

International Trade and Investment Practicum

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**TRADE & GENDER**

*Exploring international practices that promote women's economic empowerment*

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Submitted by

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To : International Trade Centre  
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“Trade is good for gender and gender is good for trade.”

Arancha González, Executive Director of the ITC



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## LIST OF ABBREVIATIONS

The following abbreviations are used:

<b>Abbreviation</b>	<b>Full Form</b>
BDC	Business Development Bank of Canada
BWIT	Business Women in International Trade (Canada)
CBCA	Canada Business Corporation Act
CCB	Canada Child Benefit
CCFTA	Canada-Chile Free Trade Agreement
CDN	Canadian Dollar
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CETA	Canada-European Union Comprehensive Economic and Trade Agreement
Council	The United States Canada Council for the Advancement of Women Business Leaders-Female Entrepreneurs
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
CUFTA	Canada-Uruguay Free Trade Agreement
Declaration	World Trade Organization Declaration on Women and Trade
EDPRS 2	Second Economic Development and Poverty Reduction Strategy (Rwanda)
EI	Employment Insurance

FIAP	Canada's Feminist International Assistance Policy
FTA	Free Trade Agreement
GATS	General Agreement on Trade in Services
GBA+	Gender-Based Analysis (Canada)
GBS	National Gender Budget Statement (Rwanda)
GDP	Gross Domestic Product
GMGA	Gender Mainstreaming in Government Agencies
GRB	Gender Responsive Budgeting (Rwanda)
G20	Governments from Argentina, Australia, Brazil, Canada, China, France, Germany, India, Indonesia, Italy, Japan, Mexico, the Republic of Korea, the Russian Federation, Saudi Arabia, South Africa, Turkey, the United Kingdom, the United States and the European Union
HCID	Human Capital and Institutional Development Department
ICT	Information and Communication Technology
ILO	International Labour Organization
INADEM	National Institute of the Entrepreneur
Index	Global Gender Gap Index
ITC	International Trade Center
MDGs	Millennium Development Goals

MOU	Memorandum of Understanding
MUSEIC	Mexico-U.S. Entrepreneurship and Innovation Council
MXN	Mexican Peso
NAFTA	North American Free Trade Agreement
NDP	National Development Plan (Mexico)
NGOs	Non-governmental Organizations
(NI) 58-101	National Instrument 58-101: Disclosure of Women on Boards and in Senior Management (Canada)
OECD	Organization for Economic Co-Operation and Development
PND	National Development Plan
PROBAS	Proximity Business Advisory Scheme (Rwanda)
PRS	Private Sector Federation (Rwanda)
PSF	Private Sector Federation (Rwanda)
RDB	Rwanda Development Board
SDGs	Sustainable Development Goals
SMEs	Small and Sized-Medium Enterprises
STEM	Science, Technology, Engineering and Mathematics
TCS	Trade Commissioner Service (Canada)
TSX60	Stock Market Index of 60 large companies listed on the Toronto Stock Exchange
UN	United Nations

UNCTAD	United Nations Conference on Trade and Development
US	United States
VUP	Vision 2020 Umurenge Programme (Rwanda)
WGF	Women's Guarantee Fund (Rwanda)
WTO	World Trade Organization
W20	Women20



## EXECUTIVE SUMMARY

This is a student project for the University of Ottawa/Queen's University Joint Clinic of TradeLab ([www.tradelab.org](http://www.tradelab.org)). At the request of the International Trade Centre in Geneva, we were asked to prepare a report on the extent to which international trade agreements include and support women's economic participation. To achieve this, we describe specific examples of governments' trade agreements and policies that constitute good examples of trade inclusive approaches. These examples aim to expand market access and business opportunities for women in trade. The stocktaking of best practices is for the use of Members of the World Trade Organization (WTO) and to assist them in how to make their trade agreements and policies more inclusive.

In January 2016, the 2030 Sustainable Development Goals (SDGs) committed to leaving nobody behind.<sup>1</sup> The SDGs represent a universal call to action for ending poverty through tackling economic inequality, as a continuation of the Millennium Development Goals (MDGs).<sup>2</sup> Reaching the SDGs requires the partnership of governments, businesses, civil society organizations and individuals to achieve a better future for all.<sup>3</sup> In particular, Goal 5 of the SDGs seeks to empower women and girls under its broader mandate to support trade inclusiveness.<sup>4</sup>

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<sup>1</sup> UNDP, "What are the Sustainable Development Goals?" (2018), online: <<http://www.undp.org/content/undp/en/home/sustainable-development-goals.html>>.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> UN Women, "Spotlight on Sustainable Development Goal 5: Achieve gender equality and empower all women and girls" (5 July 2017), online: <<http://www.unwomen.org/en/digital-library/multimedia/2017/7/infographic-spotlight-on-sdg-5>>

However, an economic gap continues to exist between men and women. A number of cultural, educational, financial, regulatory and other factors contribute to this gender economy gap (See Appendix 1 for a description of barriers to women’s trade participation).<sup>5</sup> Women generate only about 37% of gross domestic product (GDP) and manage only about a third of small and medium-sized enterprises (SMEs).<sup>6</sup> In an International Trade Centre survey, only one in five women owned exporting companies.<sup>7</sup> Accordingly, macro-economic policies and trade agreements between governments should play a critical role in mitigating some of these challenges.

In line with the SDGs, WTO Members and observers endorsed a collective initiative to increase the participation of women in trade.<sup>8</sup> To help women reach their full potential in the world economy, WTO Members and observers agreed to support the Buenos Aires Declaration on Women and Trade (Declaration).<sup>9</sup> The Declaration seeks to economically empower women through removing trade barriers and fostering meaningful participation in the economy.<sup>10</sup> These barriers include women’s lack of access to trade financing, less active participation in public procurement markets, underrepresentation in business activities, gender pay gap and family responsibilities.<sup>11</sup> Overall, the Declaration signifies the first time that participants attending a WTO

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<sup>5</sup> WTO, “Buenos Aires Declaration on Women and Trade outlines actions to empower women” (12 December 2017), online: [https://www.wto.org/english/news\\_e/news17\\_e/mc11\\_12dec17\\_e.htm](https://www.wto.org/english/news_e/news17_e/mc11_12dec17_e.htm).

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

Ministerial Conference issued a declaration calling for enhanced inclusion of women in trade.<sup>12</sup>

WTO Members achieving the actions set out in the Declaration aim to boost economic growth worldwide and provide access to better paid jobs for women.<sup>13</sup> The Declaration enables participants to exchange information about what has worked and less effective strategies to closing the gender gap.<sup>14</sup> Further, this information exchange enables participants to collect gender-disaggregated economic data and to evaluate the effectiveness of policies aimed to improve women's economic positions.<sup>15</sup> Participants can also discuss ways to ensure that trade-related development assistance focuses on women and progress of this will be reported in 2019.<sup>16</sup>

The first section of our report describes governments' best practices of laws, regulations, policies and trade agreements. Actions by the governments of Rwanda, Sweden, Finland, Iceland, Canada and Mexico are focused on. These best practices include gender-focused implementation strategies and tools, legislation, budgeting, educational initiatives and employment opportunities. Through government subsidies and benefits, social considerations are also given to women's disproportionate impoverishment relative to men and how this impacts women's ability to participate in trade.

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<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

Additionally, the first section discusses how governments have attempted to make trade agreements more inclusive. The Canadian and Chilean governments have advanced a progressive approach by recently signing the *Canada-Chile Free Trade Agreement* (CCFTA), which includes a gender chapter (Appendix 3).<sup>17</sup> This gender chapter was modelled after the gender chapter in the *Chile-Uruguay Free Trade Agreement* (CUFTA) (Appendix 2).<sup>18</sup> Both gender chapters contain key provisions on rights commitments, cooperation activities, gender committees and dispute settlement.

The second section of our report makes the five following recommendations on how governments should develop trade policies and agreements that promote economic empowerment of women in trade:

- Include an equal number of women in high-level policy-making and trade-negotiating roles to shape key decisions.
- Collect data on the economic status of women to inform evidence-based policies and trade agreements.
- Create effective tools to holistically examine data on the economic status of women, which considers interrelated social, cultural, political, racial and other related factors.
- Hold public consultations with women-led businesses, organizations, and communities to better inform trade policies and agreements.

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<sup>17</sup> On June 5, 2017, Canada and Chile signed Amending Agreements to the *Canada-Chile Free Trade Agreement*, 5 December 1996, (entered into force 5 July 1997) [CCFTA].

<sup>18</sup> *Chile-Uruguay Free Trade Agreement*, 4 October 2016, (not yet entered into force) [CUFTA].

- Negotiate trade agreements that have gender chapters, as well as gender-related provisions in other chapters and preambles to advance women's full participation in international trade.

# 1. INTRODUCTION

When women trade, we all benefit.

Women will have to wait 216 years before the gender gap closes if economic trends continue at current rates.<sup>19</sup> This slow progress translates into half of the world's population as largely excluded from high-level decision-making roles, and trade and economic development, until the year 2186.<sup>20</sup> More specifically, out of 173 countries, up to 90% (155 countries) have at least one law impeding women's economic opportunities.<sup>21</sup> Evidently, the global market and national economies are failing to capitalize on the full potential of women as employees, business owners, entrepreneurs and consumers. Closing the gender gap and enhancing women's economic empowerment is beneficial to the global economy. According to a recent McKinsey report, in a gender-equal society where women play the same role as men in labour markets, \$28 trillion or 26%, could be added to global annual GDP by 2025.<sup>22</sup>

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<sup>19</sup> World Economic Forum, *The Global Gender Gap Report 2017* (2 November 2017), online: <[http://www3.weforum.org/docs/WEF\\_GGGR\\_2017.pdf](http://www3.weforum.org/docs/WEF_GGGR_2017.pdf)>.

<sup>20</sup> *Ibid.*

<sup>21</sup> World Bank, *Women, Business and the Law 2018 Report* (29 March 2018), online: <<http://wbl.worldbank.org/>>.

<sup>22</sup> McKinsey Global Institute/McKinsey & Company, *The Power of Parity: Advancing Women's Equality in Canada* (June 2017), online: <<https://www.mckinsey.com/global-themes/gender-equality/the-power-of-parity-advancing-womens-equality-in-canada>> [McKinsey].

To close the gender gap and empower women's participation in trade, our report has two central objectives for WTO Members:

1. To identify best practices of governments that seek to expand market access and business opportunities for women in international trade. Best practices consist of governments' laws, policies and trade agreements.
2. To recommend how to strengthen governments' current laws, policies and trade agreements to reach the goal. Recommendations focus on equal representation of women in key decision-making roles, enhancing gender-disaggregated data and public consultations and creating inclusive trade agreements.

In line with the SDGs, WTO Members have committed to leaving no one behind.<sup>23</sup> Particularly, Goal 5 on Gender Equality focuses on women's empowerment and under its broader mandate to support trade inclusiveness.<sup>24</sup> Members can empower women through:

- Recognizing and valuing unpaid care and domestic work through the provision of public services, infrastructure and social protection policies;
- Ensuring women's full and effective participation and equal opportunities for leadership at all levels;
- Undertaking reforms to give women equal rights to economic resources;

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<sup>23</sup> UN, "Transforming our World: the 2030 Agenda for Sustainable Development" (2015), online:

<<http://www.sustainabledevelopment.un.org/post2015/transformingourworld>>.

<sup>24</sup> UN, "Sustainable Development Goal 5" (2017), online:

<<http://www.sustainabledevelopment.un.org/sdg5>>.

- Enhancing the use of enabling technology; and
- Adopting and strengthening sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women.<sup>25</sup>

Recalling Goal 5, the WTO Ministerial Conference in Buenos Aires in December 2017 presented the Declaration.<sup>26</sup> The Declaration recognizes that inclusive trade policies advance gender equality and women’s economic empowerment, which contribute to national and international economies.<sup>27</sup> Also, the Declaration acknowledges the need for evidence-based measures to increase opportunities for women in the economy.<sup>28</sup> Participants agreed to collaborate in sharing their best practices, methods, procedures and experiences on making trade and development more gender-responsive.<sup>29</sup> On-going collaboration will occur through a series of seminars coordinated with international organizations on a range of topics including financial inclusion, women entrepreneurs, women-led businesses and trade facilitation.<sup>30</sup>

Our report focuses on best practices from Iceland, Finland, Sweden, Rwanda, Canada and Mexico. We chose these countries because of their efforts to empower women as entrepreneurs and business owners. Rwanda, Sweden, Finland, and Iceland are the top

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<sup>25</sup>UN, “Sustainable Development Goal 5” (2017), online:

<<https://sustainabledevelopment.un.org/sdg5>>.

<sup>26</sup>WTO, “Joint Declaration on Trade and Women’s Economic Empowerment”, 12 December 2017, online:

<[http://www.wto.org/english/thewto\\_e/minist\\_e/mc11\\_e/genderdeclarationmc11\\_e.pdf](http://www.wto.org/english/thewto_e/minist_e/mc11_e/genderdeclarationmc11_e.pdf)>.

<sup>27</sup>*Ibid.*

<sup>28</sup>*Ibid.*

<sup>29</sup>*Ibid.*

<sup>30</sup>*Ibid.*



four countries for reducing the gender gap in the 2017 Global Gender Gap Index.<sup>31</sup> Canada has implemented a number of gender equality and women's economic empowerment initiatives at provincial and federal levels, including its recent gender chapter in the CCFTA.<sup>32</sup> Mexico has also invested in various mentorship and subsidy programs to help women develop their small businesses. The report we have created is a non-exhaustive list of laws, regulations, and policies organized under five major themes: Gender Legislation; Trade & Business Promotion; Education; Employment; and Social Considerations.

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## 1.1. WHY THIS REPORT?

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There is a global consensus to create gender equality and economic empowerment of women.

In 2015, 193 countries agreed to an ambitious plan for a better world. That plan, the SDGs, comprises a set of 17 aspirational goals for governments to guide their national legislation, regulations, policies and practices. Through SDG 5, world leaders committed to achieve gender equality, including in economic life, by 2030.<sup>33</sup> G20 members had agreed in 2014 that gender inequality is a major economic growth constraint and committed to reduce gender labour gaps by 25% by 2025.<sup>34</sup> Subsequent

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<sup>31</sup>World Economic Forum, *The Global Gender Gap Report 2017*, (2 November 2017), online: <[http://www3.weforum.org/docs/WEF\\_GGGR\\_2017.pdf](http://www3.weforum.org/docs/WEF_GGGR_2017.pdf)>.

<sup>32</sup>World Bank, *Women, Business and the Law 2018 Report* (29 March 2018), online: <<http://wbl.worldbank.org/>>.

<sup>33</sup>UN, "Sustainable Development Goal 5" (2017), online: <<http://www.sustainabledevelopment.un.org/sdg5>>.

<sup>34</sup>OECD, "OECD and the G20: Brisbane, Australia 2014" (August 2014), online: <<https://www.oecd.org/g20/summits/brisbane/>>.

G20 presidencies have explicitly prioritized gender equality and have created an official engagement group on women – the Women 20 (W20).<sup>35</sup>

Most recently, at the WTO Ministerial Meeting in Buenos Aires in 2017, more than 120 WTO members and observers endorsed the Declaration on Women and Trade. The Declaration includes voluntary reporting during WTO trade policy reviews; ensuring gender-responsive Aid for Trade initiatives; and sharing best practices on:

- conducting and measuring gender-based analysis of trade policies;
- collecting gender-disaggregated data and M&E methodologies;
- promoting financial inclusion;
- promoting female entrepreneurship and trade; and
- enhancing women suppliers in private and public procurement value chains.

**Information sharing on good practices will enhance women’s participation in trade.**

To assist WTO Members in implementing the goals of the Declaration, our report describes a range of best practices from selected WTO member countries: Canada, Finland, Iceland, Mexico, Rwanda and Sweden. Realizing gender equality in trade requires addressing fundamental gaps in employment, wages, business opportunities, education, health, poverty and other areas. Each government has taken steps to address these barriers by introducing legislation, programs, regulations and initiatives. For example, Iceland is the first country to introduce equal pay legislation. Rwanda has implemented gender responsive budgeting in all of its governmental departments.

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<sup>35</sup> W20 Argentina 2018, “W20 Argentina” (June 2018), online: <<http://w20argentina.com/en/>>.

Canada launched a fund to support women entrepreneurs in technology through venture capital financing. However, what all six countries have in common is that they highlight gender equality in their respective constitutions and have introduced gender equality acts. Overall, these best practices do not represent an exhaustive list of gender-promoting tools for the selected governments.

Given our report's focus on the role of trade policy in facilitating women's full economic participation, our report also examines the gender chapters in the CUFTA and the CCFTA as a best practice. Trade agreements coupled with gendered-economic policies can mitigate trade barriers for women. These demonstrate how governments can incorporate gender chapters into agreements to make them more inclusive. Our report adds to the on-going global discussion by bringing to light a multitude of best practices to empower women, which other countries can learn from to make their trade policy instruments more gender inclusive.

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## 1.2. WHY THESE COUNTRIES?

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Canada, Finland, Iceland, Mexico, Rwanda and Sweden were chosen based on their performance on the Global Gender Gap Index (Index) and their initiatives empowering women in business and trade.<sup>36</sup> The World Economic Forum introduced the Index in 2006 as a framework for capturing gender-based disparities and tracking progress over time. The Index ranks countries based on their gender gap measuring four areas: economy, politics, education and health. The Index assesses the 144 participating

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<sup>36</sup> World Economic Forum, *The Global Gender Gap Report 2017* (2 November 2017), online: <[http://www3.weforum.org/docs/WEF\\_GGGR\\_2017.pdf](http://www3.weforum.org/docs/WEF_GGGR_2017.pdf)>.

countries on how they divide their resources and opportunities amongst men and women.<sup>37</sup>

Iceland, Finland, Sweden and Rwanda hold the top spots and have crossed the threshold of closing more than 80% of their overall gender gap. While Mexico and Canada do not fall in the top ten countries in terms of the Index, they are both currently implementing new programs, policies and initiatives that empower women and aim to reduce the gender gap. Since 2016 when the Index was published, Canada's new government has implemented gender-sensitive strategies and promoted women in trade. Mexico has also introduced policies and programs to help women-led businesses grow and expand in international markets. Our report highlights some of these countries' different legal, policy and regulatory tools for enhancing women's trade participation.

### Iceland

Iceland is at the top of the Index after closing over 87% of its gender gap.<sup>38</sup> Iceland consistently ranks in the top countries in all sectors such as employment, economic leadership, education, literacy rate, political empowerment, and access to assets, technology and childcare. Since 2006, Iceland has also fully closed its Educational Attainment gender gap. Furthermore, Iceland is one of the only five countries where female representation on boards accounts for more than 30%. Iceland is also the top performer on Political Empowerment and in the top ten on Economic Participation and

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<sup>37</sup> *Ibid.*

<sup>38</sup> World Economic Forum, *The Global Gender Gap Report 2017* (2 November 2017), online: <[http://www3.weforum.org/docs/WEF\\_GGGR\\_2017.pdf](http://www3.weforum.org/docs/WEF_GGGR_2017.pdf)>.

Opportunity on improvements in the number of women among legislators, senior officials and managers.

### Finland

Finland demonstrates continued progress in women's labour force participation and its share of female legislators, senior officials and managers, placing second on the index and closing nearly 85% of its overall gender gap.<sup>39</sup> Similarly to Iceland, Finland has fully closed its gender gap on Educational Attainment. Moreover, Finland has also closed the gap on Health and Survival and remains the runner-up on Political Empowerment. Finland's gender-disaggregated income levels have been capped.

### Sweden

Sweden has made investments in women's education, economic and political participation placing fourth on the Index and closing over 81% of its gender gap. The country has seen an increase in female legislators, senior officials and managers. It has also nearly closed the gender gap in Educational Attainment and Opportunity. Sweden, much like Iceland and Finland, has capped its gender-disaggregated income levels. Overall, Sweden is one of the most gender-equal economies among high-income countries.

### Rwanda

Rwanda is the only developing country that reaches the top five countries on the Index, closing 80% of its gender gap.<sup>40</sup> Rwanda has drastically improved its Economic

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<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

Participation and Opportunity score. Rwanda's women politicians constitute 64% of its national parliament, representing the country with the highest percentage of female politicians in parliament in the world.

### Mexico

Mexico has closed over 70% of its gender gap. Mexico implemented the National Development Policy 2007-2012 to enforce gender mainstreaming in the design of its public policies. Women, who mostly operate small businesses in Mexico, also benefit from Mexico's active support for SMEs. Mexico introduced significant reforms to its corporate fiscal regime, designed policies to address the needs of business entrepreneurs and created the National Institute of the Entrepreneur (INADEM) to focus on the business development of small businesses, all of which benefit women.

### Canada

Canada takes the lead in North America for its progress towards gender parity, as it has closed over 73% of its gender gap. Since the Index was published, the new Canadian government elected in 2015 has made gender equality a priority and introduced government legislation, policies and programs designed to close the gender gap across a wide range of areas.<sup>41</sup> Since 2013, the country has also fully closed its gender gap in Educational Attainment. In 2017, Canada and Chile included a gender chapter in their modernized bilateral agreement. Canada has also proposed a gender chapter in the North American Free Trade Agreement (NAFTA) modernization negotiations and is a Gender Champion in the WTO.

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<sup>41</sup> Government of Canada, "Budget 2017" (22 March 2017), online: <<https://www.budget.gc.ca/2017/docs/plan/toc-tdm-en.html>>.

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### 1.3. WHY A THEMATIC APPROACH?

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Best practices include legislation, regulations, policies, strategies, national agendas and international commitments that aim to increase women's trade participation through enhancing their overall economic positions. Governments can use these measures as gender-responsive tools, which have direct and indirect effects on women. These measures can promote sustainable socioeconomic development, improve women's access to opportunities and remove barriers to women's participation in both national and international markets.

An intersectional approach is required to combat multiple barriers that impede gender equality and women's economic involvement. For example, a government's ratification of a trade agreement containing a gender chapter must be supplemented with other gender-promoting measures. Such an example of a trade chapter should be part of a country's general gender-sensitive commitment that addresses socioeconomic, political and cultural barriers that women face. Our report looks at tools, gender budgeting, quotas, policies and legislation with a gender focus that overall women's economic empowerment.

The best practices from Iceland, Finland, Sweden, Rwanda, Canada and Mexico are categorized five key themes: Gender Legislation; Trade & Business Promotion; Education; Employment; and Social Considerations. This thematic organization will help policy makers locate best practices that correspond to their interests and needs.

## 2. BEST PRACTICES- LAWS, REGULATIONS, POLICIES & TRADE AGREEMENTS

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### 2.1. GENDER LEGISLATION

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#### 2.1.1. Gender in Constitutions

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##### 2.1.1.1. Canada: Charter of Rights & Freedoms

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The Charter of Rights and Freedoms, Canada’s constitutional document outlining individual rights and freedoms, addresses gender equality.<sup>42</sup> Section 15 ensures the equal protection and benefit of the law “without discrimination [...] based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.” Section 28 guarantees that all rights covered in the Charter apply equally to men and women. The Supreme Court of Canada affirmed that Subsection 15(1) prevents discrimination based on the attribution of stereotypical characteristics to individuals and its purpose is to ameliorate the position of people within Canadian society who have suffered disadvantage by exclusion from mainstream society.<sup>43</sup> In another case, the Supreme Court upheld a federal human right’s tribunal decision that established a program aimed at removing existing inequalities against women and improve their underrepresentation in non-traditional occupations.<sup>44</sup>

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<sup>42</sup> *Canadian Charter of Rights and Freedoms*, Part I one of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.

<sup>43</sup> *Andrews v Law Society of British Columbia*, [1989] 1 SCR 143.

<sup>44</sup> *Supreme Court of Canada CN v Canada (Canadian Human Rights Commission)*, [1987] 1 SCR 1114.



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### 2.1.1.2. **Rwanda: The National Constitution of Rwanda**

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In the Preamble of the Constitution of Rwanda, there is an explicit commitment to gender equality when working towards national development. Moreover, Article 185 of CHAPTER IX of the Constitution of Rwanda sets out a provision exclusive for the establishment and operation of a gender monitoring office. The Constitution requires that a Gender Monitoring Office be established as an independent public institution. The Constitution also requires that the Gender Monitoring Office submit an annual activity report to the Cabinet.<sup>45</sup> The activities of the Gender Monitoring Office as set out in the Constitution include:

- To monitor and supervise on a permanent basis compliance with gender indicators of the programme for ensuring gender equality and complementality in the context of the vision of sustainable development and to serve as a reference point on matters relating to gender equality and non discrimination for equal opportunity and fairness;
- To submit to various organs recommendations relating to the program for the promotion of gender equality and complementality for national development.<sup>46</sup>

The constitutional establishment of a Gender Monitoring Office is an example of a government measure to identify the barriers that impede the economic empowerment of Rwandan women and their participation in trade activities.

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### 2.1.1.3. **Finland: The Constitution of Finland**

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The Constitution of Finland recognizes that everyone is equal before the law. The Constitution does not allow for different treatment between men and women because

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<sup>45</sup> *The Constitution of the Republic of Rwanda*, 2003.

<sup>46</sup> *Ibid*, art 185.

of their gender differences.<sup>47</sup> The constitution recognizes that gender discrimination against women is not acceptable.

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#### **2.1.1.4. Sweden: The Constitution of Sweden**

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The Constitution of Sweden recognizes that everyone is equal before the law. The Constitution allows an act of law to form a different treatment between men and women only if it would amount to equality between men and women.<sup>48</sup> Otherwise, the Constitution does not accept any form of gender discrimination between men and women.<sup>49</sup>

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#### **2.1.1.5. Iceland: The Constitution of Iceland**

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The Constitution of Iceland recognizes that everyone is equal before the law. The Constitution does not allow for different treatment between men and women because of their gender differences.<sup>50</sup> The Constitution recognizes that gender discrimination against women is not acceptable.

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#### **2.1.1.6. Mexico: The Constitution of Mexico**

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The Constitution of Iceland recognizes that everyone is equal before the law. The Constitution explicitly recognizes that men and women are equal under the law.<sup>51</sup> The Constitution also reinforces the principle of equal remuneration for women and men

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<sup>47</sup> *The Constitution of Finland*, 731/1999, s 6.

<sup>48</sup> *The Constitution of Sweden*, 2016, art 13.

<sup>49</sup> *Ibid*, art 2.

<sup>50</sup> *The Constitution of the Republic of Iceland*, No 33 of 17 June 1944, as amended 30 May 1984, 31 May 1991, 28 June 1995 and 24 June 1999, art 65.

<sup>51</sup> *The Political Constitution of the Mexican United States*, 2005, art 4.

workers.<sup>52</sup> The Constitution does not allow for different treatment between men and women because of their gender differences.

## 2.1.2. Gender Acts

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### 2.1.2.1. Canada

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#### 2.1.2.1.1. Diversity-Related Disclosure

The Government of Canada's new Bill C-25, amending the *Canada Business Corporations Act* (CBCA), is encouraging corporations to include more women on their boards and executive positions in requiring diversity-related disclosures.<sup>53</sup> This is an important initiative especially when considering that women in 2016 represented only 24% of TSX60<sup>54</sup> directors.<sup>55</sup> This is despite the fact that research has shown that gender diversity on boards of directors improves effectiveness and performance of the boards.<sup>56</sup> The Bill's amendments, currently before the Senate level and highly likely to pass, will require companies to set goals designated to include specific groups such as women or visible minorities. Companies will also be required to establish a deadline

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<sup>52</sup> *Ibid*, art 123(A)(VII).

<sup>53</sup> Bill C-25, *An Act to amend the Canada Business Corporations Act, the Canada Cooperatives Act, the Canada Non-for-Profit Corporations Act and the Competition Act*, 1<sup>st</sup> Sess, 42<sup>nd</sup> Parl, 2018, (third reading at the senate 22 March 2018).

<sup>54</sup> TSX 60 Index is a stock market index of 60 large companies listed on the Toronto Stock Exchange.

<sup>55</sup> Canadian Board Diversity Council, "Board Diversity Ranking", 2016, online: <<https://boarddiversity.ca/rankings>>.

<sup>56</sup> Marcus Noland et al. "Is Gender Diversity Profitable? Evidence from a Global Survey" (2016) Peterson Institute for International Economics, Working Paper, No 16-3, online: <<https://piie.com/system/files/documents/wp16-3.pdf>>.

for achieving those goals and to send an annual report to Parliament on their progress.<sup>57</sup> The corporations will also have to disclose their diversity representation and policies or explain why none are in place. These amendments are consistent with the gender disclosure rules mandated by Canadian provincial securities laws.

#### 2.1.2.1.2. Disclosure of Women on Boards and in Senior Management

Since 2014, the securities regulatory authorities in Canadian provinces and territories, namely Manitoba, New Brunswick, Newfoundland and Labrador, Northwest Territories, Alberta, Nova Scotia, Nunavut, Ontario, Québec, Saskatchewan and Yukon have adopted the Instrument (NI) 58-101 Disclosure of Corporate Governance Practices (NI) and its amendments on *Disclosure of Women on Boards and in Senior Management*.<sup>58</sup> These amendments require non-venture reporting issuers to provide annual disclosures about women's representation on their boards and in executive officer positions.<sup>59</sup> The amendments are intended to increase transparency for investors and other stakeholders regarding the representation of women on boards of directors and in senior management.

The Staff Notice Report published in 2017, which reviews findings of disclosures from all the provinces and territories, demonstrates an increase of women's participation since the reporting requirement came into effect. More specifically, the first year the

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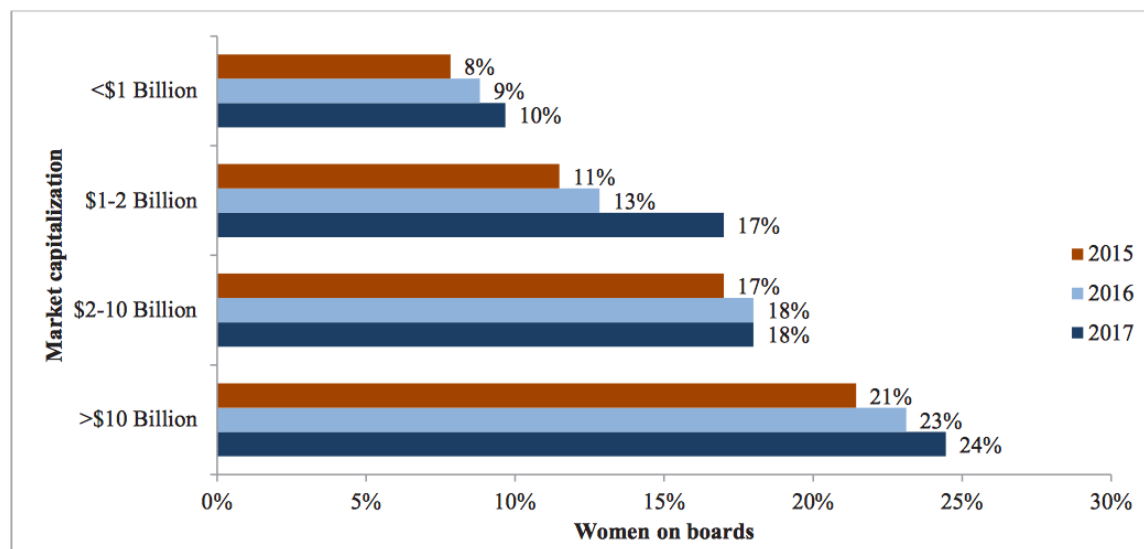
<sup>57</sup> Bill C-25, *An Act to amend the Canada Business Corporations Act, the Canada Cooperatives Act, the Canada Non-for-Profit Corporations Act and the Competition Act*, 1st Sess, 42nd Parl, 2018, (third reading at the senate 22 March 2018).

<sup>58</sup> *Disclosure of Corporate Governances Practices*, OSC, NI 58-101, 1 January 2014.

<sup>59</sup> *Ibid.*

reporting became mandatory, women occupied 11% of the total board seats.<sup>60</sup> In 2017, the percentage increased to 14%.<sup>61</sup> Overall, there was a positive increase of women’s involvement since disclosures became mandatory for reporting issuers.

**Board Seats Occupied by Women in Canada (2015-2017)<sup>62</sup>**




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### 2.1.2.2. Iceland: Pay Equity

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The Minister of Social Affairs and Equality introduced a law on Equal Pay Certification to close its gender pay gap by 2022.<sup>63</sup> The law recently came into force on January 1, 2018, making Iceland the first country to make equal pay compulsory for both private and public firms. Therefore, companies with 25 or more employees must obtain

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<sup>60</sup> Canadian Securities, *CSA Multilateral Staff Notice 58-309: Staff Review of Women on Boards and in Executive Officer Positions – Compliance with NI 58-101 Disclosure of Corporate Governance Practices*, 5 October 2017 at 3.

<sup>61</sup> *Ibid* at 3.

<sup>62</sup> *Ibid* at 10.

<sup>63</sup> Rosamond Hutt, “It’s now against the law to pay men and women differently in Iceland”, World Economic Forum, (14 March 2017), online: <https://www.weforum.org/agenda/2017/03/iceland-could-become-the-first-country-to-require-equal-pay-iceland-will-make-employers-prove-they-offer-equal-pay/>.

certification to prove that they provide equal pay for all workers who produce equal value to the company.<sup>64</sup> The certification is obligatory and must be produced on annual basis.<sup>65</sup> In doing so, Iceland intends to eliminate all discriminatory practices that women face in their workplaces.

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### 2.1.2.3. Finland: Act on Equality between Women and Men

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The *Equality Act* explicitly states that its purpose is to improve the status of women in their working life. The Act imposes a duty on employers to promote gender equality with the hiring, recruitment, and employment practices.<sup>66</sup> To ensure effective implementation, the Act requires employers who have at least 30 employees to prepare a gender equality plan on pay and employment terms every two years.<sup>67</sup> The Act also requires the employer who treats an employee in a discriminatory manner to provide compensation for the affected employee.<sup>68</sup> The Ombudsman for Equality and the National Non-Discrimination and Equality Tribunal monitors compliance with the Act.<sup>69</sup> The Act implements appropriate measures to ensure that women employees enjoy a safe, inclusive and equitable workplace environment.

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<sup>64</sup> *Act on Equal Status and Equal Rights of Women and Men No 10/2008*, as amended by Act No162/2010, No 126/2011, No 62/2014, No 79/2015, No 117/2016 and No 56/2017, art 19.

<sup>65</sup> *Ibid.*

<sup>66</sup> *Act on Equality between Women and Men*, 609/1986, amendments up to 915/2016 included, s 6.

<sup>67</sup> *Ibid* at 6.

<sup>68</sup> *Ibid* at 11.

<sup>69</sup> *Ibid* at 16.

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#### 2.1.2.4. Mexico: Laws on Equality between Women and Men

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##### 2.1.2.4.1. The General Law on Equality between Women and Men

The *General Law on Equality between Women and Men* is the main national law in Mexico assessing gender equality. The objective of this law is to promote economic empowerment for women in both the public and private spheres. The law requires the federal government to adopt policies, programmes, projects and affirmative actions that guarantee equal opportunities for men and women.<sup>70</sup>

##### 2.1.2.4.2. National Agreement on Equality between Women and Men

In 2007, Mexico expanded its commitment to gender equality with its *National Agreement on Equality between Women and Men*. The goal of this Agreement was to improve the conditions for women who choose to participate in the economic sphere. The Agreement provides women with equitable working conditions, encourages women to pursue job opportunities, and aims to close the gender gap in Mexico.<sup>71</sup>

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<sup>70</sup> Natividad Cárdenas Morales, “Gender Equality and Women’s Empowerment in Public Administration Mexico Case Study” (2014) United Nations Development Programme Case Study for the first phase of a cross-practice and cross-thematic global UNDP Initiative on Gender Equality in Public Administration (GEPA), online: <[http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/public\\_administration/gepa2.html](http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/public_administration/gepa2.html)>.

<sup>71</sup> *Ibid.*

### 2.1.3. Gender Policies

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#### 2.1.3.1. Rwanda: National Gender Policy

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The Government of Rwanda has a National Gender Policy to promote gender equality in Rwanda. The Policy is designed to act as a guide for the mainstreaming of gender in all sectors and institutions in Rwanda.<sup>72</sup> Also, the Policy sets out the institutional framework and mechanisms necessary for the design, implementation, monitoring, evaluation and coordination of gender equality policies and programs.<sup>73</sup> The Policy calls for collaborative actions among several actors including decision-makers and development workers to achieve effective implementation of gender mainstreaming initiatives.<sup>74</sup> The Policy recommends the following:

- creating gender sensitive measures to equip vulnerable groups with the necessary knowledge and skills for self-employment;
- implementing measures for to increase access for education for women;
- empowering women farmers through undertaking gender sensitive measures aimed at equipping women with appropriate knowledge and skills for food production and processing;
- enforcing measures that ensure equal and effective participation of women and men in enforcement of the land law;
- establishing mechanisms to remove all barriers that limit women from accessing and controlling resources such as commercial, industrial finance and appropriate technology to benefit from better participation in the private sector;
- facilitating and support capacity building programs for increased participation of women in paid economy with emphasis in technical areas; and
- undertaking measures to stimulate men's involvement in addressing gender issues in all sectors including public sector, private sector and civil society.<sup>75</sup>

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<sup>72</sup> *National Gender Policy (Rwanda)*, 2010.

<sup>73</sup> *Ibid.*

<sup>74</sup> *Ibid.*

<sup>75</sup> *Ibid.*



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## 2.1.3.2. Mexico

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### 2.1.3.2.1. National Development Policy

Mexico includes gender equality as a national principle in its National Development Plan (NDP) 2013 - 2018 of Mexico. The NDP requires the government to integrate the gender perspective as an obligatory reference in its strategic planning.<sup>76</sup> All public policies designed and implemented by the federal government must incorporate the gender equality perspective.<sup>77</sup> Every public institution's objectives and programs must consider the gender equality perspective.<sup>78</sup> A key part of the NDP, the National Programme for Equal Opportunities and Non-Discrimination against Women (Proigualdad), was implemented to promote access to employment, financial resources and services for women in Mexico.<sup>79</sup>

### 2.1.3.2.2. Financial Inclusion Policy

Mexico promotes women's financial inclusion in its National Policy on Financial Inclusion (2016). The policy addresses the need for increasing both access and use of formal financial services to the unattended sectors of the population – such as women

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<sup>76</sup> Marcela Eternod, "Use of data for monitoring effectiveness of gender equality and women's empowerment policies and programmes", (Presentation delivered at the Fifth Global Forum on Gender Statistics, 3 to 5 November 2014), online: <[https://unstats.un.org/unsd/gender/mexico\\_nov2014/HighLevelPanel Mexico ppt.pdf](https://unstats.un.org/unsd/gender/mexico_nov2014/HighLevelPanel%20Mexico%20ppt.pdf)>.

<sup>77</sup> *Ibid.*

<sup>78</sup> AFI, *Integrating Gender and Women's Financial Inclusion into National Strategies*, (Guideline Note No. 27) (February 2017).

<sup>79</sup> *Ibid.*; Angel Gurría, "Building an Inclusive Mexico: Policies and Good Governance for Gender Equality" (Presentation delivered at the OECD Review of Gender Policies in Mexico, 10 January 2017).

and the rural population.<sup>80</sup> The National Council on Financial Inclusion was established to coordinate Mexico's national financial authorities in line with the objectives of the National Policy on Financial Inclusion.<sup>81</sup>

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### 2.1.3.3. Sweden: The Feminist Policy

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Sweden's Feminist Foreign Policy applies a systematic gender perspective in all of its stages. The Swedish Foreign Service also developed an action plan to outline the direction of the feminist foreign policy.<sup>82</sup> The plan describes the objectives of the policy and measures on how to achieve its objectives.

The Policy includes women's and girls' economic rights and empowerment as one of its objectives. The Foreign Service intends to achieve this objective through promoting gender mainstreaming in trade policy. Therefore, the Foreign Service will work with EU to promote gender equality in WTO and EU's free trade agreements, and in the sustainability analyses that is conducted before the negotiations take place.

For effective implementation of Sweden's Policy and its action plan, the Swedish Foreign Service intends to cooperate with the rest of the government offices and agencies. Particularly, Sweden's Ministry of Affairs will review various governance documents of its agencies.<sup>83</sup> These documents will include instructions, appropriation

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<sup>80</sup> *National Policy for Financial Inclusion (2016)*, online: <[https://www.gob.mx/cms/uploads/attachment/file/199615/Mexico\\_s\\_National\\_Policy\\_Financial\\_Inclusion.pdf](https://www.gob.mx/cms/uploads/attachment/file/199615/Mexico_s_National_Policy_Financial_Inclusion.pdf)>.

<sup>81</sup> *Ibid.*

<sup>82</sup> Sweden, The Ministry for Foreign Affairs (Utrikesdepartementet), "Swedish Foreign Service action plan for feminist foreign policy 2015–2018 including indicative measures for 2018" (26 March 2018), online: <<http://www.government.se/495f60/contentassets/66afd4cf15ee472ba40e3d43393c843a/handlingsplan-feministisk-utrikespolitik-2018-enge.pdf>>.

<sup>83</sup> *Ibid.*

directions, and thematic or regional or bilateral strategies.<sup>84</sup> The purpose of reviewing the documents is to ensure that both governance and monitoring measures are in alignment with the Policy.<sup>85</sup>

Moreover, to further support effective implementation of the Policy, the Ministry for Foreign Affairs will strengthen its dialogue with relevant agencies. In doing so, the Ministry of Foreign Affairs seeks to broaden its knowledge base and develop information materials, exhibitions, seminars and articles on gender equality.<sup>86</sup>

#### 2.1.4. Gender Mainstreaming

Gender mainstreaming is a strategy that governments adopt to promote gender equality through their policies, laws, regulations and initiatives that in turn will enhance women's economic empowerment. Gender mainstreaming involves using gender perspectives with a focus on achieving gender equality in policy development, research, legislation, resource allocation, spending programs, advocacy, implementation, and monitoring of programs.<sup>87</sup> Sweden, Rwanda, Canada, and Mexico have developed gender responsive policies, budgets with allocations for women's economic empowerment, equality legislations, gendered programs, and include gender equality in their constitutions. These efforts address women's barriers that hinder gender equality and promote women's workforce participation.

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<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*

<sup>87</sup> United Nations Entity for Gender Equality and the Empowerment of Women, "Gender Mainstreaming", United Nations, online: <<http://www.un.org/womenwatch/osagi/gendermainstreaming.htm>>.

In this section, we explore the following forms of gender mainstreaming: (2.1.4.1.) Gender Budgeting; and (2.1.4.2.) Gender Implementation Strategies & Tools.

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### 2.1.4.1. Gender Budgeting

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Gender budgeting involves a government allocating funds and setting targets, such as women’s participation in STEM Education, to promote equality through fiscal policies. Gender budgeting is considered a gender-based assessment of budgets incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality.<sup>88</sup>

Gender budgeting recognizes that women experience policies and programs different from men. Therefore, targeting funds accordingly helps reduce disparities and reduce the wage gap. This approach assesses how a budget addresses the gender gap and reviews the actual distribution of resources between women and men. For example, increasing funding for services such as childcare, whereby women disproportionately carry unpaid, household and familial responsibilities, enables their participation in the workforce. Similarly, increasing welfare and access to affordable housing affects more women because they earn less than men and are more likely to live below the poverty line.

Rwanda has restructured its budget to use public resources to increase gender equality and accelerate economic inclusivity. Rwanda has adopted gender budgeting which has led to funding different programs that promote women and girls’ access to education,

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<sup>88</sup> European Institute for Gender Equality, “Gender Budgeting”, EIGE, online: <<http://eige.europa.eu/gender-mainstreaming/methods-tools/gender-budgeting - 2>>.

poverty, and maternity leaves among others to make it easier for women to participate in the workforce.

#### 2.1.4.1.1. Rwanda: Gender Responsive Budgeting

The Government of Rwanda introduced the Gender Responsive Budgeting (GRB) Program to narrow the gender gap in the economy.<sup>89</sup> Through the GRB initiative, Rwanda aims to “have a consolidated Gender Budget Statement or Gender Report to accompany the 2010/11 budget and all subsequent years; to make the discussion and analysis of government policies from a gender perspective; to increase gender-responsive budget allocations in pilot sectors (health, education, agriculture and infrastructure) and later in all other sectors”.<sup>90</sup>

Respectively, the Government of Rwanda requires the Ministry of Finance and Economic Planning (MINECOFIN) to submit a consolidated National Gender Budget Statement (GBS) with its Budget Framework Paper to the Parliament and Cabinet.<sup>91</sup> The Government of Rwanda provides its Ministries and Districts with a document that contains guidelines for GBS preparation. Ministries and Districts must follow these guidelines, and identify at least four subprograms in their GBS as provided in these

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<sup>89</sup> Odette Kabaya, “Gender Responsive Budgeting Program in Rwanda” (Presentation delivered at the Gender in MENA projects: promoting women's economic empowerment, May 21-23, 2009), online: [http://siteresources.worldbank.org/INTGENDER/Resources/336003-1244137886626/May21\\_OdetteKabaya\\_AnalyticalToolsGB.pdf](http://siteresources.worldbank.org/INTGENDER/Resources/336003-1244137886626/May21_OdetteKabaya_AnalyticalToolsGB.pdf).

<sup>90</sup> *Ibid.*

<sup>91</sup> *Organic Law on State finances and property*, N 12/2013/OL of 12/09/2013, art 32, online: [http://www.minecofin.gov.rw/fileadmin/\\_migrated/content\\_uploads/Law\\_on\\_State\\_Finances\\_and\\_Property.pdf](http://www.minecofin.gov.rw/fileadmin/_migrated/content_uploads/Law_on_State_Finances_and_Property.pdf).

guidelines.<sup>92</sup> Furthermore, the Government of Rwanda provides its Ministries and Districts with useful criteria for selecting their sub-programs for GBS purposes. The criteria for sub-program selection is as follows:

- Sub-programs, which are service delivery not institutional support or administrative costs.
- Size of the budget allocation (preference for larger budget on items that are gender focused).
- The impact of the sub-program in addressing gender issues.
- Alignment of the sub-program, which contribute to the achievement of the National Gender Policy and EDPRS II.<sup>93</sup>

The government also established a gender responsive budgeting analysis for these programs. The analysis includes the following five steps:

- Describe the situation of women and men, girls and boys in the sector i.e. (Identify the issue that creates Gender Inequality) – Identify the problem.
- Check whether policy is gender-sensitive i.e. (Verify whether the existing policy addresses the problem identified) – Propose activities to address the situation and outputs to be achieved.
- Check that adequate budget is allocated to implement gender-sensitive policy i.e. (check whether the proposed activities are funded) – Identify resources for inputs to implement the proposed activities.
- Check whether expenditure is spent as planned - ‘Outputs’.
- Examine impact of policy & expenditure i.e. whether it has promoted gender equity as intended - ‘Outcomes’ or ‘Impact’.<sup>94</sup>

Accordingly, the GBS will be used to monitor the implementation of government activities along with their impact in addressing gender issues.

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<sup>92</sup> Government of Rwanda, Letter from Ministry of Finance and Economic Planning (19 October 2015) Re: The First Planning and Budgeting Call Circular for the 2016/2017 Fiscal Year.

<sup>93</sup> Government of Rwanda, “Annex 6 Instructions for the preparation and reporting of Gender Budget Statement”.

<sup>94</sup> *Ibid.*

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## 2.1.4.2. Gender Implementation Strategies & Tools

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### 2.1.4.2.1. Canada

#### i) Gender Auditing Tool

Gender Based Analysis Plus (GBA+) is an analytical tool used to assess how diverse groups of women and men experience policies, programs and initiatives.<sup>95</sup> GBA+ provides checklists, tools and questions for departments to use when they assess their policies and regulations.<sup>96</sup> In 2015, the Government of Canada implemented the GBA+ tool across all federal departments and mandated the Minister of Status of Women to ensure that government policy, legislation, and regulations were sensitive to different women's experiences.<sup>97</sup> Applying GBA+ to policy development and governmental initiatives is important because women and men experience issues differently, even in cases where, on the surface, it does not seem gendered.

Examples of GBA+ questions include:

- What are the barriers to participation for underrepresented groups, such as women?
- In developing your approach to the issue, have you consulted a wide-range of stakeholders, including underrepresented groups?

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<sup>95</sup> Canada, Status of Women Canada, "What is *GBA+* " (2017), online: <<http://www.swc-cfc.gc.ca/gba-acis/index-en.html>>.

<sup>96</sup> *Ibid.*

<sup>97</sup> Canada, Office of the Auditor General of Canada, *Report 1 – Implementing Gender-Based Analysis*, Fall 2015, online: <[http://www.oag-bvg.gc.ca/internet/English/att\\_e\\_41078.html](http://www.oag-bvg.gc.ca/internet/English/att_e_41078.html)>.

- Do the data collection guidelines, forms and processes ensure that data collected can be disaggregated by sex as well as by other factors and personal characteristics?<sup>98</sup>

The GBA+ questions aim to challenge assumptions and uncover gender diversity issues. It also involves examining disaggregated data and research, and considering social, economic, and cultural conditions and norms to see how different factors influence the effectiveness of government initiatives. Government departments must use GBA+ questions in their evaluations and provide written reports.

ii) *Ontario's Strategy for Women's Economic Empowerment*

*Then Now Next: Strategy for Women's Economic Empowerment* is the Canadian Province of Ontario's<sup>99</sup> strategy to advance women's economic empowerment, build fairer workplaces and close the gender gap.<sup>100</sup> This strategy includes up to \$50 million in funding over 3 years to introduce measures that promote women in corporate leadership roles, increase women's access to training and mentorship opportunities, create the Ontario Women's Entrepreneurship Association and launch a social awareness campaign to break down gender stereotypes. This strategy is committed to help 1,700 low-income women gain entrepreneurship and financial literacy training

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<sup>98</sup> Canada, Status of Women Canada, "Apply GBA+ to your Work" (2017), online: <<http://www.swc-cfc.gc.ca/gba-accs/apply-appliquez-en.html>>.

<sup>99</sup> Canada's federal system of government divides powers between the federal government and the provinces. Ontario is Canada's most populous province and has jurisdiction over matters such labour, health and education.

<sup>100</sup> Ontario, *Then Now Next: Ontario's Strategy for Women's Economic Empowerment*, 2018, online: <[https://www.ontario.ca/page/then-now-next-ontarios-strategy-womens-economic-empowerment?\\_ga=2.231103711.1358046831.1520713271-129748838.1440545191](https://www.ontario.ca/page/then-now-next-ontarios-strategy-womens-economic-empowerment?_ga=2.231103711.1358046831.1520713271-129748838.1440545191)>.



through micro-lending programs.<sup>101</sup> Moreover, 100,000 more children, aged 0-4, will have access to licensed childcare over the next 5 years.<sup>102</sup> This strategy will add to existing efforts, including a \$CDN 15 minimum wage as of January 2019.<sup>103</sup>

iii) *Ontario's Implementation Plan to Promote Women in Corporate Leadership*

*GET ON BOARD — Implementation Plan to Promote Women in Corporate Leadership* is the Government of Ontario's new plan to promote women in leadership positions and achieve gender diversity on provincial government boards. By December 2019, the Ontario Government expects that women will make up at least 40% of appointments to each provincial board and agency. The plan's three pillars are: demonstrate government leadership, strengthen transparency of gender-based data and work in partnership with businesses.<sup>104</sup> One of Ontario's targets is to reach 40% of female appointments to each provincial board and agency by December 2019.<sup>105</sup> In addition, Ontario's Public Appointments Secretariat has developed a plan to assist ministries to reach the 40% target of women on their boards.<sup>106</sup> The Secretariat will provide training to public appointment hiring committees on how to improve gender board diversity and will monitor the progress for appointments to all provincial boards and agencies.<sup>107</sup> Starting

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<sup>101</sup> Ontario, "Discussion Paper: Women's Economic Empowerment- A Call to Action for Ontario", (2017), online: <[https://files.ontario.ca/economic\\_empowerment\\_discussion\\_paper\\_final\\_english.pdf](https://files.ontario.ca/economic_empowerment_discussion_paper_final_english.pdf)>.

<sup>102</sup> *Ibid* at 3.

<sup>103</sup> Ontario's minimum wage is currently \$14/hour.

<sup>104</sup> Ontario, *GET ON BOARD-Ontario's Implementation Plan to Promote Women in Corporate Leadership*, 2018, online: <<https://www.ontario.ca/page/get-board-ontarios-implementation-plan-promote-women-corporate-leadership>>.

<sup>105</sup> *Ibid*.

<sup>106</sup> *Ibid*.

<sup>107</sup> *Ibid*.

in 2018, Ontario will publish annual gender-based appointment updates to measure progress on the 40% target for provincial boards and agencies.

#### 2.1.4.2.2. Rwanda

##### i) *Economic Development Strategy*

The Republic of Rwanda introduced the Second Economic Development and Poverty Reduction Strategy (EDPRS 2). Vision 2020 is a government tool that explicitly recognizes gender equality as a cross-cutting issue to be addressed in governmental initiatives.<sup>108</sup> The tool requires the Government of Rwanda to integrate gender equality measures in its forthcoming development policies and strategies.<sup>109</sup> The Government of Rwanda developed EDPRS 2 to complement the goals of Vision 2020.

EDPRS 2 intends to mainstream gender and family in the planning, budgeting, and development of government projects.<sup>110</sup> EDPRS 2 will focus on strategies that address the needs of women to advance the interests of women in the economy using a holistic and a multi-sectoral approach. EDPRS 2 aims to ultimately empower men and women with opportunities to access economic resources and financial services, enhance their property ownership, develop their skills and access to market information.<sup>111</sup> Given EDPRS 2's holistic approach to improving the economic status of the women in

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<sup>108</sup> Republic of Rwanda, Ministry of Finance and Economic Planning, *Rwanda Vision 2020* (Kigali, July 2000), online: <<https://www.sida.se/globalassets/global/countries-and-regions/africa/rwanda/d402331a.pdf>>.

<sup>109</sup> *Ibid.*

<sup>110</sup> Republic of Rwanda, Ministry of Finance and Economic Planning, *Economic Development and Poverty Reduction Strategy II 2013-2018* (Rwanda: May 2013), online: <[http://www.minecofin.gov.rw/fileadmin/templates/documents/NDPR/EDPRS\\_2.pdf](http://www.minecofin.gov.rw/fileadmin/templates/documents/NDPR/EDPRS_2.pdf)>.

<sup>111</sup> *Ibid.*

Rwanda, this tool can effectively tailor government initiatives to the needs of women for productive participation in the economy.

*ii) Rwanda: Gender Equality Seal Certification Program*

The Private Sector Federation (PSF), Gender Monitoring Office and ONEUN Rwanda launched the *Gender Equality Seal Certification Programme* to eliminate gender gaps in the private sector.<sup>112</sup> This initiative was introduced so that Rwandan companies could achieve a higher return on investment capital, equity and sales.<sup>113</sup> Accordingly, the program focuses on eliminating gender-based pay gaps, eliminating sexual harassment at work, increasing women's role in decision-making, enhancing work-life balance, and enhancing access to non-traditional jobs for men and women.<sup>114</sup>

Companies that wish to earn their Gender Equality Seal Certification must undergo a ten-step process. Particularly, companies must establish a gender equality committee; undertake a diagnosis of their policies and practices; develop a company-wide policy and plan of action for gender equality; implement the gender equality plan of action; and conduct an external assessment of the progress achieved.<sup>115</sup> It has been reported that 35 companies have committed to the Gender Equality Seal Certification

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<sup>112</sup> Republic of Rwanda Gender Monitoring Office, Media Center, “A new Programme to enhance Gender Accountability in Rwanda’s Private sector in Pipeline” (23 November 2017) online: [http://gmo.gov.rw/index.php?id=34&L=1&tx\\_ttnews%5Btt\\_news%5D=134&cHash=c2b9d7d0303028d1c2b436b31490e138](http://gmo.gov.rw/index.php?id=34&L=1&tx_ttnews%5Btt_news%5D=134&cHash=c2b9d7d0303028d1c2b436b31490e138).

<sup>113</sup> AllAfrica, News Release, “Rwanda: New Programme to Eliminate Gender Gaps in Private Sector” (24 November 2017), online: The New Times (Kigali) <http://allafrica.com/stories/201711240086.html>.

<sup>114</sup> Republic of Rwanda Gender Monitoring Office, Media Center, “A new Programme to enhance Gender Accountability in Rwanda’s Private sector in Pipeline” (23 November 2017) online: [http://gmo.gov.rw/index.php?id=34&L=1&tx\\_ttnews%5Btt\\_news%5D=134&cHash=c2b9d7d0303028d1c2b436b31490e138](http://gmo.gov.rw/index.php?id=34&L=1&tx_ttnews%5Btt_news%5D=134&cHash=c2b9d7d0303028d1c2b436b31490e138).

<sup>115</sup> *Ibid.*

Programme.<sup>116</sup> This initiative is important because it will provide a higher financial security for women in the private sector and it will also encourage more women to participate in the labour force.

#### 2.1.4.2.3. Sweden: Gender Equality Agency

The Swedish Government commissioned the Swedish Gender Equality Agency to facilitate the Gender mainstreaming in government agencies (GMGA)<sup>117</sup>. The GMGA is a development program to mainstream gender in the activities of government agencies. The program includes fifty-nine government agencies and one organization that operate in the cultural, judicial, and health care sectors.<sup>118</sup> Each participating agency should develop an action plan for integrating a gender equality perspective when conducting its activities. Participating agencies have submitted reports to identify the challenges and success as regards to their contribution to the achievement of gender equality.<sup>119</sup>

#### 2.1.4.2.4. Mexico: Certification for Fair Practices in the Workplace

The *Mexican Norm for Employment Equality between Women and Men* (2009) is a certification instrument that requires public and private organizations to implement

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<sup>116</sup> AllAfrica, News Release, “Rwanda: New Programme to Eliminate Gender Gaps in Private Sector” (24 November 2017), online: The New Times (Kigali) <<http://allafrica.com/stories/201711240086.html>>.

<sup>117</sup> Swedish Gender Equality Agency, “Gender Mainstreaming” (Sweden: January 2018), online: <<https://www.jamstalldhetsmyndigheten.se/en/support-coordination/gender-mainstreaming/>>.

<sup>118</sup> Government Offices of Sweden, “Gender Equality Policy in Sweden” (Sweden: December 2016), online: <<http://www.government.se/4afec2/contentassets/efcc5a15ef154522a872d8e46ad69148/161219-infokit-uppdatering2.pdf>>.

<sup>119</sup> *Ibid.*

gender-inclusive practices. To obtain the certificate, the organizations must adopt practices that foster an accessible environment for their female employees in its workplace. These practices can include gender considerations when selecting appropriate language for job announcements, setting hiring requirements and adopting policies for addressing inappropriate behaviour in the workplace.<sup>120</sup> To further incentivize organizations in Mexico to implement this program, the Norm will grant additional points to organizations that achieve one or more of the following certifications:

- Gender Equity Model (National Institute for Women, INMUJERES);
- Award for a Culture of Non-Discrimination (National Council for the Prevention of Discrimination, CONAPRED);
- Gilberto Rincón Gallardo Inclusive Business Award (STPS); and
- Family Business Award (STPS).<sup>121</sup>

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## 2.2. TRADE & BUSINESS PROMOTION

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### 2.2.1. Trade & Gender Policies

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#### 2.2.1.1. Gender in Trade Policies

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##### 2.2.1.1.1. Rwanda: Gender Mainstreaming in Trade Policy

Rwanda mainstreams gender in its trade policy to facilitate access for women's participation in foreign markets. Gender mainstreaming assesses the impact of trade

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<sup>120</sup> Natividad Cárdenas Morales, "Gender Equality and Women's Empowerment in Public Administration Mexico Case Study" (2014) United Nations Development Programme Case Study for the first phase of a cross-practice and cross-thematic global UNDP Initiative on Gender Equality in Public Administration (GEPA), online: <[http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/public\\_administration/gepa2.html](http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/public_administration/gepa2.html)>.

<sup>121</sup> *Ibid.*

policies on the wellbeing of men and women.<sup>122</sup> The policy explains that gender mainstreaming is required to better understand the challenges and opportunities presented to women as a result of market liberalization.<sup>123</sup> Such findings will then be used to design and implement policies that aim to maximize the benefits of trade opportunities for women.<sup>124</sup> The trade policy also includes considerations that facilitate the transition of Rwandan women as competitive players in trade markets. The considerations are as follows:

- Integrate gender issues in trade policy formulation, implementation and in trade negotiations at national, regional and international levels;
- Increase awareness among women of emerging trade opportunities at national, regional and international levels;
- Identify sectors where female work force is particularly significant and design trade policies that enhance production and trade opportunities in such sectors/products, including through the improvement of infrastructure to facilitate access to markets, removing of customs obstacles and other barriers to export; and encouraging entrepreneurship in such sectors;
- Increase access for women to training in entrepreneurial skills, including managing and financing, and training for women entrepreneurs in rural areas.<sup>125</sup>

Gender mainstreaming in Rwanda's national trade policy constitutes good practice as it identifies, understands and addresses the trade needs of women.

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<sup>122</sup> *Rwanda Trade Policy*, 2010.

<sup>123</sup> *Ibid.*

<sup>124</sup> *Ibid.*

<sup>125</sup> *Ibid.*

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## 2.2.1.2. Trade Support Initiatives

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### 2.2.1.2.1. Canada: Business Women in International Trade

The Business Women in International Trade (BWIT) Program, under the Trade Commissioner Service (TCS) at Global Affairs Canada, is a Canadian federal government program that helps women entrepreneurs confront the challenges of international business.

BWIT's mandate is to provide targeted support and service to export-ready and export-active women-owned businesses. More specifically, BWIT helps women prepare for international markets, assesses their market potential, finds qualified contacts and resolves business problems women might face.<sup>126</sup> BWIT's services include: providing women entrepreneurs with export information and resources; identifying and creating business-growth opportunities; and facilitating connections with overseas buyers. BWIT's annual newsletter includes success stories of Canadian women exporters, promotes women in trade and shares information on government-wide international business programs.<sup>127</sup>

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<sup>126</sup> Canadian Trade Commissioner Service, "Business Women in Trade" (2 January 2018), online: <<http://tradecommissioner.gc.ca/businesswomen-femmesdaffaires/aboutus-aproposdenous.aspx?lang=eng>>.

<sup>127</sup> Canadian Trade Commissioner Service of Global Affairs Canada, News Release, FR5-22E-PDF, "The Business Women in International Trade Newsletter" (2017), online: <[http://tradecommissioner.gc.ca/businesswomen-femmesdaffaires/assets/pdfs/BWIT\\_2017\\_newsletter\\_EN.pdf](http://tradecommissioner.gc.ca/businesswomen-femmesdaffaires/assets/pdfs/BWIT_2017_newsletter_EN.pdf)>.

BWIT runs trade missions for women-owned businesses to help entrepreneurs achieve success in international markets.<sup>128</sup> BWIT also played a significant role in facilitating the MOU signed by Canada, Mexico and the US to support the growth of women-owned businesses in North America.

#### 2.2.1.2.2. Rwanda

##### *i) Access to Trade Programs*

Rwanda implemented the ACCESS! Program to increase the participation of women entrepreneurs in international trade pursuant to its commitments under the COMESA – ITC Programme.<sup>129</sup> COMESA is a free trade area between 15 of its members including Rwanda.<sup>130</sup>

##### *ii) Ministry of Trade Programs*

The Ministry of Trade of Rwanda has programs that facilitate the active participation of businesswomen in the labour market. These programs are Hanga Umurimo (Create a job), Proximity Business Advisory Scheme (PROBAS) and Kuremera programs.<sup>131</sup> The Hanga Umurimo (Create a job) program started in 2011 to encourage off-farm job

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<sup>128</sup> Canadian Trade Commissioner Service, “Business Women in Trade” (2 January 2018), online: <<http://tradecommissioner.gc.ca/businesswomen-femmesdaffaires/aboutus-aproposdenous.aspx?lang=eng>>.

<sup>129</sup> International Trade Centre, “Case Story on Gender Dimension of Aid for Trade”, online: <<https://www.oecd.org/aidfortrade/47714060.pdf>>.

<sup>130</sup> United Nations Economic Commission for Africa, “COMESA - Trade and Market Integration”, online: <<https://www.uneca.org/oria/pages/comesa-trade-and-market-integration>>.

<sup>131</sup> Republic of Rwanda, Parliament, *Advancing Rwanda through Women’s Empowerment and Gender Equality* (June 2014), online: Republic of Rwanda: Parliament <[http://www.parliament.gov.rw/fileadmin/Logos/WIP2014/Booklet\\_as\\_of\\_23\\_6\\_2014\\_Final.doc](http://www.parliament.gov.rw/fileadmin/Logos/WIP2014/Booklet_as_of_23_6_2014_Final.doc)>.



creation and cultivate an entrepreneurial culture among Rwandans.<sup>132</sup> The PROBAS program was started in 2012 to provide start-up capital for unskilled or semi-skilled businesswomen. This program also provides businesswomen with a return to afford them with an opportunity to continue growing their businesses. As a result of the Ministry of Trade programs, approximately 23,998 business promoters were trained with 46% of them being women, 46.1% of the projects that benefited from bank funds belonged to women, and 920 women started their start small businesses in decent work premises.

## 2.2.2. Agreements & Understandings

### 2.2.2.1.1. Canada

#### i) *The Canada-United States Council for the Advancement of Women Business Leaders-Female Entrepreneurs*

The *Canada-United States Council for the Advancement of Women Business Leaders-Female Entrepreneurs* (Council), signed in July 2017, is a commitment between Canada and the United States (US) to help boost women's economic engagement. 10 of the top female business executives in Canada and the US make up the Council, an autonomous group, whose mandate is to develop recommendations that can reduce barriers that limit women's participation in business and trade.<sup>133</sup> The Council also recognized five pillars amongst

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<sup>132</sup> *Ibid.*

<sup>133</sup> Canada-United States Council for the Advancement of Women Entrepreneurs & Business Leaders, "Boosting Women's Economic Engagement" (8 July 2017), online: <<https://advancingwomeninbusiness.com/>>.

The Council released its first set of recommendations in January 2018 outlining several major recommendations. The report recommends that both Canada and the US need to facilitate affordable child care, track numbers of women in business, invest in start-up funding groups to measure, encourage women's access to investment, develop diversity programs and introduce a new public-sector procurement initiative.<sup>134</sup> These recommendations directly target women's barriers such a lack of capital, family responsibilities and gender biases. The report highlights that it is imperative for Canada and the US to level the playing field for women entrepreneurs. The report also emphasizes that women's involvement is not just an altruistic cause but financially beneficial for national economies. The Royal Bank of Canada estimates that a 10% increase of women-led businesses, both small and medium sized, would add an additional CAD \$198 billion to Canada's GDP.<sup>135</sup>

ii) *Trilateral Memorandum of Understanding on Promoting Women's Entrepreneurship and Growth of Women-Owned Enterprises in North America*

The Trilateral Memorandum of Understanding (MOU) between Canada, Mexico and the US, signed in 2016, provides a collaborative framework among the participants to address barriers to North American women's economic participation.<sup>136</sup> The

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<sup>134</sup> Canada-United States Council for the Advancement of Women Entrepreneurs & Business Leaders, *Supporting and Growing Women-Owned Businesses: Report for Canada-United States Council for the Advancement of Women Entrepreneurs & Business Leaders* (February 2018), online:

<<https://advancingwomeninbusiness.com/wp-content/uploads/2018/01/Supporting-Growing-Women-Owned-BusinessesFINAL.pdf>>.

<sup>135</sup> RBC Economics Research, *Canadian Women Grabbing the Baton* (October 2013), online: <<http://www.rbc.com/newsroom/pdf/women-and-sme-10-2013.pdf>>.

<sup>136</sup> *Memorandum of Understanding among the Department of Foreign Affairs, Trade and Development and the Department of Innovation, Science and Economic*

participants commit to supporting the growth of women-owned enterprises in North America and increasing women's participation in international trade.

The participants will share best practices, conduct trade missions and collaborate on joint projects.<sup>137</sup> Also, the participants will raise awareness about the importance of female-led enterprises and trade. This MOU aims to empower women through collaborating on activities to promote women-owned SMEs under the umbrella of MUSEIC's Women's Entrepreneurship Subcommittee. MUSEIC's report suggests that this MOU will close the gap by assisting high-growth women entrepreneurs to cross borders.<sup>138</sup> Increasing public awareness on the role of businesswomen is believed to lead to greater opportunities for them in the areas of procurement, partnerships and trade.<sup>139</sup> Overall, the MOU opens networks and establishes resources for women entrepreneurs to expand in other markets and participate in international trade between Canada, Mexico and the US.

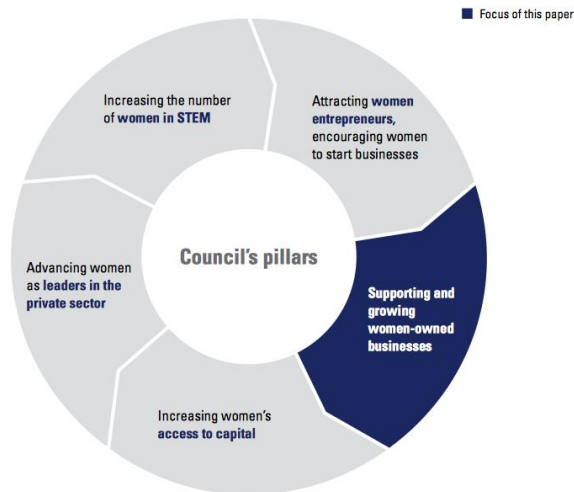
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*Development of Canada, the Ministry of Foreign Affairs and the Ministry of Economy of the United Mexican States and the Department of State and the Department of Commerce of the United States of America promoting Women's Entrepreneurship and the Growth of Women-owned Enterprises in North America, 29 June 2016, [Trilateral MOU] online: <[http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/other-autre/mexico\\_us-mexique\\_eu.aspx?lang=eng](http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/other-autre/mexico_us-mexique_eu.aspx?lang=eng)>.*

<sup>137</sup> *Ibid.*

<sup>138</sup> MUSEIC Mexico-US Entrepreneurship and Innovation Council, *2016 Annual Report: Building a Bridge to Competitiveness* (2017), online: <[https://docs.wixstatic.com/ugd/1636fe\\_0e3a4d9be9144d54971f151dcf0859e4.pdf](https://docs.wixstatic.com/ugd/1636fe_0e3a4d9be9144d54971f151dcf0859e4.pdf)>.

<sup>139</sup> *Ibid* at 29.



### 2.2.3. International Technical Assistance Initiatives

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#### 2.2.3.1. Canada

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##### 2.2.3.1.1. Canada's Feminist International Assistance Policy

Canada's new Feminist International Assistance Policy (FIAP) refocuses Canada's global development and humanitarian efforts on advancing gender equality and the rights and empowerment of women and girls.<sup>140</sup> More specifically, 15% of all bilateral international development assistance will have gender equality and the empowerment of women and girls as a principal target and 80% of bilateral international development

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<sup>140</sup> Global Affairs Canada, "Canada's Feminist International Assistance Policy" (16 March 2018), online: <<http://www.international.gc.ca/gac-amc/campaign-campagne/iap-pai/index.aspx?lang=eng>>.

assistance through Global Affairs Canada will integrate a focus on gender equality and the empowerment of women and girls.<sup>141</sup>

In addition, the Government of Canada through the Women's Voice and Leadership Program is allocating \$150 million between 2017 and 2022 to fund women's rights organizations in at least 30 countries.<sup>142</sup> Women's Voice and Leadership Program's first project is a contribution of \$8.3 million to support women's organizations in Haiti.<sup>143</sup> This five-year initiative, led by the Canadian Council for International Cooperation (CECI), aims to enable women and girls to fully exercise their rights and advance the women's movement in Haiti by building Haitian civil society organizations' capacities to defend women's rights. A total of more than 30 women's rights organizations will receive technical and financial support, and 3,000 people living in marginalized and vulnerable conditions (30% of whom are women) will directly participate in the initiative.<sup>144</sup>

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<sup>141</sup> Canadian Council for International Cooperation, *Reviewing Canada's New Feminist International Assistance Policy* (August 2017), online:

<[http://ccic.ca/resources/IAP\\_Analysis.pdf](http://ccic.ca/resources/IAP_Analysis.pdf)>.

<sup>142</sup> Global Affairs Canada, "Canada's Feminist International Assistance Policy – Backgrounder" (6 September 2017), online: <[https://www.canada.ca/en/global-affairs/news/2017/06/canada\\_s\\_feministinternationalpolicy.html](https://www.canada.ca/en/global-affairs/news/2017/06/canada_s_feministinternationalpolicy.html)>.

<sup>143</sup> Global Affairs Canada, News Release, "Minister Bibeau announces support to Women's Voice and Leadership initiative in Haiti" (19 February 2018), online: <[https://www.canada.ca/en/global-affairs/news/2018/02/minister\\_bibeau\\_annoucessupporttowomensvoiceandleadership.html](https://www.canada.ca/en/global-affairs/news/2018/02/minister_bibeau_annoucessupporttowomensvoiceandleadership.html)>.

<sup>144</sup> Canadian Council for International Cooperation, Press Release, "The Government of Canada Announces \$8.3 Million in assistance for Its Women's Voice and Leadership Initiative in Haiti to Be Led by CECI" (19 February 2018), online: <<https://www.ceci.ca/data/communque-de-presse-voix-et-leadership-ceci-haiti-3-endocx.pdf>>.

Furthermore, Global Affairs Canada, as part of FIAP, is dedicating \$100 million to a five-year pilot project for Small and Medium- sized Organizations (SMOs).<sup>145</sup> The pilot's aim is to engage Canadian SMOs in international assistance efforts. The pilot has two programming windows that have to align with FIAP's objective of advancing the empowerment of women and girls and gender equality.<sup>146</sup> The first program, the Development Impact Window, will fund thematic programming by SMOs. The second, the Innovation Window, will invest in innovations that have the potential to address important challenges aligned with Canada's FIAP.<sup>147</sup>

#### 2.2.3.1.2. Funding Women Entrepreneurs Finance Initiative

Canada's participation in the Women Entrepreneurs Finance Initiative (We-Fi), by the World Bank Group, enables access to capital for women-led businesses to help women succeed in the global marketplace and minimize financial barriers. Lack of capital or ability to obtain loans is a barrier that many women especially in developing countries experience. More specifically, 70% of women-owned SMEs in the developing world cannot access the financing they need because large institutions reject them or only offer high-interest loans.<sup>148</sup>

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<sup>145</sup> Global Affairs Canada, "Small and medium organizations for impact and innovation" (24 November 2017), online: <[http://international.gc.ca/world-monde/funding-financement/small\\_medium\\_organizations-petit\\_moyenne\\_organisation.aspx?lang=eng](http://international.gc.ca/world-monde/funding-financement/small_medium_organizations-petit_moyenne_organisation.aspx?lang=eng)>.

<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*

<sup>148</sup> WB, Press Release, "Statement on Women Entrepreneurs Finance Initiative (WE-Fi)" (12 October 2017), online: <<http://www.worldbank.org/en/news/press-release/2017/10/12/statement-on-women-entrepreneurs-finance-initiative-we-fi>>.

The Government of Canada will contribute \$20 million towards We-Fi.<sup>149</sup> We-Fi helps women-owned businesses in developing countries access the resources they need to succeed, including financial and technical assistance.<sup>150</sup> We-Fi also works with governments to address legal and regulatory barriers that stifle women entrepreneurs and women-owned firms.<sup>151</sup>

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### 2.2.3.2. Finland

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#### 2.2.3.2.1. Access to Digital Network for Women in Liberia

As part of its Aid for Trade initiative, Finland supports the *Trade at Hand – Business Opportunities on Your Cell Phone Project* for women in Liberia.<sup>152</sup> The Project is designed to facilitate market access for female entrepreneurs living in Liberia. The objective is to empower female entrepreneurs, such as smallholder female farmers, through access to mobile phones and services.<sup>153</sup> Women living in Liberia benefit from accessing digital networks that allow them to complete sales transactions via SMS.<sup>154</sup>

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<sup>149</sup> Office of the Prime Minister, News Release, “Prime Minister announces support for women entrepreneurs in developing nations” (8 July 2017), online: <<https://pm.gc.ca/eng/news/2017/07/08/prime-minister-announces-support-women-entrepreneurs-developing-countries>>.

<sup>150</sup> The World Bank, “Women Entrepreneurs Finance Initiative” (June 2017, online: <[http://www.worldbank.org/en/programs/women-entrepreneurs - 3](http://www.worldbank.org/en/programs/women-entrepreneurs-3)>.

<sup>151</sup> *Ibid.*

<sup>152</sup> Finland, Ministry of Foreign Affairs of Finland, “Women and Gender Equality in Finnish Development Cooperation” (2011).

<sup>153</sup> *Ibid.*

<sup>154</sup> *Ibid.*

#### 2.2.3.2.2. Access to Resources for Women in Nicaragua

Finland contributed almost 90% of the total funding of the FOMEVIDAS Programme (2005-2010). The program required a total financial execution of \$11 million Euros.<sup>155</sup> The objective of the program is to improve the economic situation of families in Nicaragua. Through the program, women can receive necessary training and education that would teach them skills on increasing and diversifying their production and marketing of agricultural products.<sup>156</sup>

### 2.2.4. Business & Entrepreneurship Funding

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#### 2.2.4.1. Rwanda

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##### 2.2.4.1.1. Laws for Access to Land

The Republic of Rwanda has enacted laws that facilitate women's access to property and land ownership. The Government of Rwanda enacted Law N° 22/99 of 12/11/1999 to give women the same rights of succession as men. More recently, the Government of Rwanda enacted Land Organic Law N°08/2005 to provide women with equal access

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<sup>155</sup> FCG Sweden, "Final Evaluation of FOMEVIDAS, Rural Development Strengthening and Poverty Reduction Programme in Boaco and Chontales", online: <<https://www.fcgsueden.se/projects/final-evaluation-of-fomevidas-rural-development-strengthening-and-poverty-reduction-programme-in-boaco-and-chontales>>.

<sup>156</sup> Finland, Ministry of Foreign Affairs of Finland, "Women and Gender Equality in Finnish Development Cooperation" (2011).



to land ownership as men.<sup>157</sup> These laws are highlighted in Rwanda's National Gender Policy to stress the importance of women's equal right to land and property.<sup>158</sup>

#### 2.2.4.1.2. Access to Funds for Women

Women in Rwanda can access funds through a variety of initiatives. The Rwanda Development Board has a department that is specifically in charge of women's entrepreneurship through Business Development Services, Information and Communication Technology (ICT) development, and market orientation.<sup>159</sup> The Central Bank of Rwanda established a Guarantee Fund, of Rwf 428,031,521, that enables women to have more access and control over financial resources.<sup>160</sup> This has increased the economic independence of women in Rwanda and allowed them to become more competitive.

The Government of Rwanda introduced the Women's Guarantee Fund (WGF), managed by the Business Development Fund (BDF), to help women obtain loans from commercial banks and micro-finance institutions at affordable terms and conditions. WGF provides women entrepreneurs up to 75% of credit guarantee and a grant of 15% of the total loan disbursed.<sup>161</sup> The Government of Rwanda also established Savings and

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<sup>157</sup> *National Gender Policy (Rwanda)*, 2010.

<sup>158</sup> *Ibid.*

<sup>159</sup> Oda Gasinzigwa, "Increasing Opportunities and Measuring Accountability for Rwandan women in Trade by the Government of Rwanda" in *Case Story on Gender Dimension of Aid for Trade* (International Trade Centre: 2011), online: <<https://www.oecd.org/aidfortrade/47714060.pdf>>.

<sup>160</sup> *Ibid.*

<sup>161</sup> Gender Monitoring Office, *Gender and Access to Finance* (March 2017), online: <[http://gmo.gov.rw/fileadmin/user\\_upload/Gender\\_and\\_Access\\_to\\_Finance\\_Booklet\\_GMO\\_March\\_2017.pdf](http://gmo.gov.rw/fileadmin/user_upload/Gender_and_Access_to_Finance_Booklet_GMO_March_2017.pdf)>

Credit Cooperatives known as Umurenge SACCO. The government allocated at least 50% of all loans from UMURENGE SACCO to women.<sup>162</sup>

Other government initiatives include the establishment of People's Bank for Women's Promotion (Banque Populaire pour la Promotion Féminine) and the creation of UMWARIMU SACCO Program for primary and secondary school teachers to access to soft loans.<sup>163</sup> All of these initiatives are directed to equip women with sufficient resources that would allow them to become better entrepreneurs.

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#### 2.2.4.2. **Canada: Business in Technology Fund**

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The Women in Technology Fund of the Business Development Bank of Canada (BDC), a Crown corporation of the Government of Canada, is a new program to support women entrepreneurs through venture capital financing.<sup>164</sup> With \$70 million to be invested over five years, this is the largest venture capital fund in North America dedicated solely to investing in early stage women-led technology companies.<sup>165</sup> As part of the program, \$60 million is dedicated to direct investments to support women-led tech firms in equity. The remaining \$10 million is allotted to indirect investments for regional initiatives.<sup>166</sup> BDC ensures that women entrepreneurs receive enough capital both in early stage financing but also subsequently to facilitate growth. Since its inception, BDC has completed nine investments in women-led tech firms totalling close to \$3

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<sup>162</sup> *Ibid.*

<sup>163</sup> *National Gender Policy (Rwanda)*, 2010.

<sup>164</sup> Business Development Bank of Canada, "Women in Technology Fund", (15 November 2017), BDC, online: <<https://www.bdc.ca/en/bdc-capital/venture-capital/strategic-approach/pages/women-tech-fund.aspx>>.

<sup>165</sup> *Ibid.*

<sup>166</sup> *Ibid.*

million.<sup>167</sup> Apart from financing, BDC also offers advisory services and capital solutions to women entrepreneurs tailored to their specific needs.

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#### 2.2.4.3. Sweden: Gender Equality Grants

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The Swedish Gender Equality Agency acts on behalf of the Swedish government to distribute grants for organizations, projects and an international cooperation that promote equality between men and women.<sup>168</sup> Particularly, these grants are available to fund women’s organizations and projects that promote gender equality.<sup>169</sup> Grants for women’s organizations are distributed to monitor women’s rights, address their demands, and promote their participation in the democratic process and in society. Grants for gender equality projects are distributed to promote equality between women and men in Sweden.<sup>170</sup>

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#### 2.2.4.4. Mexico: Funding for SMEs

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Mexico classifies SMEs as businesses of 100 or less employees that operate in the commercial and services sector, and businesses of 250 or less employees that operate

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<sup>167</sup> Business Development Bank of Canada, News Release, “BDC announces details of new \$70 million envelope dedicated to women-led tech companies” (15 November 2017), online: <[https://www.bdc.ca/en/about/mediaroom/news\\_releases/pages/bdc-announces-details-new-70-million-envelope-dedicated-women-led-tech-companies.aspx](https://www.bdc.ca/en/about/mediaroom/news_releases/pages/bdc-announces-details-new-70-million-envelope-dedicated-women-led-tech-companies.aspx)>.

<sup>168</sup> Swedish Gender Equality Agency, “Grants” (January 2018), online: <<https://www.jamstalldhetsmyndigheten.se/en/support-coordination/grants/>>.

<sup>169</sup> *Ibid.*

<sup>170</sup> *Ibid.*

in the industrial sector.<sup>171</sup> According to recent data, women own 29% of microenterprises, 19% of small firms, and 7% of medium firms of the total firms formally registered in Mexico. The data in Mexico indicates that as formality increases, female business ownership decreases.<sup>172</sup>

Women in Mexico can benefit from these initiatives to receive the funding they need for running their SMEs. Mexico initiated the Programme to Democratise Productivity to introduce reforms that would contribute to the business development of SMEs.<sup>173</sup> Mexico established the National Institute of the Entrepreneur (INADEM) to improve SME government policies.<sup>174</sup> INADEM intends to achieve its objectives through designing, coordinating and implementing both federal SME and entrepreneurship policies.<sup>175</sup> In 2015, the INADEM worked with participating banks in Mexico to implement the Youth Credit Program.<sup>176</sup> The program provides credit to entrepreneurs between the age of 18 and 30 who wanted to start or grow their businesses.<sup>177</sup> Eligible young entrepreneurs were considered for the following financial products:

- Bank loan to start a business, from 3,300 to 10,000 USD;
- Bank loan to start a business, from 10,000 to 33,000 USD;

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<sup>171</sup> *Ley del desarrollo de la competitividad de la Micro, Pequeña y Mediana Empresa*, 2002.

<sup>172</sup> Value for Women, “Understanding How to Unleash the Untapped Potential of Women Entrepreneurs in Mexico: An Assessment of Women-Led Small and Growing Businesses in Mexico (January 2018), online: <<http://www.cherieblairfoundation.org/wp-content/uploads/2018/01/cherie-blair-vfw-mexico-r2g-short-report-final.pdf>>.

<sup>173</sup> OECD, *Towards a Stronger and More Inclusive Mexico towards a Stronger and more Inclusive Mexico: An Assessment of Recent Policy Reforms* (December 2017), online: DEiK <<https://www.deik.org.tr/uploads/meksika-oecd-raporu.pdf>>.

<sup>174</sup> *Ibid.*

<sup>175</sup> *Ibid.*

<sup>176</sup> INADEM, “Crédito Joven” (2017), online: <<https://tuprimercredito.inadem.gob.mx/>>.

<sup>177</sup> “2016 Growth Strategy Mexico” (Document submitted to the G20 Hangzhou Summit, 2016), online: <<http://www.g20.utoronto.ca/2016/2016-growth-mexico.pdf>>.

- Bank loan to expand existing businesses, up to 20,000 USD; and
- Bank loan of up to 166,000 USD to expand businesses with at least one year of operation.<sup>178</sup>

Women in Mexico can also benefit from the National Entrepreneur Fund to help them finance their business expenses. Particularly, the fund provides grants for SMEs to help them finance training programs, consulting services, quality certifications, product design, technology transfer, equipment acquisition, and other business expenditures.<sup>179</sup> The grant amount available for SMEs could range from 10% to 100% of the total cost of their projects.<sup>180</sup>

## 2.2.5. Gender Chapters in Trade Agreements

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### 2.2.5.1. Gender Chapters in the Chile-Uruguay Free Trade Agreement and Canada-Chile Free Trade Agreement

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Governments can use trade agreements as powerful legal instruments to advance women's economic participation. Some countries such as Canada, Chile and Uruguay are negotiating gender chapters and provisions as part of progressive trade agreements. There are two gender chapters in the CUFTA and the CCFTA.<sup>181</sup> These bilateral agreements have very similar provisions on rights obligations, cooperation activities, Gender Committees and dispute settlement. Overall, these gender chapters provide signalling value to governments, private businesses and individuals about the economic advantages of enhancing women's trade participation.

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<sup>178</sup> *Ibid.*

<sup>179</sup> *Ibid.*

<sup>180</sup> *Ibid.*

<sup>181</sup> *CUFTA; CCFTA.*

#### 2.2.5.1.1. Rights Commitments

The gender chapters recognize parties' commitments to gender equality arising from international agreements. The gender chapters focus on the significance of gender equality to inclusive economic growth in international trade. Parties achieve inclusive economic growth through enhancing women's participation in labour markets and redistributing the economic benefits of trade to women. Parties are provided with substantial discretion on how to create, implement and oversee such commitments through domestic laws, regulations, policies and practices. Their discretion is enabled through permissive treaty provisions.<sup>182</sup>

Further, the gender chapters recognize the parties' commitments to eliminate all forms of discrimination against women that impede access to economic participation. Discrimination against women can occur on the basis of "sex, ethnicity, race, colour, nationality, social status, sexual orientation, gender identity, age, faith, political or any other opinion, economic status or any other social, familial or personal condition."<sup>183</sup> These forms of discrimination intersect in different ways limiting women's economic participation.

The gender chapters describe parties as upholding their international commitments from a human rights perspective. This understanding asserts equal rights between both men and women, as well as acknowledges that gender equality is collectively beneficial. To remove economic barriers for women, the gender chapter in the CUFTA

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<sup>182</sup> *CCFTA* art N *bis*-01 ss 1-3.

<sup>183</sup> *CUFTA*, art 14.1.

states that parties will prioritize agreements on pay equality, motherhood, work/life balance, family responsibility and conditions for domestic workers.<sup>184</sup>

The CCFTA recalls Goal 5 of the SDGs in the UN 2030 Agenda for Sustainable Development.<sup>185</sup> Goal 5 of the UN 2030 SDGs commits to achieving gender equality and empowering all women and girls.<sup>186</sup> This goal aims to combat systemic gender-based discrimination, patriarchal attitudes and adverse social norms that deprive women and girls of their basic rights and opportunities. Systemic gender-based discrimination refers to patterns of behaviour, law, policy and practice that disproportionately disadvantage women because of their gender identity. Particularly, Goal 5 targets discrimination against women in education, healthcare, labour and political and economic representation.<sup>187</sup>

The CCFTA reaffirms the commitments in the Agreement on Labour Cooperation.<sup>188</sup> The Agreement on Labour Cooperation, which came into effect in 1997, strengthened the bilateral relationship between Canada and Chile.<sup>189</sup> The Agreement aims to improve working conditions and living standards through upholding a series of labour principles.<sup>190</sup> Further, the Agreement creates cooperation activities, inter-governmental consultations, independent evaluations and dispute settlement to enforce domestic labour laws.<sup>191</sup>

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<sup>184</sup> *Ibid*, art 14.2.

<sup>185</sup> UN, “Sustainable Development Goal 5” (2017), online: <https://sustainabledevelopment.un.org/sdg5>.

<sup>186</sup> *Ibid*.

<sup>187</sup> *Ibid*.

<sup>188</sup> *Agreement on Labour Cooperation Between the Government of Canada and the Government of the Republic of Chile*, 6 February 1997, (entered into force 5 July 1997).

<sup>189</sup> *Ibid*.

<sup>190</sup> *Ibid*.

<sup>191</sup> *Ibid*.

The CCFTA reaffirms parties' commitments to implement under the UN *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW).<sup>192</sup> The CEDAW, passed by the UN General Assembly in 1979, is an international bill of rights that defines discrimination against women and establishes an agenda for national action.<sup>193</sup> Discrimination is defined as:

any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.<sup>194</sup>

Similar to Goal 5, CEDAW's definition of discrimination acknowledges the intersecting social, political and economic factors that unfairly limit women's positions and opportunities. Parties to the Convention commit to incorporating the principle of equality between men and women into their domestic legal systems through removing discriminatory laws and adopting laws that prohibit discrimination against women.

The CCFTA reaffirms parties' commitments to the OECD Guidelines for Multinational Enterprises and the requirement under the Guidelines to establish a National Contact Point.<sup>195</sup> The OECD Guidelines discuss responsible business conduct for multinational enterprises while improving foreign investment climates.<sup>196</sup> Responsible business conduct is characterized as firms making positive economic, environmental and social contributions. The OECD Guidelines promote partnerships between businesses, trade

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<sup>192</sup> *Convention on the Elimination of all Forms of Discrimination Against Women*, 18 December 1979, 1249 UNTS 13 (entered into force 3 September 1981) [CEDAW].

<sup>193</sup> *Ibid.*

<sup>194</sup> *Ibid.*, art 1.

<sup>195</sup> OECD, "OECD Guidelines for Multinational Enterprises", (2008), online: <<https://www.oecd.org/corporate/mne/1922428.pdf>>.

<sup>196</sup> *Ibid* at 9.



unions, governments and NGOs to achieve such contributions.<sup>197</sup> Also, the OECD Guidelines promote equal selection, remuneration and promotion opportunities for men and women.<sup>198</sup>

#### 2.2.5.1.2. Cooperation Activities

The gender chapters establish Gender Committees containing party representatives that facilitate the cooperation activities. The gender chapters state that cooperation activities are designed to exchange experiences and information about women's economic participation to develop policies and programs.<sup>199</sup> Government institutions, private businesses, labour unions, educational organizations and NGOs determine the issues and topics of cooperation activities.<sup>200</sup> Although cooperation activities aim to raise awareness about gender equality and women's trade participation, they lack specified roles and binding activities for relevant stakeholders to achieve such aims.

The gender chapters contain non-exhaustive lists on areas of cooperation activities for women that include:

- designing programs for capacity-building and skills enhancement;
- improving access to science, technology and innovation;
- promoting financial inclusion and education;
- promoting female entrepreneurship; and
- developing gender-focused statistic indicators, methods and procedures.<sup>201</sup>

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<sup>197</sup> *Ibid* at 11.

<sup>198</sup> *Ibid* at 45.

<sup>199</sup> *CCFTA*, art N *bis*-03; *CUFTA*, art 14.3.

<sup>200</sup> *Ibid*.

<sup>201</sup> *Ibid*.

Parties implement cooperation activities through a combination of workshops, dialogues, visits, research studies and other forms of knowledge exchanges.<sup>202</sup> Parties are allotted broad discretion in the timeframes, priorities and types of implementation for cooperation activities. This provides flexibility for parties to create policies, programs and laws that are specific to domestic contexts. Moreover, provisions on cooperation activities acknowledge differential resource capacities among parties that impact their implementation capacities.

Minimal differences exist between the cooperation activities within the gender chapters of the CUFTA and the CCFTA. Unlike the CUFTA, the CCFTA identifies women's roles at senior levels in all sectors as key to full participation and advancement in society.<sup>203</sup> Also, the CCFTA discusses the need for women's increased access to, participation and leadership in STEM and business fields to account for substantial gender underrepresentation in these areas.<sup>204</sup> Further, the CCFTA notes sex-disaggregated data, indicators and gender-focused statistics as useful methods for information exchange.<sup>205</sup>

While the cooperation activities provide an aspirational starting point, many provisions are vague and lack any guarantee that parties will take any action. Both agreements state the need to uphold a "gender and shared social responsibility perspective".<sup>206</sup> This provision does not specify who shares the responsibility such as between men and women, federal, provincial and municipal government levels and/or private and public sectors. Also, some of the provisions are directed to the private sector and not

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<sup>202</sup> *Ibid.*

<sup>203</sup> *CCFTA*, art N bis-03 s 4(a).

<sup>204</sup> *Ibid.*, art N bis-03 s 4(b).

<sup>205</sup> *Ibid.*, art N bis-03 s 4(j).

<sup>206</sup> *Ibid.*, art N bis-03 s 4(h); *CUFTA*, art 14.3 s 4(i).

government departments such as women's full participation and advancement at senior levels and on corporate boards.<sup>207</sup>

#### 2.2.5.1.3. Gender Committees

The gender chapters require the parties to establish Gender Committees containing representatives from each of the party's relevant government institutions on gender and trade.<sup>208</sup> Language in this commitment relative to other treaty commitments is the strongest. The Gender Committee's mandate in the CCFTA is broader, as it reports and makes recommendations to the Commission on matters related to the gender chapter.

The mandates of both Gender Committees are to:

- determine cooperation activities;
- facilitate information exchanges;
- discuss future joint proposals;
- consult with relevant third parties; and
- consider related matters and implement other agreed upon duties.<sup>209</sup>

The gender chapters specify different timelines for the creation and meetings of Gender Committees. The CUFTA has a timeline of one year to implement the Gender Committee's meeting and three years for the parties to review the gender chapter's implementation.<sup>210</sup> In the CCFTA, the parties are obliged to meet annually and within two years of the first meeting to review the gender chapter's implementation.<sup>211</sup> These timelines aim to hold parties accountable to their commitments and requires

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<sup>207</sup> *CCFTA*, art N *bis*-03 s 4(a); *CUFTA*, art 14.3 s 4(f).

<sup>208</sup> *CCFTA*, art N *bis*-04; *CUFTA*, art 14.4.

<sup>209</sup> *Ibid.*

<sup>210</sup> *CUFTA*, art 14.4 ss 3, 8.

<sup>211</sup> *CCFTA*, art N *bis*-04 ss 3, 8.

coordinated meetings to review the effectiveness of such commitments. However, infrequent Gender Committee meetings and reviews of chapter implementation limit the parties' dialogue and actions.

The gender chapter in the CCFTA contains a few additional Gender Committee provisions. The Gender Committee can work with other committees, working groups and subsidiary bodies under the Agreement, such as the Council on Environmental Cooperation to perform its duties.<sup>212</sup> The Council on Environmental Cooperation is incorporated within an environmental side agreement and composed of a Joint Submissions Committee and a Joint Public Advisory Committee.<sup>213</sup> Also, the parties agreed to publish the activities developed under the gender chapter.

#### 2.2.5.1.4. Dispute Settlement

Gender-related provisions that are found outside the context of the gender chapters creating hard obligations for parties to follow can be subject to dispute settlement. Dispute settlement provides a vehicle to hold parties accountable to their obligations and to pursue remedies where violations are found. Subjecting gender-related provisions to dispute settlement influences parties' actions to uphold obligations to avoid international pressure and related disciplinary action.

Currently, there are very few hard obligations in the gender chapters of the CUFTA and the CCFTA. For example, these hard obligations require parties to establish Gender

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<sup>212</sup> *Ibid*, s 5.

<sup>213</sup> Government of Canada, "Canada-Chile Agreement on Environmental Cooperation: Overview" (25 May 2017), online: <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-countries-regions/latin-america-caribbean/canada-chile-environmental-agreement/overview.html>.

Committees.<sup>214</sup> Further, Gender Committees shall carry out their mandates, meet annually or at the request of parties and review the gender chapter's implementation by specified deadlines.<sup>215</sup> These gender chapters contain mostly hortatory, best efforts language about cooperation activities and creating Gender Committees. Accordingly, the gender chapters are not subject to dispute settlement procedures.

Because parties have discretion concerning if and how treaty provisions are implemented, there is some variation of interpretation, application and effectiveness of the provisions. Public reporting provision and practices, which are hard obligations, on the implementation of gender chapter commitments are essential in holding parties accountable. Frequent reviews on the effectiveness of parties' implementation of treaty provisions enhance transparency.

To compare, the *Canada-Chile Agreement on Labour Cooperation* contains hard obligations that are subject to dispute settlement to enforce parties' occupational health and safety, child labour, minimum wage and technical labour standards.<sup>216</sup> Dispute resolution within the Agreement includes consultations that call upon working or expert groups, as well as offers alternative dispute resolution like conciliation and mediation.<sup>217</sup> Parties can request for an arbitral panel where the matter has not been resolved within the specified timeline.<sup>218</sup> Detailed procedures mandate panellists' qualifications, panel selection, rules of procedure, roles of experts, initial and final

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<sup>214</sup> *CCFTA*, art N *bis*-04 s 1; *CUFTA*, art 14.4 s 1.

<sup>215</sup> *CCFTA*, art N *bis*-04, s 2, 3, 8; *CUFTA*, art 14.4 ss 2, 3, 8.

<sup>216</sup> *Canada-Chile Agreement on Labour Cooperation*, 6 February 1997, (entered into force 5 July 1997) [CCALC].

<sup>217</sup> *CCALC*, art 25.

<sup>218</sup> *CCALC*, art 26.

reports, reviews of implementation, domestic enforcements and collections and funding of panel proceedings.<sup>219</sup>

The Trade and Labour Chapter and the Trade and Environment Chapter in *Canada-European Union Comprehensive Economic and Trade Agreement* (CETA) also contain hard obligations subject to dispute settlement.<sup>220</sup> The Trade and Labour Chapter mandates upholding labour law and standards to encourage trade and investment.<sup>221</sup> The Trade and Environment Chapter mandates upholding levels of environmental protections while encouraging trade and investment.<sup>222</sup> Both Chapters contain a range of dispute settlement procedures including consultation procedures, expert panels, conciliation and mediation where an issue arises.

The “fund” referenced in the dispute settlement chapter of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) provides an alternative source of dispute settlement to traditional panel establishment where hard obligations are violated.<sup>223</sup> The CPTPP’s Dispute Settlement Chapter discusses a fund that a responding party contributes to and applies when fixing the issue.<sup>224</sup> The disputing parties create the fund for appropriate initiatives, such as reducing unreasonable trade barriers, to facilitate trade between the parties.<sup>225</sup> The responding party is mandated to provide the complaining party with a plan detailing steps to eliminate the non-

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<sup>219</sup> *CCALC*, arts 28-38.

<sup>220</sup> *Canada-European Union Comprehensive Economic and Trade Agreement*, 30 October 2016, (entered into force 21 September 21, 2017) [*CETA*].

<sup>221</sup> *CETA*, chap 23.

<sup>222</sup> *CETA*, chap 24.

<sup>223</sup> *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*, 8 March 2018, art 28.20 ss 7-8, 13-14 (not yet entered into force) [*CPTPP*].

<sup>224</sup> *Ibid.*

<sup>225</sup> *Ibid.*

conformity.<sup>226</sup> Consultations are held between complaining and responding parties to discuss the use of the fund within a prescribed time period.<sup>227</sup>

Identifying a violation of a gender provision can be challenging. Discrimination or inequality through a government measure can be difficult to measure, assess and quantify. Gender inequality occurs in subtle ways and manifests in common beliefs, practices and behaviours. Therefore, the finding of a violation on the basis of gender discrimination or inequality that contravenes a hard obligation subject to dispute settlement must particularly focus on the effect of a government's measure.

Where there are hard law obligations, dispute settlement should be flexible because of parties' different types of obligations and resource capacities. There is no one-size-fits-all model for effective dispute settlement procedures, damages and remedies where violations are found. Also, reasonable timelines enable parties to comply with dispute settlement proceedings and judgments. Remedies can be punitive such as requiring specific performance or suspending a benefit, as well as capacity-building through information sharing and cooperation.

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<sup>226</sup> *Ibid.*

<sup>227</sup> *Ibid.*

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## 2.3. EDUCATION

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### 2.3.1. Access to Education

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#### 2.3.1.1. Financial Assistance Programs

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##### 2.3.1.1.1. Canada: Student Loans and Grants

The Government of Canada is making post-secondary education more accessible and more affordable for Canadian women by expanding Canada Student Loans and Grants (non-repayable funding) for part-time students and students with dependents.<sup>228</sup> The increase in governmental loans affects women directly, as women account for nearly two-thirds of all part-time students who receive grants and loans. In the most recent Canada Students Loans Program Report (2013-2014), female students comprised 59% of loan recipients.<sup>229</sup> Starting in August 2018, nearly 10,000 more part-time students from low-and middle-income families, the majority women, will benefit from up to \$1,800 in non-repayable grants per year and up to \$10,000 in loans.<sup>230</sup> This increase in funding enables more women to attend higher education and training to move up the occupational ladder.

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<sup>228</sup> *Budget Implementation Act, 2017*, SC 2017, c 20, Division 6—Financial Assistance for Students.

<sup>229</sup> Employment and Social Development Canada, *Canada Student Loans Program Annual Report 2014-2015* (2016), online: <<https://www.canada.ca/en/employment-social-development/programs/canada-student-loans-grants/reports/cslp-2015.html>>.

<sup>230</sup> Employment and Social Development Canada, “Canada Student Grant for Full-Time Students with Dependents” (28 July 2016), online: <<https://www.canada.ca/en/employment-social-development/services/education/grants/dependants.html>>.



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### 2.3.1.2. Rwanda: Girls' Education Policy

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The Republic of Rwanda introduced several measures to eliminate gender discrimination with access to education. The Ministry of Education of the Republic of Rwanda introduced the Girls' Education Policy in 2008 to promote a gender-inclusive education system. The Policy lists specific objectives coupled with strategies for effective implementation of the policy to achieve those objectives. The objectives of the policy include the following:

- Integration of gender issues in national, district, and community programs and plans;
- Establishment of a legislative and institutional framework to initiate, coordinate, monitor and evaluate programs for promoting gender equality in education and training initiatives; and
- Stimulation of collective and concerned efforts to eliminate gender disparities in education and training at all level.<sup>231</sup>

Furthermore, the Policy outlines strategies for successful implementation of the policy. These strategies should focus on granting equal access for girls and boys to educational institutions; improving the learning environment for boys and girls to feel equally motivated to pursue opportunities available in the education system; and promoting retention and full participation in higher education.<sup>232</sup> There is a similar initiative for access to education known as nine-year-basic education that facilitates full access for girls and boys to educational institutions at all levels, but this is still under consideration.<sup>233</sup>

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<sup>231</sup> Girls' Education Policy, 2008, Republic of Rwanda: Ministry of Education, online: <[http://mineduc.gov.rw/fileadmin/user\\_upload/Girls\\_Education.pdf](http://mineduc.gov.rw/fileadmin/user_upload/Girls_Education.pdf)>.

<sup>232</sup> *Ibid.*

<sup>233</sup> National Gender Policy (Rwanda), 2010.

## 2.3.2. STEM & ICT Programs

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### 2.3.2.1. Canada: Funding for STEM Education Initiatives

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The Government of Canada's Budget 2017, which was implemented through *Bill C-44*, introduced additional funding for STEM education initiatives aimed to eliminate gender disparities in education and promote women's empowerment in innovation. More specifically, the PromoScience program received an additional \$10.8 million in Budget 2017 for learning activities that provide young people, focusing on young girls' science skills.<sup>234</sup> Overall, the PromoScience program funds organizations that facilitate girls' engagement, interest, skills and knowledge in STEM. PromoScience has been successful in promoting STEM interest in girls and girls' knowledge has increased to a great extent following their participation in a PromoScience-funded projects.<sup>235</sup> As the McKinsey Institute suggests, gender gaps in Canada are significant in STEM education and jobs.<sup>236</sup> Young women are less likely to obtain degrees in STEM fields, which offer good career and income opportunities.<sup>237</sup>

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<sup>234</sup> Natural Sciences and Engineering Research Council of Canada, News Release, "Government of Canada supports young scientists and engineers through PromoScience at Science Odyssey launch" (12 May 2017), online: <[http://www.nserc-crsng.gc.ca/Media-Media/NewsRelease-CommuniqueDePresse\\_eng.asp?ID=911](http://www.nserc-crsng.gc.ca/Media-Media/NewsRelease-CommuniqueDePresse_eng.asp?ID=911)>.

<sup>235</sup> Natural Sciences and Engineering Research Council of Canada, "About the PromoScience Program" (15 September 2017), online: <[http://www.nserc-crsng.gc.ca/Promoter-Promotion/PromoScience-PromoScience/About-Apropos\\_eng.asp](http://www.nserc-crsng.gc.ca/Promoter-Promotion/PromoScience-PromoScience/About-Apropos_eng.asp)>.

<sup>236</sup> *McKinsey*.

<sup>237</sup> Darcy Hango, "Gender differences in science, technology, engineering, mathematics and computer science (STEM) programs at university" (2013) Statistics Canada, online: <<http://www.statcan.gc.ca/pub/75-006-x/2013001/article/11874-eng.pdf>>.

STEM fields vastly contribute to a country's competitiveness and economic prosperity.<sup>238</sup> Women cannot capitalize on these higher-paying fields while accounting for less than 35% of STEM students and professionals.<sup>239</sup> The gender disparity in the STEM field contributes to the gender wage gap. Research has shown that engaging girls early, through program such as PromoScience, to participate in co- curricular programs with a STEM focus play key roles in their engagement and future employment.<sup>240</sup>

In one of the initiatives, PromoScience funded a team of female STEM professionals at the Cape Breton University in Nova Scotia to expand their program, consisting of a summer science camp for high school girls, to involve more young women in STEM opportunities.<sup>241</sup>

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### 2.3.2.2. **Mexico: Mentorship for young women interested in STEM**

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The Ministry of Education of Mexico launched the NiñaSTEM Pueden initiative to create opportunities for women in the STEM fields. The NiñaSTEM Pueden is designed

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<sup>238</sup> *Ibid*; Desmond Beckstead & Guy Gellatly, "Innovation Capabilities: Science and Engineering Employment in Canada and the United States" (2006) The Canadian Economy in Transition Research Paper 011, online SSRN: <<https://ssrn.com/abstract=1406992>>.

<sup>239</sup> *Ibid*.

<sup>240</sup> Dorothy Byers, "The Economic Security of Women in Canada: A Focus on STEM", (Paper, Presented to the Standing Committee on the Status of Women, 30 May 2017) [published] online: <<https://www.ourcommons.ca/Content/Committee/421/FEWO/Brief/BR8977920/br-external/FirstRoboticsCanada-e.pdf>>.

<sup>241</sup> Cape Breton University, News Release, "CBU professors awarded over \$50,000 from NSERC Promo Science Funding to Promote and Encourage Young Women to Explore Science (15 June 2017), online: <<https://www.cbu.ca/news-events/story/cbu-professors-awarded-over-50000-from-nserc-promo-science-funding-to-promote-and-encourage-young-women-to-explore-science/>>.

to inspire women and girls to pursue their education in the STEM fields.<sup>242</sup> The NiñaSTEM Pueden can best be described as a mentorship initiative for young female students interested in the STEM fields. These students will have the opportunity to benefit from talks, workshops, and networking opportunities with women involved in the STEM fields.<sup>243</sup> The NiñaSTEM Pueden illustrates an initiative that a government may pursue in light of promoting gender equality in education and access to information.

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### 2.3.2.3. Rwanda: Solutions to Promote Women in ICT

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#### 2.3.2.3.1. The Girls in ICT Rwanda initiative

The Girls in ICT Rwanda initiative is a forum of women working in ICT to have a voice and report against gender-stereotypes that a career in ICT sector is predominately a man's job.<sup>244</sup>

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<sup>242</sup> OECD, *Towards a Stronger and More Inclusive Mexico towards a Stronger and more Inclusive Mexico: An Assessment of Recent Policy Reforms* (December 2017), online: DEiK <<https://www.deik.org.tr/uploads/meksika-oecd-raporu.pdf>>.

<sup>243</sup> México Digital, "Presentan la iniciativa NIÑASTEM PUEDEN: Red de Mentoras OCDE-México" (9 January 2017), online: <<https://www.gob.mx/mexicodigital/articulos/presentan-la-iniciativa-ninastem-pueden-red-de-mentor-as-ocde-mexico?idiom=es>>.

<sup>244</sup> Association for Progressive Communications (APC) and Humanist Institute for Cooperation with Developing Countries (Hivos), *Global Information Society Watch 2013: Women's rights, gender and ICTs* (2013), online: <[https://www.giswatch.org/sites/default/files/rwanda\\_gisw13.pdf](https://www.giswatch.org/sites/default/files/rwanda_gisw13.pdf)>.

#### 2.3.2.3.2. Camp TechKobwa

Camp TechKobwa is a programme that aims to provide young women with access to computers to develop the skills set and creativity necessary to become entrepreneurs.<sup>245</sup>

#### 2.3.2.3.3. Smart Girl initiative

The Smart Girl initiative aims to use ICTs solutions such as mobile solutions to equip female farmers with necessary knowledge and skills to negotiate for better prices.<sup>246</sup> Female farmers can also benefit from e-learning to learn about saving, vocational issues, entrepreneurship, and positive parenting to learn how to manage a balance between work and family life. The Smart Girl initiative is a government programme designed in partnership with the World Bank.<sup>247</sup>

### 2.3.3. Mentoring and Skills Training

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#### 2.3.3.1. Rwanda: Entrepreneurship Development for Women

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The Rwanda Development Board (RDB) works with its Human Capital and Institutional Development Department (HCID) to encourage women with starting their businesses. The Department introduced the Entrepreneurship Development as a program for Rwandan businesswomen to receive necessary training for entrepreneurial skills.<sup>248</sup> The program facilitates access to Rwandan businesswomen in the market

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<sup>245</sup> *Ibid.*

<sup>246</sup> *Ibid.*

<sup>247</sup> *Ibid.*

<sup>248</sup> Rwanda Development Board, “Entrepreneurship Development Program”, online: <<http://www.rdb.rw/departments/human-capital-and-institutional-development/entrepreneurship-development-program.html>>; <<http://rdb.rw/>>

through helping them acquire competencies necessary for running a business such as critical thinking, decision-making, and leadership.<sup>249</sup> Through this initiative, Rwandan women are more likely to become competitive entrepreneurs and have stronger market dominance.

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## 2.4. EMPLOYMENT

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### 2.4.1. Equal Gender Pay

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#### 2.4.1.1. **Canada: Provincial Pay Transparency Bill**

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Ontario's new legislation, *Bill 203, Pay Transparency Act, 2018*, requires all advertised job postings to include a salary rate or range, bars employers from asking about past compensation and prohibits reprisal against employees who discuss or disclose compensation.<sup>250</sup> The Bill also requires larger employers to track and report compensation gaps based on gender and other diversity characteristics. The Bill, once it passes, will apply to the Ontario Public Service, then to companies with 500-plus employees, and firms with 250-plus workers. The Act will allow appointed compliance officers to enforce pay transparency by conducting compliance audits, if an officer believes that a person has contravened a provision of this Act or the regulations.

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<sup>249</sup> *Ibid.*

<sup>250</sup> Bill 203, *Pay Transparency Act, 2018*, 3<sup>rd</sup> Sess, 41<sup>st</sup> Parl, Ontario, 2018 (first reading 6 March 2018).

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#### 2.4.1.2. Rwanda: Labour Law

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The Republic of Rwanda ensures that the economic empowerment of women is preserved in its labour law. In 2009, the labour law of the Republic of Rwanda was gazetted.<sup>251</sup> Article 12 of the labour law prohibits discriminatory practices in the workplace including denial of worker's right to equal opportunity or the salary based upon race.<sup>252</sup>

#### 2.4.2. Working Conditions and Flexible Work Arrangements

Governments' regulatory environment play a significant role in shaping women's ability to both get jobs and remain in the labour force after starting a family. Laws that promote flexible work arrangements can reduce work-family conflicts. Moreover, the ability to work reduced or variable hours, to telework or to have working-time autonomy can benefit both businesses and employees by reducing operational costs and turnover expenses and by improving productivity and work-life balance.<sup>253</sup>

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#### 2.4.2.1. Canada: Labour Code Division for Flexible Work Arrangements

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The Government of Canada introduced flexible work arrangements for federally regulated employees in an effort to attack barriers to women's economic success.

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<sup>251</sup> *National Gender Policy (Rwanda)*, 2010.

<sup>252</sup> *Labour Law*, Law N 51/2001 of 30/12/2001 Establishing the Labour Code, art 12, online: <[http://www.ilo.org/dyn/travail/docs/530/rwanda\\_labour\\_law.pdf](http://www.ilo.org/dyn/travail/docs/530/rwanda_labour_law.pdf)>.

<sup>253</sup> World Bank, *Women, Business and the Law 2018* (29 March 2018), online: <<http://wbl.worldbank.org/>>.

Flexible work arrangements allow employees to alter and adjust their work hours and location to balance family and other types of responsibilities. Bill C-63 amended the *Canada Labour Code*, creating a new Division under the Code entitled “Flexible Work Arrangements.”<sup>254</sup> The Division provides employees with at least six months of consecutive service with the right to formally request a change in working conditions such as number of hours, work schedule and employee’s location of work.<sup>255</sup>

The Division also specifies grounds for denial of an employee’s request. The grounds for denial include additional costs that would be a burden on the employer or a detrimental impact on the quality or quantity of work within the employer’s industrial establishment.<sup>256</sup> Another ground for denial is if the employer is unable to reorganize work among existing employees or to recruit additional employees in order to manage the requested change.<sup>257</sup>

If a request is denied, the employer must include reasons for the refusal. Furthermore, The Division prohibits an employer from dismissing, suspending, laying off, demoting or disciplining an employee because the employee has made a request for flexible work arrangements.<sup>258</sup>

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<sup>254</sup> Bill C-63, *A second Act to implement certain provisions of the budget tabled in Parliament on March 22, 2017 and other measures*, 1<sup>st</sup> Sess, 42<sup>nd</sup> Parl, 2017, (assented to 14 December 2017), 2017, c. 33.

<sup>255</sup> *Ibid.*

<sup>256</sup> *Ibid.*

<sup>257</sup> *Ibid.*

<sup>258</sup> *Ibid.*



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#### 2.4.2.2. Finland, Sweden, Iceland: Collaborative Project for Equality between Female and Male Workers

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Prime Ministers of the Nordic region initiated *The Nordic Gender Effect at Work* as a flagship project to address the inequality that female workers experience with their working conditions.<sup>259</sup> The project is designed to foster dialogue between governments, social partners, and other actors to promote gender equality as a prerequisite for decent work.<sup>260</sup> The flagship program aims to enhance exchange on Nordic policy and practices affecting women in the workplace through partnerships and participation in international arenas.<sup>261</sup>

Through this program, Nordic countries also wish to increase their knowledge on progressive models that countries in the region have developed to further gender equality in the workplace.<sup>262</sup> Nordic countries wish to obtain such information about progressive models that other regions have developed in terms of gender equality.<sup>263</sup> In efforts of doing so, online resources and a knowledge hub will be introduced to discuss the Nordic experience on parental leave, childcare, flexible work and equity in leadership.<sup>264</sup> The Nordic region implemented the *Nordic Gender Effect at Work* in light of addressing the barriers that impede Nordic women from advancing in their careers.

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<sup>259</sup> Nordic Co-operation, “The Nordic Gender Effect at Work”, online: <<https://www.norden.org/en/theme/nordic-solutions-to-global-challenges/the-nordic-gender-effect-at-work-1/the-nordic-gender-effect-at-work>>.

<sup>260</sup> *Ibid.*

<sup>261</sup> *Ibid.*

<sup>262</sup> *Ibid.*

<sup>263</sup> *Ibid.*

<sup>264</sup> *Ibid.*

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## 2.5. SOCIAL CONSIDERATIONS

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### 2.5.1. Parental Leave & Child Care

Support for mothers, such as in the form of accessible childcare, can increase women's participation in the labour force.<sup>265</sup> Evidence also suggests that spending on early education and childcare can increase women's labor force participation and reduce gender gaps.<sup>266</sup> Public assistance for childcare can create opportunities for women to enter the workforce because women are often the primary caregivers. For example one study found that among OECD economies the availability of public childcare for children below the age of five years is strongly correlated with employment rates of mothers with young children.<sup>267</sup> As a result, the highest employment rate of mothers in the OECD is found in the Scandinavian countries where public investment in childcare is high.<sup>268</sup>

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#### 2.5.1.1. Canada

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##### 2.5.1.1.1. Extending Parental Leave

The Government of Canada through Bill C-44, *the Budget Implementation Act 2017*, extends parental leave and allows more caregivers, the majority of whom are women,

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<sup>265</sup> S.L. Averett, H.E. Peters & D.M. Waldman, "Tax credits, labor supply, and child care" (1997) 79(1) *Review of Economics and Statistics*, 125–135.

<sup>266</sup> Claudia Olivetti & Barbara Petrongolo, "The Economic Consequences of Family Policies: Lessons from a Century of Legislation in High-Income Countries" (2017) 31(1) *American Economic Association*, 205-230.

<sup>267</sup> World Bank, *Women, Business and the Law 2018* (29 March 2018), online: <<http://wbl.worldbank.org/>>.

<sup>268</sup> Organisation for Economic Co-operation and Development (OECD), *OECD Family Database*, (2014), online: <<http://www.oecd.org/els/family/database.htm>>

to balance their work and family responsibilities. Division 11 of Part 4 of the Bill amends the *Employment Insurance Act* to:

- extend parental employment insurance benefits for an additional 26 weeks from the current 35 weeks;
- permit the payment of parental benefits to mothers over a longer period at a lower benefit rate; and
- allow maternity benefits to be paid as early as the 12th week before the expected week of birth.<sup>269</sup>

Furthermore, the government of Canada will provide \$691.3 million over five years, starting in 2017–18, and \$168.1 million per year thereafter.<sup>270</sup>

This initiative is important because unpaid and informal work create persistent gaps in women’s economic opportunities.<sup>271</sup> The UN High Level Panel on Women’s Economic Empowerment Report found that investments in caregiving have long-term benefits for women and their families, as well as for the economy and the business world.<sup>272</sup>

#### 2.5.1.1.2. Funding for Affordable Childcare

The Government of Canada committed \$500 million for 2017-2018 to support access to childcare and allow greater participation in work, education or training, particularly

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<sup>269</sup> *Budget Implementation Act 2017*, SC 2017, c 20.

<sup>270</sup> Government of Canada, “Budget 2017” (22 March 2017), online: <<https://www.budget.gc.ca/2017/docs/plan/toc-tdm-en.html>>.

<sup>271</sup> UN High Level Panel on Women’s Economic Empowerment, *Leave No One Behind: Taking Action for Transformational Change on Women’s Economic Empowerment Report* (2017), online: <<http://hlp-wee.unwomen.org/-/media/hlp-wee/attachments/reports-toolkits/hlp-wee-report-2017-03-taking-action-en.pdf?la=en>>.

<sup>272</sup> *Ibid* at 65.

for mothers.<sup>273</sup> Budget 2017 also proposed investing \$7 billion over 10 years in early learning and childcare initiatives.<sup>274</sup> The Budget suggests it could create up to 40,000 newly subsidized childcare spaces and help train childcare workers to provide quality care.

This is an important initiative because childcare in Canada can be expensive and burdensome, especially for single parents who are disproportionately women. Accordingly, limited options for childcare have constrained women's participation in the economy. In Toronto, for example, average annual childcare fees can reach, and in some cases may also exceed, \$20,000 per year.<sup>275</sup> More accessible and less costly childcare will help mothers enter and stay in the workplace by freeing up their time and reducing the heavy burden of childcare costs.

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### 2.5.1.2. Finland: Raising Awareness for Paternity Leaves

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In light of promoting equality between men and women in the country's labour force, Finland started the VISIBLE FATHERS project in 2016.<sup>276</sup> The project raises awareness about the benefits that fathers can enjoy from available paternity leaves.<sup>277</sup> To realize this objective, VISIBLE FATHERS is designed to provide the necessary

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<sup>273</sup> Government of Canada, "Budget 2016" (22 March 2016): <<https://www.budget.gc.ca/2016/docs/plan/ch2-en.html>>.

<sup>274</sup> Government of Canada, "Budget 2017" (22 March 2017), online: <<https://www.budget.gc.ca/2017/docs/plan/toc-tdm-en.html>>.

<sup>275</sup> City of Toronto, "TELCCS Costs of Care" (2018), online: <<https://www.toronto.ca/community-people/children-parenting/children-programs-activities/licensed-child-care/toronto-early-learning-and-child-care-services/early-learning-child-care-centres/>>.

<sup>276</sup> Nordic Council of Ministers, *The Ultimate Balancing Act: Work and Family in the Nordic Region* (2016), online: <<http://norden.diva-portal.org/smash/get/diva2:1045569/FULLTEXT03.pdf>>.

<sup>277</sup> *Ibid.*

knowledge and tools to promote positive attitudes with respect to paternity leaves. Particularly, it identifies the obstacles that employees face from taking paternity leave and offers support for fathers working in male-dominated sectors.<sup>278</sup> Projects such as VISIBLE FATHERS are important for the coherence of the family unit as they provide fathers and mothers with higher flexibility for balancing their work-life responsibilities.

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### 2.5.1.3. Mexico: Accessible Childcare Services

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Mexico introduced Programa de Estancias Infantiles para Apoyar a Madres Trabajadoras to increase the quantity and quality of childcare centres. This program is a federal daycare program that provides subsidies for community and home-based daycares.<sup>279</sup> The subsidies can cover up to 90% of childcare costs and are intended to facilitate the process of starting-up and maintaining childcare institutions.<sup>280</sup> The program also grants subsidies to low-income mothers who successfully enrol their children in childcare institutions.<sup>281</sup> In turn, working mothers will benefit from more accessible childcare services and can better balance their work-life responsibilities.

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<sup>278</sup> *Ibid.*

<sup>279</sup> OECD, *OECD Skills Strategy Diagnostic Report: Mexico 2017* (01 Dec 2017) at 129-130, online: <[http://www.oecd-ilibrary.org/education/oecd-skills-strategy-diagnostic-report-mexico-2017\\_9789264287679-en](http://www.oecd-ilibrary.org/education/oecd-skills-strategy-diagnostic-report-mexico-2017_9789264287679-en)>.

<sup>280</sup> *Ibid.*

<sup>281</sup> *Ibid.*

## 2.5.2. Poverty

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### 2.5.2.1. Canada

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#### 2.5.2.1.1. Canada Child Benefit

In 2016, the Government of Canada introduced the Canada Child Benefit (CCB) to help families receive more money and is particularly beneficial for single mothers with lower incomes.<sup>282</sup> The CCB is a tax-free financial boost for lower-income families living below the poverty line. Of the families that receive the CCB and are disproportionately led by single mothers, nearly 90% have net family incomes below \$60,000 per year.<sup>283</sup> These families receive about \$9,000 each year in benefit payments. These payments make it easier for them to afford essentials for their children such as shelter, food, education and activities. In the long-term, this benefit strengthens women's employment and generates opportunities to enhance women's productive capacities.

#### 2.5.2.1.2. Affordable Access to Internet

The Government of Canada is investing \$13.2 million over five years in a new *Affordable Access Program* making affordable broadband access available to thousands of low-income Canadians, of whom single women are overrepresented.<sup>284</sup> The Program will provide a confidential portal to allow Internet service providers to offer lower-cost

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<sup>282</sup> Department of Finance Canada, "Backgrounder: Strengthening the Canada Child Benefit" (24 October 2017), online: <[https://www.fin.gc.ca/n17/data/17-103\\_1-eng.asp](https://www.fin.gc.ca/n17/data/17-103_1-eng.asp)>.

<sup>283</sup> Government of Canada, "Budget 2017" (22 March 2017), online: <<https://www.budget.gc.ca/2017/docs/plan/budget-2017-en.pdf>>

<sup>284</sup> Government of Canada, "Budget 2017" (22 March 2017), online: <<https://www.budget.gc.ca/2017/docs/plan/toc-tdm-en.html>>.

home Internet packages to low-income families, bundled together with refurbished computers. This will remove some financial barriers women face and allow them to take advantage of the digital economy.

### 2.5.2.1.3. National Housing Strategy for Affordable Accommodation

The Government of Canada has invested \$2.3 billion over two years starting in 2016 to address housing needs to combat poverty issues that disproportionately affect older women and single mothers.<sup>285</sup> The lack of access to adequate and affordable housing is concerning, which impedes domestic economic growth. In turn, good quality housing is an essential foundation to build strong communities and economic success for women. Nearly \$90 million was invested into the construction and renovation of shelters and transition houses for victims of family violence, who are mostly women.<sup>286</sup>

Building on those efforts, Budget 2017 as part of the National Housing Strategy, proposed investing more than \$11.2 billion over 11 years to build, renew and repair Canada's affordable housing.<sup>287</sup> More specifically, a new \$5 billion *National Housing Fund* will address critical housing issues and support vulnerable citizens, the majority of whom are women, by expanding lending for new rental housing construction and providing temporary funding to social housing providers.<sup>288</sup> Moreover, the Fund is committing 25% of funds to flow directly to projects and services for women, girls and

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<sup>285</sup> *Ibid.*

<sup>286</sup> Government of Canada, "Budget 2016" (22 March 2016), online: <<https://www.budget.gc.ca/2016/docs/plan/ch2-en.html>>.

<sup>287</sup> Government of Canada, "Budget 2017" (22 March 2017), online: <<https://www.budget.gc.ca/2017/docs/plan/toc-tdm-en.html>>.

<sup>288</sup> Canada, Ministry of Families, Children and Social Development, *Canada's National Housing Strategy: A Place to Call Home* (2018), online: <<https://www.placetocallhome.ca/pdfs/Canada-National-Housing-Strategy.pdf>>.

their families.<sup>289</sup> Over the next 10 years, the Fund aims to cut chronic homelessness in half and remove 530,000 families from housing need, the majority of whom are single mothers.<sup>290</sup>

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### 2.5.2.2. Rwanda

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#### 2.5.2.2.1. Access to Rural Savings and Loans

The government of Rwanda created Umurenge SACCOs as an initiative to increase financial inclusion for all Rwandans. The government established Umurenge SACCOs to address Rwandans' lack of access to financial institutions. While the majority of Rwandans live in rural areas, most banks and financial institutions seem to be located in urban areas.<sup>291</sup> Therefore, Umurenge SACCOs aims to provide Rwandans with rural savings and loans to improve their earnings. As a result of the program, the percentage of Rwandans using formal financial institutions increased from 21% to 42%.<sup>292</sup> Through the Umurenge SACCOs initiative, women can benefit from access to finance resources and raise sufficient capital to start and grow their businesses.

#### 2.5.2.2.2. Social Protection Program

Rwanda's *Vision 2020* encouraged the Rwandan government to lead Rwanda's Vision 2020 Umurenge Programme (VUP).<sup>293</sup> VUP is a social protection programme that the

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<sup>289</sup> *Ibid.*

<sup>290</sup> Government of Canada, "National Housing Strategy: a Place to Call Home" (2018), online: <<https://www.placetocallhome.ca/what-is-the-strategy.cfm>>.

<sup>291</sup> Rwanda Cooperative Agency, "UMURENGE SACCOs" (2018), online: <[http://www.rca.gov.rw/about-sacco/umurenge-sacco/ - .Wqy1SpPwbfY](http://www.rca.gov.rw/about-sacco/umurenge-sacco/- .Wqy1SpPwbfY)>.

<sup>292</sup> *Ibid.*

<sup>293</sup> Food and Agriculture Organization of the United Nations, *Research on rural women's economic empowerment and social protection: The impacts of Rwanda's*



government introduced in 2008 and is intended to take effect among 30 sectors.<sup>294</sup> The programme consists of four components: public works, direct support, financial services and sensitization.<sup>295</sup> The public work component was designed to specifically address the gender gap in Rwanda. Women must make-up at least 50% of the public work participants in the VUP public work component.<sup>296</sup> Women are also expected to benefit from access to credit and savings facilities, increase in income earnings, and access to future employment opportunities as they become market marketable with the skills that they acquire from participating in the VUP programme.<sup>297</sup> Wage payments to women participating in VUP are made in cash. Therefore, women can use their income earnings to save and invest in capital that would help them grow competitive businesses in the market.<sup>298</sup>

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### 2.5.2.3. Mexico: Cash Income Support for Mothers

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Mexico introduced the Prospera program to provide cash income support for mothers. Mothers are eligible for this program if they fulfil the program's condition to have children who regularly attend school.<sup>299</sup> Prospera helps mothers with financing their childcare expenses so that they can accumulate more savings to support their careers and business plans.

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*Vision 2020 Umurenge Programme (VUP)* (2016), online: <<http://www.fao.org/3/a-i5430e.pdf>>

<sup>294</sup> *Ibid.*

<sup>295</sup> *Ibid.*

<sup>296</sup> *Ibid.*

<sup>297</sup> *Ibid.*

<sup>298</sup> *Ibid.*

<sup>299</sup> OECD, *OECD Skills Strategy Diagnostic Report: Mexico 2017* (1 Dec 2017) at 129-130, online: <[http://www.oecd-ilibrary.org/education/oecd-skills-strategy-diagnostic-report-mexico-2017\\_9789264287679-en](http://www.oecd-ilibrary.org/education/oecd-skills-strategy-diagnostic-report-mexico-2017_9789264287679-en)>.

### 3. RECOMMENDATIONS

The collection of best practices worldwide assists governments in developing future trade policies and agreements that promote gender equality and economic empowerment of women. Based on these best practices, our report has five main recommendations on how to make trade policies and agreements more inclusive for women:

- Include an equal number of women in high-level policy-making and trade-negotiating roles to shape key decisions.
- Collect data on the economic status of women to inform evidence-based policies and trade agreements.
- Create effective tools to holistically examine data on the economic status of women, which considers interrelated social, cultural, political, racial and other related factors.

- Hold public consultations with women-led businesses, organizations, and communities to better inform trade policies and agreements.
- Negotiate trade agreements that have gender chapters, as well as gender-related provisions in other chapters and preambles to advance women's full participation in international trade.

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### 3.1. EQUAL REPRESENTATION OF WOMEN IN KEY DECISION-MAKING ROLES

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Our report recommends that gender parity should be considered in the appointment of women to high-level positions in policy and trade. Governments should appoint gender-equal cabinets to guide national policy-making. Also, multilateral institutions such as the UN and WTO should appoint more women as Director-Generals, Deputy Director-Generals, senior managers, chairs of councils and committees, members of the Appellate Body and panellists in WTO dispute-settlement cases.

Women leadership within governments and multilateral organizations is the best way to advance gender equality and to achieve economic empowerment of women. Women holding high-level positions shape an inclusive culture of policy-making and trade negotiations. Further, these women can represent the diverse interests of other women and overall encourage women's involvement in key decision-making processes.

Women have played critical roles in shaping the international trading system. The *Canada-US Free Trade Agreement* involved the negotiation leadership of Canadian Minister of International Trade Patricia Carney.<sup>300</sup> The US has had women trade representatives, female deputies and general counsel including Carla Hills, Charlene Barshefsky and Susan Schwab.<sup>301</sup> Also, former Deputy Minister of International Trade Sylvia Ostry assisted in launching the Uruguay Round.<sup>302</sup>

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<sup>300</sup> Debra Steger, "Gender Equality in the WTO: The Need for Women Leaders" *Centre for International Governance Innovation* (11 April 2018) online: <<https://www.cigionline.org/articles/gender-equality-wto-need-women-leaders>>

[Steger].

<sup>301</sup> *Ibid.*

<sup>302</sup> *Ibid.*

However, major trade negotiations continue to lack female representation. The Doha Round has had only male chairs of the Trade Negotiations Committee.<sup>303</sup> Further, only men have been “chairs of the negotiations on agriculture, cotton, market access, rules, dispute settlement and trade facilitation.”<sup>304</sup> The Uruguay Round also lacked female lead negotiators, chairs of negotiating groups and trade negotiation committees.<sup>305</sup> More recent *Trade-Related Aspects of Intellectual Property Rights* negotiations have involved women chairs, yet only one out of eight chairs were women.<sup>306</sup>

Governments have taken steps to improve the representation of women in high-level roles. In 2008, Rwanda was the first country to have majority female representation in its parliament at 56% and 64% by 2014.<sup>307</sup> In 2012, French President, François Hollande, selected a gender-equal cabinet.<sup>308</sup> In 2015, Canadian Prime Minister Justin Trudeau, also selected a gender-equal cabinet.<sup>309</sup> Overall, world leaders have shown that gender parity is beneficial and decision-making bodies can easily achieve it.

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<sup>303</sup> *Ibid.*

<sup>304</sup> *Ibid.*

<sup>305</sup> *Ibid.*

<sup>306</sup> *Ibid*; *Agreement on Trade-Related Aspects of Intellectual Property Rights*, 15 April 1994, (entered into force 1 January 1995).

<sup>307</sup> Republic of Rwanda, “Major Milestones in Gender Equality and Women Empowerment in Rwanda” (13 March 2017), online: <[http://gov.rw/newsdetails2/?tx\\_ttnews%5Btt\\_news%5D=1710&cHash=b379e7973c477a74910568e5c1d6dfb1](http://gov.rw/newsdetails2/?tx_ttnews%5Btt_news%5D=1710&cHash=b379e7973c477a74910568e5c1d6dfb1)>.

<sup>308</sup> “French President Hollande Picks Moderate Cabinet”, *CNN* (16 May 2012), online: <<https://www.cnn.com/2012/05/16/world/europe/france-hollande-cabinet/index.html>>.

<sup>309</sup> Justin Trudeau, “Statement by the Prime Minister of Canada for Women’s History Month” (1 October 2016), online: <<https://pm.gc.ca/eng/news/2016/10/01/statement-prime-minister-canada-womens-history-month>>.

Multilateral organizations such the UN have also taken steps to improve gender parity in high-level roles. Secretary-General António Guterres is implementing a system-wide strategy on gender parity to implement the SDG Goal 5.<sup>310</sup> His gender-balanced appointments are transforming senior management groups.<sup>311</sup> He has also pledged full gender parity across top levels of the UN by the end of his mandate.<sup>312</sup>

Although the WTO has achieved gender parity in its professional and administrative staff of its Secretariat, the number of women working as senior managers in the Secretariat, chairs, panellists and Appellate Body members is extremely low.<sup>313</sup> In 2016, Annual Diversity Reports to Members stated that 54% of WTO staff were women and 45% of WTO professional staff were women.<sup>314</sup> However, in the same year all of the top managers of the WTO Secretariat were men, namely, the Director-General and the three Deputy Directors-General.<sup>315</sup> Moreover, there were 17 directors who were men compared to only three directors who were women.<sup>316</sup>

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### 3.2. GENDER-DISAGGREGATED DATA

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Data about the economic status of women is largely inaccessible to shape governments' evidence-based policies. In response, our report recommends that governments should collect data on the economic status of women. Governments should focus on the

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<sup>310</sup> *Steger.*

<sup>311</sup> *Ibid.*

<sup>312</sup> *Ibid.*

<sup>313</sup> *Ibid.*

<sup>314</sup> WTO, "Women and the WTO Gender Statistics (1995-2016)" (15 October 2016) at 9, online:

<[https://www.wto.org/english/news\\_e/news17\\_e/gender\\_stats\\_march2017\\_e.pdf](https://www.wto.org/english/news_e/news17_e/gender_stats_march2017_e.pdf)>.

<sup>315</sup> *Ibid.*

<sup>316</sup> *Ibid.*

following factors about women's economic status that influence their ability to participate in trade to guide the data collection process:

- income level;
- hours of unpaid or involuntary work;
- access to credit finance and land ownership;
- employment seniority level;
- business ownership;
- part-time or full-time employment;
- sector or industry of employment;
- job security;
- holidays, benefits and pensions;
- health and safety standards of workplace;
- promotional and networking opportunities; and
- level of export competence, participation and experience.

Women mostly hold low-level, part-time positions with lesser income, job security and benefits relative to their male counterparts.<sup>317</sup> Women disproportionately contribute to unpaid household work and familial responsibilities that is undervalued.<sup>318</sup> Gender segregation exists in the sectoral distribution of women's employment, whereby women mostly work in education, health, social work, wholesale and retail sectors.<sup>319</sup> Women are overrepresented in positions that have inadequate health and safety

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<sup>317</sup> ILO, *World Employment Social Outlook: Trends for Women 2017* (Geneva: ILO, 2017) at 1-3, online: <[http://www.ilo.org/wcmsp5/groups/public/---dgreports/---inst/documents/publication/wcms\\_557245.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---inst/documents/publication/wcms_557245.pdf)>.

<sup>318</sup> *Ibid.*

<sup>319</sup> *Ibid.*

standards, as well as lack equal access to promotions and networking opportunities to advance their career status.<sup>320</sup> As a result, these factors ultimately limit women's abilities to participate in trade.

Governments should use this data to create policies, tied to facts and statistics, which aim to advance the economic participation of women in national economies and trade. Data collection enables governments to customize the type, level and duration of measures that are required to boost women's economic positions. Moreover, data collection should take place and be reviewed on an ongoing basis to ensure that policies and agreements are reflective of women's realities.

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### 3.3. DATA EXAMINATION TOOLS

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Our report recommends that governments should be equipped with effective tools to conduct holistic examinations of collected data. A holistic examination considers intersecting economic, social, political, cultural, racial, sexual and locational backgrounds of women. To better understand the diverse experiences of women in policy and trade, governments should compare data about women across local, national and international contexts; within different groups of women; and between men and women.

For example, the United Nations Conference on Trade and Development's (UNCTAD) Trade and Gender Toolbox provides comprehensive econometric examinations across various sectors that can be used to analyze how trade policies and agreements affect

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<sup>320</sup> *Ibid.*



women.<sup>321</sup> Women's education, employment, access to finance, land ownership and income are several factors that inform these assessments.<sup>322</sup> These factors are divided into sub-categories such as economic sectors, working conditions and related exported and imported commodities.<sup>323</sup> In response to gender disparities that crosscut all categories, UNCTAD has created a checklist for gender-sensitive accompanying measures including export promotion policies and measures and improved working conditions for women.<sup>324</sup>

Recently, Canada launched negotiations toward a comprehensive *Canada-Mercosur Free Trade Agreement* and committed to an impact examination process including labour and gender.<sup>325</sup> Provisions will specifically target women, youth, Indigenous people, SMEs and the middle class.<sup>326</sup> During the last year, Canada has been conducting consultations across the country with industry and business organizations, Indigenous groups, labour unions, civil society groups, environmental groups and Crown corporations to inform how to strengthen trade relations with Mercosur countries.<sup>327</sup>

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<sup>321</sup> UNCTAD, "Trade and Gender Toolbox" (2017), online:  
<[http://unctad.org/en/PublicationsLibrary/ditc2017d1\\_en.pdf](http://unctad.org/en/PublicationsLibrary/ditc2017d1_en.pdf)>.

<sup>322</sup> *Ibid.*

<sup>323</sup> *Ibid.*

<sup>324</sup> *Ibid.*

<sup>325</sup> Global Affairs Canada, "Minister Champagne Welcomes Agreement to Launch Trade Negotiations with Mercosur", (9 March 2018), online:  
<<https://www.canada.ca/en/global-affairs/news/2018/03/minister-champagne-welcomes-agreement-to-launch-trade-negotiations-with-mercotur.html>>.

<sup>326</sup> *Ibid.*

<sup>327</sup> *Ibid.*

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### 3.4. PUBLIC CONSULTATIONS WITH WOMEN-LED GROUPS

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Our report recommends that women-led businesses, civil society organizations, educational institutions and communities should inform the creation and implementation of trade policies and agreements. Consultations with these groups enable governments' better understandings of women's different economic roles and struggles. Moreover, consultations that are publicly accessible provide transparency of policy-making and trade negotiating processes.

Regarding trade agreements, public consultations with women-led groups assists governments with identifying additional areas of cooperation activities and prioritizing issues that are significant to agenda-setting. The gender chapter of the *Canada-Chile Free Trade Agreement* (CCFTA) provides a useful working model for trade inclusiveness; however, time and resource limitations led to its importation from the *Chile-Uruguay Free Trade Agreement* (CUFTA) without effective public consultation.<sup>328</sup> Consequently, the gender chapter lacks customization of language and content that is particular to the Canadian context. Overall, governments should allocate the necessary resources for public consultations and enable women's leadership to accurately inform policies and trade agreements.

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<sup>328</sup> On June 5, 2017, Canada and Chile signed Amending Agreements to the *Canada-Chile Free Trade Agreement*, 5 December 1996, (entered into force 5 July 1997) [CCFTA]; *Chile-Uruguay Free Trade Agreement*, 4 October 2016, (not yet entered into force) [CUFTA].

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### 3.5. GENDER-RELATED CHAPTERS AND PROVISIONS IN TRADE AGREEMENTS

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Governments have used different approaches to making trade agreements inclusive. One approach is to create a stand-alone gender chapter, as seen in the CCFTA and the CUFTA<sup>329</sup>. Gender chapters have signalling value to government bodies, private businesses, civil society organizations and individuals about the significance of trade and gender issues. However, commitments within these chapters about Gender Committees facilitating cooperation activities are mostly hortatory and lack hard obligations that can be subject to dispute settlement.

A different approach is a menu of gender-related provisions that are mainstreamed throughout an agreement with no gender chapter. Gender-related provisions within different chapters can include hard obligations that are subject to dispute settlement. For example, Article 8.10 of *Canada-European Union Comprehensive Economic and Trade Agreement* (CETA) concerning the treatment of investors and covered investments defines a party's breach with fair and equitable treatment on the basis of targeted gender discrimination.<sup>330</sup> Only having gender-related provisions without a gender chapter is the case for many trade agreements like CETA. Nonetheless, this approach has been inadequate in its effect to improve women's participation in trade.

Our report recommends that trade agreements should have both gender-related provisions in other agreement chapters and gender chapters to serve as a template for economies to advance women's full participation in international trade. Temporary

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<sup>329</sup> *Ibid.*

<sup>330</sup> *Canada-European Union Comprehensive Economic and Trade Agreement*, 30 October 2016, (entered into force 21 September 21, 2017) art 8.10 s 2(d).

entry, procurement, labour, investment and services represent a few of many trade-related areas involving different barriers to women's economic participation. A menu of gender-related provisions in multiple agreement chapters together with gender chapters is able to more effectively account for how diverse issues uniquely influence women's trade participation.

For example, Trade in Services Chapters should contain gender-related provisions in addition to gender chapters in trade agreements. Formal and informal SMEs together constitute 95% of all firms globally, about half of the global GDP and more than 70% of total employment.<sup>331</sup> Women own about 40% of SMEs globally and women-led SMEs are more heavily concentrated in services sectors.<sup>332</sup> Therefore, assisting women-led SMEs to connect with global value chains promotes more equitable distribution of income and improves women's ability to participate in trade.

Related to gender and trade in services, the WTO Working Party on Domestic Regulation is negotiating a proposal for creating a provision on gender equality within the scope of the *General Agreement on Trade in Services*, Article VI:4.<sup>333</sup> The proposal, introduced by Argentina, Canada, Chile, Columbia, Iceland and Uruguay, discusses the

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<sup>331</sup> Arancha González, "How Gender Affects SMEs' Participation in International Trade" In *Redesigning Canadian Trade Policies for New Global Realities* (Institute for Research on Public Policy, 2017) at 481, online: <<http://irpp.org/wp-content/uploads/2016/11/AOTS6-gonzales.pdf>>.

<sup>332</sup> *Ibid* at 482; WTO OMC, *Gender Aware Trade Policy: A Springboard for Women's Economic Empowerment* (Geneva: WTO, 2017) at 5, online: <[https://www.wto.org/english/tratop\\_e/devel\\_e/a4t\\_e/gr17\\_e/genderbrochuregr17\\_e.pdf](https://www.wto.org/english/tratop_e/devel_e/a4t_e/gr17_e/genderbrochuregr17_e.pdf)>.

<sup>333</sup> WTO, *Domestic Regulation – Development of Measures, Gender Equality*, Communication from Argentina, Canada, Chile, Columbia, Iceland and Uruguay, JOB/SERV/258 of 8 May 2017, online: WTO <[https://docs.wto.org/dol2fe/Pages/FE\\_Search/FE\\_S\\_S009-Html.aspx?Id=236916&BoxNumber=3&DocumentPartNumber=1&Language=E&HasEnglishRecord=True&HasFrenchRecord=True&HasSpanishRecord=True&Window=L&PreviewContext=DP&FullTextHash=371857150](https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S009-Html.aspx?Id=236916&BoxNumber=3&DocumentPartNumber=1&Language=E&HasEnglishRecord=True&HasFrenchRecord=True&HasSpanishRecord=True&Window=L&PreviewContext=DP&FullTextHash=371857150)>.

prevention of gender discrimination in licensing requirements, procedures and qualification procedures.<sup>334</sup>

Provisions from international conventions can assist with creating hard obligations about gender equality in agreement chapters aside from gender chapters. For example, Article 2 from the UN *Declaration on Human Rights* entitles rights and freedoms “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”<sup>335</sup> Article 7 states “All are equal before the law and are entitled without any discrimination to equal protection of the law.”<sup>336</sup> Article 23(2) provides “without any discrimination, ...the right to equal pay for equal work.”<sup>337</sup> Overall, these rules require parties to ensure that women have equal legal protections and employment wages.

Our report also recommends that preambles acknowledge parties’ commitments to promoting equal participation and representation of women in trade. Preambles establish the objects and purposes of agreements, as well as provide overarching principles that guide the interpretation of chapter provisions. For example, a provision in the preamble of the CCFTA states that the Government of Canada and the Government of Chile resolved to “protect, enhance and enforce basic workers’ rights”.<sup>338</sup> Similar language can be adopted in preambles that describe party’s protection, enhancement and enforcement of women workers’ rights.

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<sup>334</sup> *Ibid.*

<sup>335</sup> *Universal Declaration of Human Rights*, 10 December 1948, art 2 [*UDHR*].

<sup>336</sup> *UDHR*, art 7.

<sup>337</sup> *UDHR*, art 23(2).

<sup>338</sup> *CCFTA*, preamble.

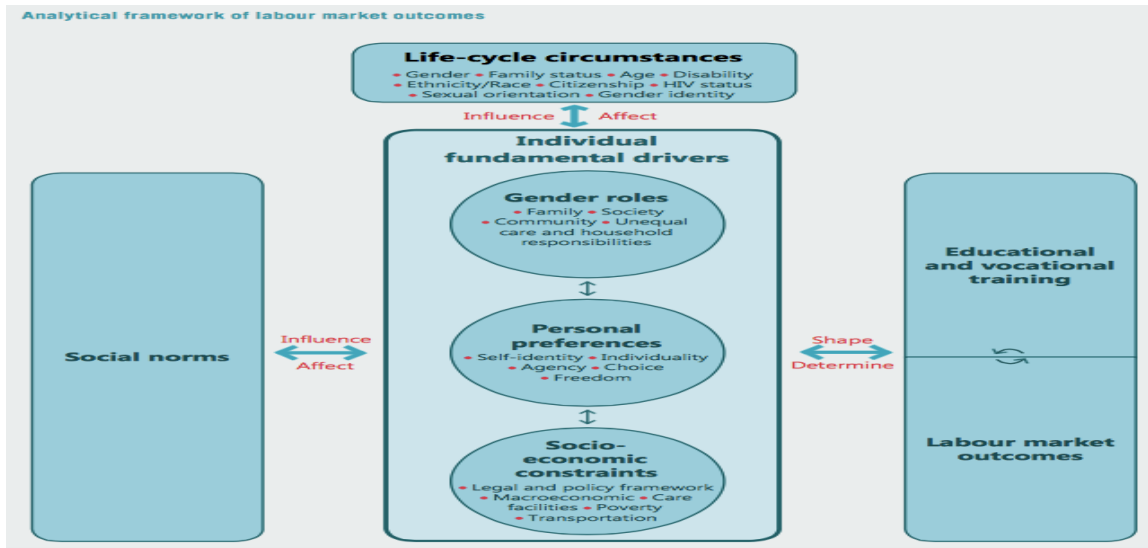
## **4. APPENDIX 1 – BARRIERS TO WOMEN’S TRADE PARTICIPATION**

Gender inequality refers to women that are unfairly treated and disadvantaged based on their gender. Gender inequality is systemically embedded within formal structures like laws, regulations, policies, procedures and institutions. Also, gender inequality is expressed in customs, norms, attitudes and practices. Overall, gender inequality influences both how women are perceived and how women perceive themselves in policy and trade.

Different forms of gender inequality intersect to limit or impede women’s abilities, opportunities and participation in trade. As shown in Table 1, social norms, gender roles, personal preferences and circumstances, socio-economic constraints, educational and vocational training are all factors that jointly influence women’s labour market participation. Accordingly, the different intersections of these factors both enable and constrain women’s economic positions.

**Table 1: Intersectional Factors Influencing Women’s Labour Force**

**Participation**<sup>339</sup>



#### 4.1. IDENTIFYING THE GENDER BARRIERS

Gender inequality affects and shapes women’s economic positions in domestic and international economies. Although there are differences in the forms of gender inequality that exist across national contexts and especially disadvantage certain groups of women, gender inequality nonetheless persists worldwide for all women (Table 2). Women are restricted in their education, labour market participation, career advancements, networking opportunities, wages and executive and managerial presences (Figures 3 and 4). Women of colour and lower socio-economic status, as well as Indigenous women and women that live in remote regions are particularly disadvantaged.

<sup>339</sup> ILO, at 24.

**Table 2: Women’s Worldwide Inaccessibility to Labour Markets<sup>340</sup>**

Preferences of women and constraints on their participation in the labour market, 2016 (per cent of respondents)							
	Prefer to work	Challenges reported in the labour market					
		Work and family balance	Lack of affordable care	Family members don't approve	Abuse/harassment/discrimination	Lack of good-paying jobs	Unequal pay
World	79.2	24.6	9.6	4.3	10.3	9.5	6.5
Northern Africa	69.9	30.5	6.5	5.6	24.5	7.9	3.1
Sub-Saharan Africa	85.4	19.2	11.9	5.8	14.9	7.9	3.4
Latin America and the Caribbean	74.9	22.5	14.2	3.6	9.6	7.7	6.1
Northern America	79.1	23.0	7.5	0.8	10.0	2.6	31.8
Arab States	70.5	29.4	4.5	7.5	9.8	9.1	3.8
Eastern Asia	79.8	21.7	22.4	1.2	6.7	7.4	3.6
South-Eastern Asia and the Pacific	81.2	26.6	7.3	1.2	8.8	6.6	5.8
Southern Asia	55.1	20.0	8.3	11.3	11.3	4.5	2.3
Northern, Southern and Western Europe	84.8	33.9	5.1	1.4	8.0	6.5	14.0
Eastern Europe	75.4	25.0	4.4	0.7	6.1	23.8	7.0
Central and Western Asia	79.8	23.2	8.7	8.6	6.9	16.7	3.5

*Notes: This table accounts for the survey sample of a total of 70,561 observations representing the survey responses of women in 127 countries. Population weights are applied accordingly to achieve equal country representation. Results may vary slightly to those published in Gallup-ILO, 2017 due to country coverage. Darker shading indicates the top two challenges in the region. See Appendix C on weighting methods.*

*Source: ILO calculations based on Gallup World Poll 2016.*

A disconnection exists between women’s preferences to work and their abilities to work given familial, financial and discriminatory challenges reported in the labour market.<sup>341</sup>

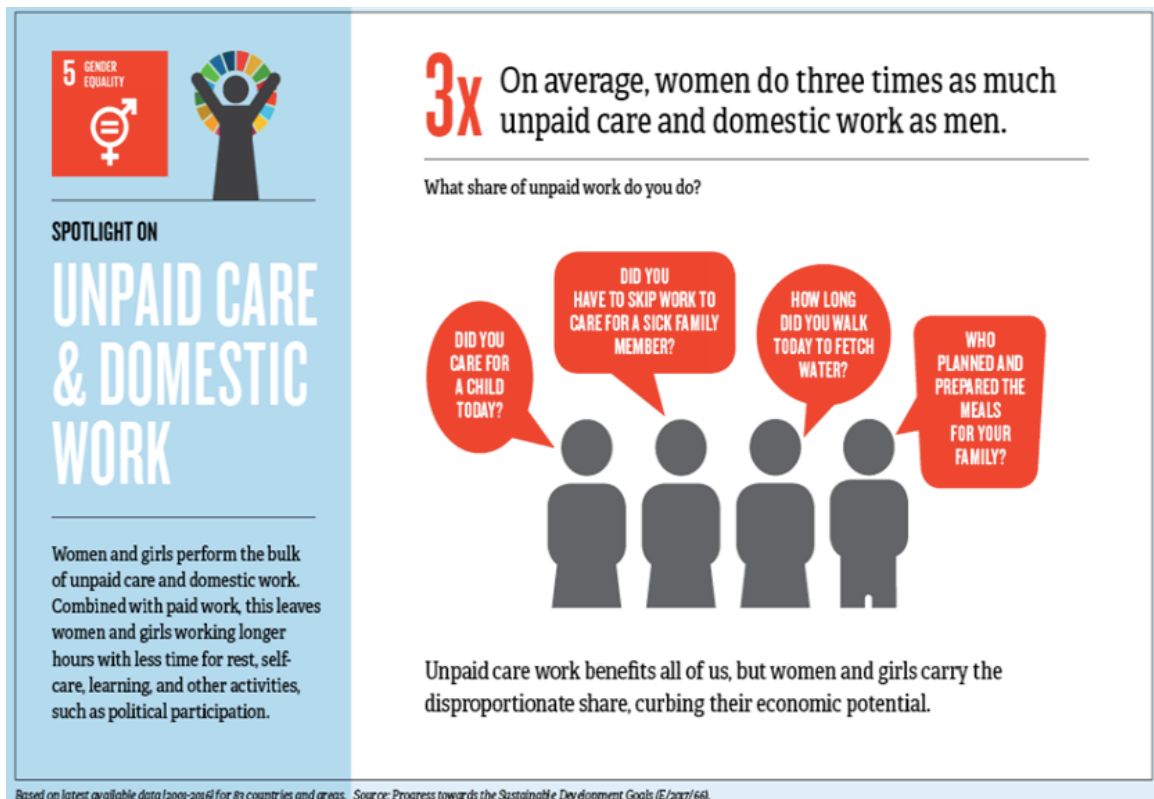
**Figure 3: Women’s Worldwide Labour Market Pay Gap<sup>342</sup>**

<sup>340</sup> *Ibid* at 22.

<sup>341</sup> *Ibid*.

<sup>342</sup> UN Women, “Spotlight on Sustainable Development Goal 5: Achieve gender equality and empower all women and girls” (5 July 2017), online: <<http://www.unwomen.org/en/digital-library/multimedia/2017/7/infographic-spotlight-on-sdg-5>>.





On average, women in the global labour market still earn 24% less than men.<sup>343</sup> Women are overrepresented in informal, part-time, low-skill, inflexible and unstable positions.<sup>344</sup> Also, women’s employment is concentrated in lower productivity sectors and occupations.<sup>345</sup>

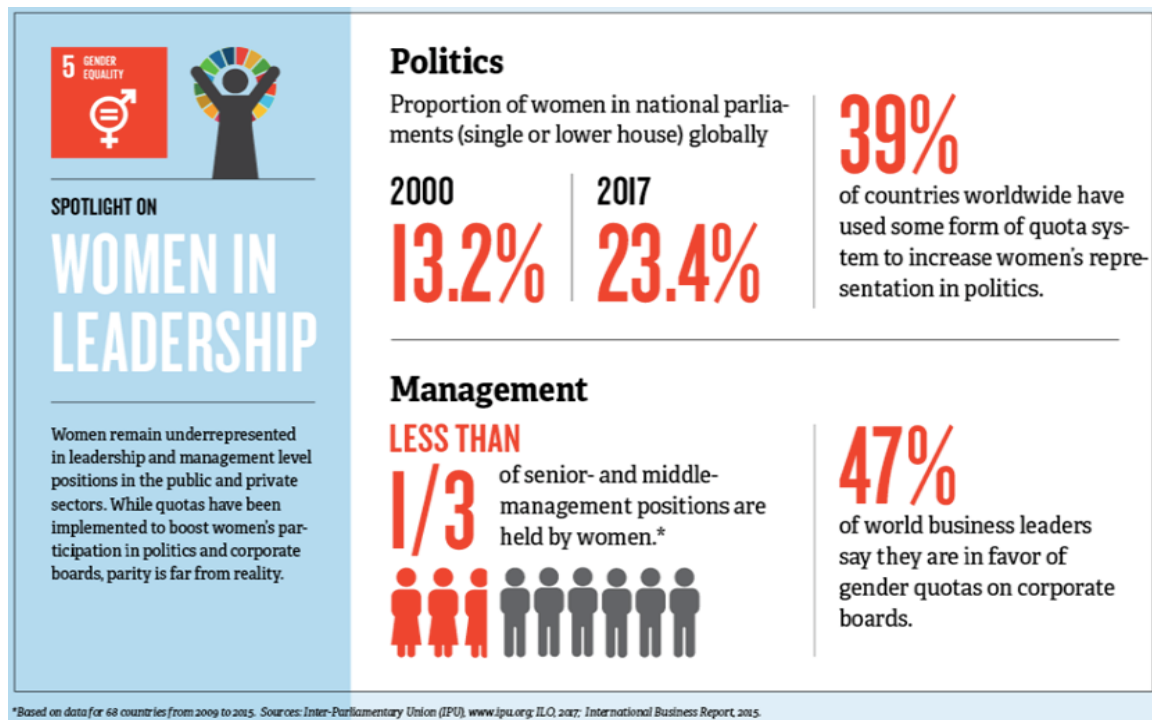
**Figure 4: Absence of Women Role Models, Mentors and Leaders<sup>346</sup>**

<sup>343</sup> *Ibid.*

<sup>344</sup> *Ibid.*

<sup>345</sup> *Ibid.*

<sup>346</sup> *Ibid.*



A strong absence of women in political and business roles translates into a lack of feminized leadership and decision-making power.<sup>347</sup> Although private and public sectors have made efforts to enhance women's presence through implementing gender quotas, women remain largely underrepresented in national parliaments, management positions and on corporate boards.<sup>348</sup>

Governments have taken steps to introduce legislation, regulations, policies, practices and constitutional amendments targeting the eradication of gender inequality. As of 2014, 143 countries had guaranteed gender equality between men and women in their Constitutions but 52 had yet to make this change.<sup>349</sup> The persistence of gender

<sup>347</sup> *Ibid.*

<sup>348</sup> *Ibid.*

<sup>349</sup> UN, "Gender Equality: Why It Matters" online: [http://www.un.org/sustainabledevelopment/wp-content/uploads/2016/08/5\\_Why-it-Matters\\_GenderEquality\\_2p.pdf](http://www.un.org/sustainabledevelopment/wp-content/uploads/2016/08/5_Why-it-Matters_GenderEquality_2p.pdf).

inequality throughout all countries exemplifies the ineffectiveness of current government action and the need for improved action.

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## 4.2. ECONOMIC BENEFITS OF REMOVING GENDER BARRIERS

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Reducing the gender gap would produce significant domestic and international economic benefits. Women's labour force participation provides diverse skills, experiences and perspectives to inform business decision-making and competitive practices. Women constitute about half of the world's population, yet are substantially underrepresented in the labour force. Overall, women's increased and meaningful presence in the global labour market increases their well-being, wage level, productivity, purchasing power and ability to engage in trade.

Governments can increase their GDPs through improving women's trade participation. The McKinsey Global Institute recently published a report that details the advantages for men and women in closing the gender gap.<sup>350</sup> A key finding of this report stated that closing the gender gap could add approximately \$150 billion in incremental Canadian GDP in 2026, which is 6% higher than forecasted for business-as-usual GDP growth.<sup>351</sup>

Governments have made efforts toward achieving gender parity in labour force participation. For example, G20 members committed to increasing women's labour participation by 25% by the year 2025.<sup>352</sup> More ambitiously, adding 742 million women

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<sup>350</sup>*McKinsey*.

<sup>351</sup> *Ibid* at 2.

<sup>352</sup> ILO at 18.

to the labour force is predicted to fully eradicate the gender gap in labour market participation.<sup>353</sup> Most of the additional employment of women would occur in emerging economies because of their larger gender gaps and potential for rapid economic growth relative to developed economies (Table 5 and Figure 6). Moreover, policy considerations must effectively target poverty eradication to closing gender gaps in developing countries.

**Table 5: Worldwide Gender Gaps in Labour Markets<sup>354</sup>**

<b>Effects of reducing gender gaps in the labour market by 2025</b>					
<b>Country/region</b>	<b>Labour force</b>		<b>Employment</b>		<b>GDP</b>
	<b>Millions</b>	<b>Per cent</b>	<b>Millions</b>	<b>Per cent</b>	<b>Per cent</b>
<b>World</b>	<b>203.9</b>	<b>5.4</b>	<b>188.6</b>	<b>5.3</b>	<b>3.9</b>
Developing countries	7.8	2.1	7.1	2.0	2.0
Emerging countries	175.5	6.3	162.4	6.2	4.8
Developed countries	20.6	3.3	19.0	3.3	2.6
<b>Northern Africa</b>	<b>11.4</b>	<b>13.0</b>	<b>9.1</b>	<b>11.8</b>	<b>9.5</b>
<b>Sub-Saharan Africa</b>	<b>11.1</b>	<b>2.2</b>	<b>10.1</b>	<b>2.1</b>	<b>2.2</b>
<b>Latin America and the Caribbean</b>	<b>17.4</b>	<b>5.0</b>	<b>15.8</b>	<b>4.9</b>	<b>4.0</b>
<b>Northern America</b>	<b>4.8</b>	<b>2.5</b>	<b>4.5</b>	<b>2.5</b>	<b>2.0</b>
<b>Arab States</b>	<b>7.8</b>	<b>11.8</b>	<b>6.0</b>	<b>10.2</b>	<b>7.1</b>
<b>Eastern Asia</b>	<b>27.3</b>	<b>3.0</b>	<b>26.2</b>	<b>3.0</b>	<b>2.5</b>
<b>South-Eastern Asia and the Pacific</b>	<b>15.9</b>	<b>4.1</b>	<b>15.0</b>	<b>4.0</b>	<b>3.5</b>
<b>Southern Asia</b>	<b>92.7</b>	<b>11.1</b>	<b>87.7</b>	<b>11.0</b>	<b>9.2</b>
<b>Northern, Southern and Western Europe</b>	<b>5.7</b>	<b>2.6</b>	<b>5.1</b>	<b>2.6</b>	<b>2.0</b>
<b>Eastern Europe</b>	<b>4.5</b>	<b>3.3</b>	<b>4.2</b>	<b>3.3</b>	<b>2.6</b>
<b>Central and Western Asia</b>	<b>5.3</b>	<b>6.6</b>	<b>4.8</b>	<b>6.5</b>	<b>5.7</b>

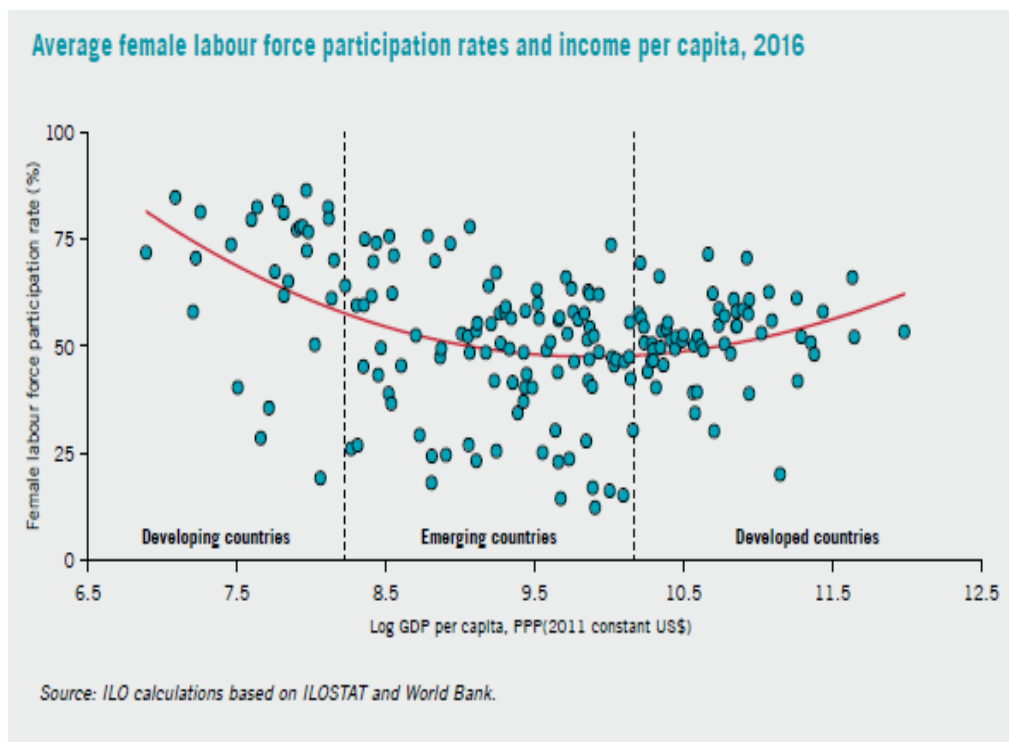
*Note: The assumptions of the scenario are described in box 5. GDP shows the percentage difference in projected additional GDP in 2025, using PPP exchange rates.*

*Source: ILO estimations based on ILO's Trends Econometric Models, November 2016.*

<sup>353</sup> *Ibid.*

<sup>354</sup> *Ibid* at 19.

**Figure 6: Women Labour Participation in Developing, Emerging and Developed Economies<sup>355</sup>**



Governments can increase their taxation potential in making labour participation more accessible for women. Global tax revenue could increase by US \$1.5 trillion according to current government revenue projections in GDP shares.<sup>356</sup> Emerging (\$990 billion) and developed countries (\$530 billion) represent the largest beneficiaries of these projections.<sup>357</sup> As a result, gender equality policies and programs can be self-financing and even profitable.

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<sup>355</sup> *Ibid* at 22.

<sup>356</sup> *Ibid* at 18.

<sup>357</sup> *Ibid*.

## **5. APPENDIX 2 – CHILE-URUGUAY FREE TRADE AGREEMENT: TRADE AND GENDER CHAPTER**

### **UNOFFICIAL TRANSLATION**

#### **FREE TRADE AGREEMENT BETWEEN THE REPUBLIC OF CHILE AND THE EASTERN REPUBLIC OF URUGUAY - CHAPTER 14 TRADE AND GENDER**

##### **Article 14.1: General Provisions**

1. The Parties acknowledge the importance of incorporating the gender perspective into the promotion of inclusive economic growth, and the key role that gender policies can play in achieving greater sustainable socioeconomic development. Inclusive growth aims to distribute economic benefits among the entire population through the more equitable participation of both men and women in business, industry and the labour market.
2. The Parties acknowledge the importance of promoting gender equality policies and practices, and building the capacities and developing the potential of the Parties in this area, including the non-governmental sector, in order to promote equal rights, treatment and opportunity for men and women and to eliminate all forms of discrimination against women due to sex, ethnicity, race, colour, nationality, social status, sexual orientation, gender identity, age, faith, political or any other opinion, economic status or any other social, familial or personal condition.
3. The Parties acknowledge that international trade is the engine of growth, and that improving women's access to existing opportunities in their countries so that they can participate in the national and international economies contributes to sustainable economic development.
4. Each Party reserves the right to establish, amend and oversee compliance with its gender policies and regulations, in accordance with its priorities.
5. Furthermore, the Parties reaffirm their commitment to effectively implement their gender equity and equality regulations, policies and best practices.
6. Each Party will internally promote public knowledge of its gender equity and equality regulations, policies and practices.

## **Article 14.2: International Agreements**

1. The Parties confirm their intention to pursue enforcement of their respective international agreements on gender from a rights perspective, specifically those priority agreements on pay equality between men and women, protection of motherhood, work/life balance, decent work for domestic workers, and family responsibility, among others.

## **Article 14.3: Cooperation Activities**

1. The Parties acknowledge the benefit of sharing their experiences in designing, implementing and strengthening programs to encourage women's participation in national and international economies.

2. Accordingly, the Parties will carry out cooperation activities designed to improve the capacity of women, including workers, businesswomen and entrepreneurs, to access and fully benefit from the opportunities created by this Agreement.

3. Cooperation activities will be carried out on issues/topics agreed upon by the Parties through the interaction of government institutions and business, union, education and research organizations as well as other civil society representatives in each Party, as appropriate, to identify potential areas of cooperation and develop activities of mutual interest.

4. Areas of cooperation may include but are not limited to:

- a. Programs designed to foster capacity-building and skills enhancement of women in the labour, business and social spheres;
- b. Improving women's access to science, technology and innovation;
- c. Promoting financial inclusion and education;
- d. Developing women's leadership networks;
- e. Better labour practices to integrate and retain women in the job market;
- f. Fostering women's participation in decision-making positions in the public and private sectors;
- g. Promoting female entrepreneurship;
- h. Occupational health and safety;
- i. Care policies and programs with a gender and social co-responsibility perspective; and
- j. Gender-focused statistical indicators, methods and procedures.

5. The Parties may carry out activities in the cooperation areas set out in paragraph 4

through:

- a. Workshops, seminars, dialogues and other forums for exchanging knowledge, experiences and best practices;
- b. Internships, visits and research studies to document and study policies and practices;
- c. Collaborative research and development of best practices in subject-matters of mutual interest;
- d. Specific exchanges of specialized technical knowledge and technical assistance, where appropriate; and
- e. Other forms to which the Parties may agree.

6. The priorities and needs of each Party as well as the available resources shall be taken into account in the implementation of such cooperation activities. The Parties will determine financing of the cooperation activities on a case-by-case basis, and will exchange lists with their areas of interest and specialty.

#### **Article 14.4: Gender Committee**

1. The Parties will establish a Gender Committee (hereinafter, the “Committee”) comprised of representatives from each Party’s relevant government institutions responsible for gender and trade.

2. The Committee shall:

- a. Facilitate the exchange of information on the Parties’ experiences with respect to the establishment and implementation of national policies designed to integrate the gender perspective that will achieve the greatest possible benefit under this Agreement;
- b. Facilitate the exchange of information on the experiences and lessons learned by the Parties through the cooperation activities carried out under Article 13.4 (Cooperation Activities);
- c. Discuss any proposals for future joint activities to support development policies on trade and gender;
- d. Invite international donor institutions, private sector entities, NGOs or other relevant institutions as appropriate to assist with the development and implementation of cooperation activities;
- e. Consider matters related to the implementation and operation of this Chapter;



- f. At the request of either of the Parties, deal with any matter that may arise related to the interpretation and application of this Chapter; and
  - g. Carry out other duties that the Parties may agree on.
3. The Committee will meet within one year of the effective date of this Agreement, and thereafter whenever necessary at the request of either Party.
4. The Committee and Parties may exchange information and coordinate activities by email, videoconference or other means of communication.
5. In the performance of its duties, the Committee may work with other committees, working groups and any other subsidiary body established under this Agreement.
6. Each Party may consult public sector and non-governmental representatives about matters related to the operation of this Agreement, by any means that such Party considers appropriate.
7. The Parties may decide to invite experts or relevant organizations to Committee meetings to provide information.
8. Within three years of the effective date of this Agreement, the Parties will review the implementation of this Chapter and will report to the Committee.
9. If applicable, each Party may develop mechanisms to report on the activities developed under this Chapter in accordance with its regulations, policies and procedures.
10. To facilitate communication between the Parties regarding the implementation of this Chapter, each Party designates its point of contact below. Each Party shall promptly notify the other Party if there is any change in the point of contact identified below:
  - a. For Chile, through the Directorate of International Economic Relations [*Dirección General de Relaciones Económicas Internacionales*] or its successor; and
  - b. For Uruguay, the Ministry of Foreign Affairs, through the Directorate for International Economic Affairs [*Dirección General para Asuntos Económicos Internacionales*], or its successor.

## **6. APPENDIX 3 – CANADA-CHILE FREE TRADE AGREEMENT: CHAPTER N BIS– TRADE AND GENDER**

### **Article N bis-01: General Provisions**

1. The Parties acknowledge the importance of incorporating a gender perspective into the promotion of inclusive economic growth, and the key role that gender-responsive policies can play in achieving sustainable socioeconomic development. Inclusive economic growth aims to distribute benefits among the entire population by providing equitable opportunities for the participation of women and men in business, industry and the labour market.

2. The Parties recall Goal 5 of the Sustainable Development Goals in the United Nations 2030 Agenda for Sustainable Development, which is to achieve gender equality and empower all women and girls. The Parties reaffirm the importance of promoting gender equality policies and practices, and building the capacity of the Parties in this area, including in non-government sectors, in order to promote equal rights, treatment and opportunity between men and women and the elimination of all forms of discrimination against women.

3. The Parties reaffirm the obligations in the Agreement on Labour Cooperation or its successor relating to gender equality and the elimination of gender discrimination. The Parties also reaffirm commitments made in Article G-14*bis* as they relate to gender, including the Parties' commitments to the OECD Guidelines for Multinational Enterprises, and the requirement under the Guidelines to establish a National Contact Point.

4. The Parties acknowledge that international trade and investment are engines of economic growth, and that improving women's access to opportunities and removing barriers in their countries enhances their participation in national and international economies, and contributes to sustainable economic development.

5. The Parties also acknowledge that women's enhanced participation in the labour market and their economic independence and access to, and ownership of, economic resources contribute to sustainable and inclusive economic growth, prosperity, competitiveness, and the well-being of society.

6. The Parties affirm their commitment to adopt, maintain and implement effectively their gender equality laws, regulations, policies and best practices.

7. Each Party shall domestically promote public knowledge of its gender equality laws, regulations, policies and practices.

### **Article N bis-02: International Agreements**

1. Each Party reaffirms its commitment to effectively implement the obligations under the *Convention on the Elimination of all Forms of Discrimination Against Women*, adopted by the United Nations General Assembly on 18 December 1979.
2. Each Party reaffirms its commitment to implement the obligations under other international agreements addressing gender equality or women's rights to which it is a party.

### **Article N bis-03: Cooperation Activities**

1. The Parties acknowledge the benefit of sharing their respective experiences in designing, implementing, monitoring and strengthening policies and programs to encourage women's participation in national and international economies.
2. Accordingly, the Parties shall carry out cooperation activities designed to improve the capacity and conditions for women, including workers, businesswomen and entrepreneurs, to access and fully benefit from the opportunities created by this Agreement. These activities shall be carried out with inclusive participation of women.
3. Cooperation activities shall be carried out on issues and topics agreed upon by the Parties through the interaction of their respective government institutions, businesses, labour unions, education and research organizations, other non-governmental organizations, and their representatives, as appropriate.
4. Areas of cooperation may include:
  - a. developing programs to promote women's full participation and advancement in society by encouraging capacity-building and skills enhancement of women at work, in business, and at senior levels in all sectors of society (including on corporate boards);

- b. improving women's access to, and participation and leadership in, science, technology and innovation, including education in science, technology, engineering, mathematics and business;
  - c. promoting financial inclusion and education as well as promoting access to financing and financial assistance;
  - d. advancing women's leadership and developing women's networks;
  - e. developing better practices to promote gender equality within enterprises;
  - f. fostering women's participation in decision-making positions in the public and private sectors;
  - g. promoting female entrepreneurship;
  - h. advancing care policies and programs with a gender and shared social responsibility perspective;
  - i. conducting gender-based analysis;
  - j. sharing methods and procedures for the collection of sex-disaggregated data, the use of indicators, and the analysis of gender-focused statistics related to trade; and
  - k. other issues as agreed by the Parties.
5. The Parties may carry out activities in the cooperation areas set out in paragraph 4 through:
- a. workshops, seminars, dialogues and other forums for exchanging knowledge, experiences and best practices;
  - b. internships, visits and research studies to document and study policies and practices;
  - c. collaborative research and development of best practices in subject-matters of mutual interest;
  - d. specific exchanges of specialized technical knowledge and technical assistance, as appropriate; and
  - e. other activities as agreed by the Parties.
6. The priorities for cooperation activities shall be decided by the Parties based on their interests and available resources.

7. The Trade and Gender Committee may refer any proposed cooperation activities related to labour or labour market development to the Council established under the Agreement on Labour Cooperation or its successor, for its consideration.

**Article N *bis*-04: Trade and Gender Committee**

1. The Parties hereby establish a Trade and Gender Committee composed of representatives from each Party's government institutions responsible for trade and gender.

2. The Committee shall:

- a. determine, organize and facilitate the cooperation activities under Article N *bis*-03;
- b. report to the Commission and make recommendations to the Commission on any matter related to this Chapter;
- c. facilitate the exchange of information on each Party's experiences with respect to the establishment and implementation of policies and programs that address gender concerns in order to achieve the greatest possible benefit under this Agreement;
- d. facilitate the exchange of information on the Parties' experiences and lessons learned through the cooperation activities carried out under Article N *bis*-03;
- e. discuss joint proposals to support policies on trade and gender;
- f. invite international donor institutions, private sector entities, non-governmental organizations, or other relevant institutions, as appropriate, to assist with the development and implementation of cooperation activities;
- g. consider matters related to the implementation and operation of this Chapter;
- h. at the request of a Party, consider and discuss any matter that may arise related to the interpretation and application of this Chapter; and
- i. carry out other duties as determined by the Parties.

3. The Committee shall meet annually and as otherwise agreed by the Parties, in person or by any other technological means available, to consider any matter arising under this Chapter.

4. The Committee and Parties may exchange information and coordinate activities by email, videoconference or other means of communication.
5. In the performance of its duties, the Committee may work with other committees, working groups and subsidiary bodies established under this Agreement, the Council established under the Agreement on Labour Cooperation or, as appropriate, the Council established under the Agreement on Environmental Cooperation. In the context of this work, the Committee shall encourage efforts by these committees, working groups, subsidiary bodies, and these Councils, to integrate gender-related commitments, considerations and activities into their work.
6. The Committee may request that the Commission refer work to be conducted under this Article to any other committees, working groups and other subsidiary bodies established under this Agreement, the Agreement on Labour Cooperation or its successor, or, as appropriate, the Agreement on Environmental Cooperation or its successor.
7. The Parties may decide to invite experts or relevant organizations to Committee meetings to provide information.
8. Within two years of the first meeting of the Committee, the Committee shall review the implementation of this Chapter and shall report to the Commission.
9. Each Party shall develop mechanisms to report publically on the activities developed under this Chapter.
10. To facilitate communication between the Parties regarding the implementation of this Chapter, each Party designates the following point of contact and shall promptly notify the other Party if there is any change in the point of contact identified below:
  - a. for Chile, the General Directorate of International Economic Relations (“Dirección General de Relaciones Económicas Internacionales”) or its successor; and
  - b. for Canada, the Trade Agreements and NAFTA Secretariat Division of the Department of Foreign Affairs, Trade and Development, or its successor.

**Article N *bis*-05: Consultations**

The Parties shall make all possible efforts, through dialogue, consultations and cooperation, to resolve any matter that may arise in regard to the interpretation and application of this Chapter.

**Article N *bis*-06: 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.

**Article N *bis*-07: Relation to the Agreement on Labour Cooperation**

In the event of any inconsistency between this Chapter and the Agreement on Labour Cooperation or its successor, the Agreement on Labour Cooperation or its successor shall prevail to the extent of the inconsistency.

**Article N *bis*-08: Definitions**

For the purposes of this Chapter:

**Agreement on Labour Cooperation** means the Agreement on Labour Cooperation between the Government of Canada and the Government of the Republic of Chile, done at Ottawa on February 6, 1997; and

**Agreement on Environmental Cooperation** means the Agreement on Environmental Cooperation between the Government of Canada and the Government of the Republic of Chile, done at Ottawa on February 6, 1997.

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