Gender** addressing best efforts to promote women's empowerment multilaterally and through FTAs.
- **1<sup>st</sup> WTO Trade and Gender Summit (2023)**;
- The WTO and the ITC launches at the MC 13<sup>th</sup> the **Women Exporters in the Digital Economy (WEIDE) Fund** to help women-led businesses and women entrepreneurs in developing economies and least-developed countries adopt digital technologies and expand the online presence of their enterprises.


## Policies under the WTO (2017)

On the occasion of the WTO Ministerial Conference held in Buenos Aires in December 2017 was issued the *Joint Declaration on Trade and Women's Economic Empowerment*, addressing the **need to promote female entrepreneurship** and trade; the **identification of barriers that limit women's participation in trade**; the **promotion of financial inclusion as well as the access to trade financing and financial assistance** for women traders; the **enhancement of women entrepreneurs' participation in public procurement markets**; the **inclusion of women-led businesses**, in particular Micro, Small and Medium-sized Enterprises (MSMEs) in value chains; the impact of trade facilitation in providing equal access and opportunities for women entrepreneurs; the inventory of information sources, their complementarity and the identification of data gaps.





 WTO OMC

 Trade  
**DIALOGUES**  
An in-depth look at the Report:

# WOMEN AND TRADE

## THE ROLE OF TRADE IN PROMOTING GENDER *EQUALITY*

15 October 2020 | 4:00 pm - 5:00 pm (CET time)



# Women and Trade Report (2020)

Businesses involved in international trade employ more women. In developing countries, women make up 33 percent of the workforce in firms that engage in trade, compared with just 24 percent in non-exporting firms.

Trade also creates better jobs for women. Workers in both developed and emerging economies are almost 50 percent more likely to be employed in formal jobs if they work in sectors that trade more or that are more integrated into global value chains.

Countries that are more open to trade, as measured by the ratio of trade to gross domestic product, have higher levels of gender equality.





# Women and Trade Report (2020)

Women tend to face disproportionately higher barriers to trade compared to men. In addition to discrimination, women face greater barriers to finance, higher costs of doing business, and more limited access to information and markets.

Because women hold a disproportionate **share of lower-skill jobs**, they can be particularly vulnerable to trade related shocks that directly expose female dominated industries to foreign competition or layoffs resulting from the introduction of new technologies. Women agricultural workers are especially vulnerable to imports because women are more likely to be engaged in less-productive, subsistence farming.





# World Trade Congress on Gender

## Building Recovery Through Inclusive Trade



The WTO realized that although **trade liberalization leads to the creation of new job opportunities**, these jobs are usually in low-wage sectors such as agriculture, tourism, or the garment industry. As wage workers, women often have neither the technical skills nor the organizational structures to defend themselves against exploitative working conditions. Self-employed women, on the other hand, usually run small or micro-enterprises that have few or no employees and generate little turnover, leaving women at the margins of transnational trade.

*December 2022 World first ever Trade Congress on Gender under the theme “Gender Equality for Sustainable Trade and Recovery.*

# Does WTO provide for mechanisms to benefit women in international trade?

The Buenos Aires Declaration identifies two existing WTO instruments that can be used to make trade more inclusive: The Aid for Trade Initiative and the Trade Policy Review (TPR) Mechanism.

**Aid for trade:** Bilateral donors and beneficiaries have gradually and increasingly integrated gender into their Aid for Trade objectives. The 2019 Monitoring and Evaluation Exercise reveals that women's economic empowerment is a priority for donors and beneficiaries. Today, 84% of donors' strategies and 85% of beneficiaries of national or regional development strategies seek to promote women's economic empowerment.

**TRP:** Since 2015, the trade policies of 111 WTO Members have been subject to multilateral review through the TPRM. During this period, **70% of the WTO Members under review have integrated women's empowerment into their national or regional trade strategy**, mostly to enhance women's participation in the workforce. Some Members have explicitly acknowledged that closing the gender gap is especially important because of its correlation with per capita income, growth, development, and poverty reduction.

# Does WTO provide for mechanisms to benefit women in international trade?

GATT 1994 article XX, “a” and “b”, and GATS Article XIV, “a” **general exceptions:**

(a) necessary to protect **public morals**;

(b) (b) necessary **to protect human**, animal or plant life or **health**;

The term public morals has been interpreted by the Appellate Body to denote ‘standards of right and wrong conduct maintained by or on behalf of a community or nation’ (WTO Appellate Body Report, United States—Measures Affecting the Cross-Border Supply of Gambling and Betting Services, WT/DS285/AB/R, adopted 20 April 2005, para 296).

Hence, the protection of women’s rights as a broader part of human rights norms and principles codified in international legal instruments recognized by WTO Members squarely falls within this definition.

**However, these exceptions have never been invoked by WTO members to benefit women.**



# Does WTO provide for mechanisms to benefit women in international trade?

**Tariff preferences under the Enabling Clause:** Tariff preferences in favour of imports from developing countries are also allowed under the Enabling Clause and the Appellate Body has made clear that such preferences can be conditioned on compliance with development related criteria (and women-related considerations are obviously development related) so long as similarly situated countries are treated similarly in the application of such development conditions.

**TBT Agreement:** The relevant areas under the TBT Agreement identified as conducive to women empowerment and gender equality are those that encourage transparency of, and access to, information on technical regulations, standards, and conformity assessment procedures and measures designed to give women businesses privileged access to markets through certain technical regulation or international standards requirements.

In 2021 the **International Organization for Standardization (ISO)** set out the definition of **women entrepreneurship** (IWA 34:2021), such as women-owned business and women-led business.





# New Services Domestic Regulation: the first gender equality provisions in WTO law

- In principle, 67 WTO members joined the SD plurilateral initiative;

Applicable to the General Agreement on Trade in Services (GATS), specifically Article VI:4: “4. *With a view to ensuring that measures relating to qualification requirements and procedures, **technical standards and licensing requirements do not constitute unnecessary barriers to trade in services**, the Council for Trade in Services shall, through appropriate bodies it may establish, develop any **necessary disciplines**. Such disciplines shall aim to **ensure that such requirements are**, inter alia:*

- (a) **based on objective and transparent criteria**, such as competence and the ability to supply the service;*
- (b) **not more burdensome than necessary to ensure the quality of the service;***
- (c) **in the case of licensing procedures, not in themselves a restriction on the supply of the service.**”*

- The provisions will be applied on a most-favoured nation (MFN) basis, and the members that are signatories will inscribe any commitments into their schedules under GATS as additional commitments;



## **New Services Domestic Regulation: the first gender equality provisions in WTO law**

- According to the new provisions, when a Member adopts or maintains measures relating to the authorization for the supply of a service, including financial one, **it shall ensure that “such measures do not discriminate between men and women”** highlighting that **“differential treatment that is reasonable and objective, and aims to achieve a legitimate purpose, and adoption by Members of temporary special measures aimed at accelerating de facto equality between men and women, shall not be considered discrimination for the purposes of this provision.”**





# Case Study of the World Bank of Women SMEs in e-commerce in MENA

The project aims to support increasing the knowledge and skills of women-led SMEs to conduct business online, especially SMEs unable to access or with limited access to markets beyond their immediate area.

## **Activity 1. Training through e-commerce advisers**

Making women-led SMEs visible on e-commerce platforms

The project works with local, regional, and international e-commerce platforms and — to benefit from partnerships already established through the World Bank's earlier Virtual Marketplace project<sup>1</sup> — with major e-commerce platforms such as eBay, Etsy, and TradeKey.

## **Activity 2. Access to Finance**

To help connect women to financial institutions, the project refers its beneficiaries to sources of finance, such as through the IFC's Banking on Women network<sup>2</sup> in countries where the network operates, as well as complementary World Bank and other donor programs with grant opportunities

## **Activity 3. Improving the e-Commerce Business Environment**

the project will recommend potential regulatory reforms for each country. In Jordan, for example, the project has already contributed to a new national entrepreneurship policy, approved by the government,

# WEIDE : Women Exporters in the Digital Economy Fund

[https://www.wto.org/english/tratop\\_e/womenandtrade\\_e/weide\\_video\\_e.htm](https://www.wto.org/english/tratop_e/womenandtrade_e/weide_video_e.htm)

## Objectives

With the support of the **WEIDE Fund**, women-led small businesses will be able to:

- ❑ Improve their business operations to increase their competitiveness
- ❑ Transact business and trade more effectively internationally
- ❑ Use new or more online channels to sell their products/services
- ❑ Create and upgrade employment opportunities
- ❑ Benefit from additional assistance provided by a corporate partner as a result of support from the Fund.



## Funding and partnership

The WTO and ITC aim to raise **US\$ 50 million** for the Fund, with an initial target of US\$ 25 million, from public and private sector partners. The Fund will actively seek partnerships with various stakeholders, including governments, international organizations, development banks, philanthropic foundations and the private sector to implement initiatives aimed at maximizing the impact of the Fund's activities. Collaboration and knowledge-sharing will be crucial to achieving sustainable and scalable solutions.



## Implementation

The Fund's activities will be implemented through **projects in specific countries** in cooperation with Business Support Organizations selected through a competitive call for proposals. At the country level, the Fund will implement a two-track system tailored to meet the needs of the targeted MSMEs. Both tracks will include a grant and complementary technical assistance.

[More information](#) →





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RE-GLOBE

Thank you very much for your attention!

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