# ROLE OF GENDER IN CARICOM AND CARIFORUM REGIONAL TRADE AGREEMENTS









The "Win-Win: Gender Equality means Good Business" Programme, created in partnership between UN Women, the International Labour Organization and the European Union, promotes gender equality through the private sector in six countries in Latin America and the Caribbean: Argentina, Brazil, Chile, Costa Rica, Jamaica and Uruguay. Its objective is to increase women's economic empowerment and leadership by enabling them to participate in the labor market, to access decent work, entrepreneurship and autonomy, and by eliminating gender pay gaps. This publication was printed with the financial support of the European Union. Its contents are the exclusive responsibility of the Win-Win Programme and do not necessarily reflect the views of the European Union. Author: Lebrechtta N.O. Hesse Bayne – SHIDAA SUSTAINABLE DEVELOPMENT SOLUTIONS, LTD

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# **TABLE OF CONTENTS**

ACKNOWLEDGEMENTS	5
FOREWORD	7
ACRONYMS	9
INTRODUCTION	10
METHODOLOGY	11
CARICOM AND CARIFORUM TRADE AGREEMENTS	15
GENDER-RESPONSIVENESS IN TRADE AGREEMENTS	17
GENDER PROVISIONS IN TRADE AGREEMENTS	19
SEX-DISAGGREGATED DATA AND TRADE AGREEMENTS	22
INTERNATIONAL COMMITMENTS RELEVANT TO GENDER AND TRADE	24
RESOURCES DEDICATED TO GENDER AND TRADE	27
CONCLUSIONS	29
RECOMMENDATIONS	31
ANNEX A: REFERENCES	34

# TABLE OF CHARTS, FIGURES AND TABLES

#### **Charts**

19
20
20
21
21
22
23
23
25
26
27
27
12
15
17
24
30
13



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This study could not have been completed without the contributions of representatives from Trade Ministries, National Authorizing Offices for EPA Implementation and Gender Bureaus from Antigua and Barbuda, The Bahamas, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago. Special thanks are also extended to representatives from the CARICOM Gender and Development Programme, Caribbean Export Development Agency, Caribbean Policy Development Centre, the Secretariat of the Organization of Eastern Caribbean States (OECS) and the Delegation of the EU in Barbados. Thanks are also extended to Member States of the OECS, CARICOM and CARIFORUM for their participation. The willingness of all participants to share their time and expertise, and to offer feedback on advancing gender equality in the trade sector for CARICOM and CARIFORUM countries was greatly appreciated.

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### **FOREWORD**

he impact of trade and trade policies on women and men is shaped by the structure of dialogue, markets and institutions, and the gender inequalities that are entrenched in them. Trade policies and agreements influence the opportunities of women and men to access secure and decent employment, and to benefit from international trade. Trade policies developed with a gender perspective can help overcome gender inequalities by opening new opportunities for employment and prosperity for all.

The Caribbean has existing trade agreements among Caribbean Community (CARICOM) Member States and many others with neighbouring states, and with international partners, such as the Agreement on Trade, Economic and Technical Cooperation between CARICOM and the Government of the Republic of Venezuela. Still, however, there are numerous other opportunities for trade agreements that can be established by businesses, whether large corporations or micro-, small- and medium-enterprises (MSMEs).

The COVID-19 pandemic has been a profound shock to the region's economy. There is no question that while health workers have been on the frontlines responding to COVID-19, the impact has been felt across all walks of society. While everyone is facing unprecedented challenges, the crisis has laid bare and exacerbated the growing economic divide within, between and across socio-economic groups, and particularly for women. During the pandemic, women have had to carry the burden of balancing work, income loss and increased responsibilities for unpaid domestic and care work, as well as face increased vulnerabilities to gender-based violence, deepening existing gender inequalities.

As governments and civil society work to build an inclusive and resilient recovery, continued access to timely data on existing opportunities and vulnerabilities of women and other marginalised groups is required. The economic shocks experienced by regional businesses can only be better addressed when we assess the needs of the human resources, especially the needs of women entrepreneurs and employees, and understand which sectoral policies or reforms may disproportionately affect women. At the same time, domestic policies are needed to support trade opportunities for women.

UN Women encourages governments, the private sector and all stakeholders to assess how trade can contribute to women's economic empowerment, as well as the impact of trade policies and agreements on women who trade and consumers. UN Women Multi-Country Office Caribbean is excited to facilitate the publication of the *Role of Gender in CARICOM and CARIFORUM Regional Trade Agreements* under the "Win-Win: Gender Equality Means Good Business" programme, in partnership with European Union (EU) and International Labour Organization

(ILO). This publication is the continuation of work that began in 2016, and serves to fill a data gap by providing data and information on the consideration and inclusion of gender in regional trade agreements to better understand the impact of trade agreements on gender equality and women's full participation in the economy.

Data is critical to our ability to respond to women's needs and to recover effectively. I hope that this *Role of Gender in CARICOM and CARIFORUM Regional Trade Agreements* publication serves as a resource so that more informed decisions can be made when negotiating trade agreements and planning for the recovery from the impacts of COVID-19 to ensure that they are more gender-responsive.

Let's Build Forward Equal!



## **ACRONYMS**

ACP African, Caribbean and Pacific

**BPFA** Beijing Declaration and Platform for Action

**CARICOM** Caribbean Community

**CARIFORUM** Caribbean Forum

**CEDAW** Convention on the Elimination of all Forms of Discrimination Against Women

**CSO** Civil Society Organization

**EPA** Economic Partnership Agreement

**EU** European Union

**FTA** Free Trade Agreement

**GATT** General Agreements on Tariffs and Trade

**ILO** International Labour Organization

ITC International Trade Centre

NGO Non-governmental OrganizationSDG Sustainable Development GoalSOP Standard Operating Procedure

**UK** United Kingdom

**UNCTAD** United Nations Conference on Trade and Development

**UN Women** United Nations Entity for Gender Equality and Women's Empowerment

**WTO** World Trade Organization



# INTRODUCTION

he United Nations Entity for Gender Equality and the Advancement of Women (UN Women) commissioned this study on inclusion and the role of gender in trade agreements entered into by the Caribbean Community¹ (CARICOM) and Caribbean Forum² (CARIFORUM), and whether countries and territories in the region have been exploiting any relevant sections of the trade agreements. This study is part of UN Women's collaboration with the International Labour Organization (ILO) and the European Commission under the 'Win-Win: Gender Equality Means Good Business' regional programme.

Over the past two decades, the global plan to enhance gender equality in the trade sector has gained momentum. This report presents quantitative and qualitative data that reveals the gender responsiveness of Free Trade Agreements (FTA) signed by CARICOM and CARIFORUM.

<sup>1</sup> CARICOM is a grouping of 20 countries, including 15 Member States (Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Saint Lucia, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname, and Trinidad and Tobago) and five (5) Associate Members (Anguilla, Bermuda, British Virgin Islands, Cayman Islands, and Turks and Caicos Islands).

<sup>2</sup> CARIFORUM is a subgroup of the Organisation of African, Caribbean and Pacific States (ACP) and serves as a base for economic dialogue with the European Union (EU). CARIFORUM was established in 1992, and its membership comprises the 15 CARICOM Member States, along with the Dominican Republic.



## **METHODOLOGY**

his study reviewed all agreements which are currently in force by the 15 Member States to CARICOM and CARIFORUM. The gender-responsiveness of trade agreements was assessed on "the degree to which the legal text of a FTA is sensitive, informed or committed to gender equality," as defined by the International Trade Centre (ITC). The term gender-responsiveness is sometimes used interchangeably with other terms, such as 'gender sensitivity', 'gender commitment' and 'gender consideration'.<sup>3</sup>

The latest ITC Assessment Framework developed in 2020, was used to assess CARICOM and CARIFORUM FTAs. **Figure 1** offers an overview of the ITC Gender-Responsive Trade Agreement Survey Tool, and **Table 1** reveals the key dimensions and research questions that are included in the Survey Tool and that were used to assess CARICOM and CARIFORUM regional FTAs. This research also examined processes taken at national and CARICOM levels to develop regional FTAs, along with the challenges faced by practitioners to draft gender-responsive trade agreements.

The ITC Gender Responsive Trade Agreement Survey Tool was chosen because it offers a thorough assessment of gender in trade agreements, and is a valid and reliable tool that has significant credibility as it has undergone a peer review process with the ITC prior to publication.

The ITC Gender Responsive Trade Agreement Survey Tool was administered using a mixed method research approach. The research methods included a short online survey, semi-structured interviews and focus group discussions. Each research method allowed for the collection of quantitative and qualitative data related to the dimensions and research questions in the Survey Tool. For instance, the objective of the short online survey was to examine processes used at national and CARICOM levels to incorporate gender into FTAs.

The sample included key stakeholders, both State and non-State actors, including:

- CARICOM trade ministries
- CARICOM gender equality machinery
- CARICOM gender and development programme
- CARICOM Office of Trade Negotiations
- CARIFORUM Economic Partnership Agreement (EPA) Implementation Unit

<sup>3</sup> International Trade Centre (2020). Mainstreaming Gender in Free Trade Agreements. International Trade Centre: Geneva, Switzerland.

- Caribbean Export Development Agency
- Caribbean Policy Development Centre
- Organization of Eastern Caribbean States
- European Union (EU) Delegation to Barbados
- UN Women Multi-Country Office Caribbean (Barbados)
- National EPA Coordinators

This study focused on the role of gender in CARICOM and CARIFORUM regional FTAs, primarily on how gender is applied to trade agreements. The limitation is that this study does not examine the gendered impacts of FTAs or how FTAs empower women.

#### Figure 1. ITC Gender-Responsive Trade Agreement Survey Tool

#### 1. Three parts of the Gender Assessment Framework

**Dimensional:** Analyzing gender content from different perspectives allows us to pinpoint where a FTA performs well or poorly. This allows policy-makers and negotiators to spot where significant upgrading could improve the overall gender-responsiveness of an agreement.

**Benchmarking:** This shows how well a given agreement performs, compared to other agreements. A standardized set of metrics shows levels of gender-responsiveness, which can encourage a culture of accountability and continuous improvement among negotiators and policy-makers.

**Diagnostic:** A broad assessment that guides decisions to negotiate, revise or renegotiate a treaty to make it more gender-responsive. Evaluating the current gender-responsiveness of agreements influences future trade negotiations and dialogues.

#### 2. Three Maturity Levels

#### **Level 1: Limited**

Agreement is either completely or close to being gender-blind or gender-neutral in nature as it fails to mainstream gender concerns.

#### **Level 2: Evolving**

Agreement employs some best practices for mainstreaming gender concerns, but it has a significant scope for further improvement.

#### **Level 3: Advanced**

Agreement achieves the highest level of maturity in the way it mainstreams gender concerns with the use of best practices for incorporating gender concerns, and there is no or only a negligible scope for further improvement.

#### 3. Scoring of Questions: Maximum score per question is 1, minimum score is 0.

'Limited gender-responsiveness' is worth 0 points per question. Overall Maturity Score of the agreement has to be below or equal to 33.33%

'Evolving gender-responsiveness' is worth 0.5 points per question. Overall Maturity Score of the agreement has to be more than 33.33% and less than or equal to 66.66%

'Advanced gender responsiveness' is worth 1 point per question. Overall Maturity Score of the agreement has to be more than or equal to 66.66%

Dimension	Description	Research Questions
Frequency of relevant provisions	Whether and to what extent the given FTA mentions gender-related expressions in the drafting of its main text, side instruments and annexes.	<ul> <li>Does the given FTA (main text, side instruments or annexes) include gender-related terms, such as gender, women, female, girl, sex, mother, maternity?</li> <li>How many times are gender-related terms mentioned in the given FTA, including main text, side instruments, footnotes and/or annexes, excluding mention of products?</li> </ul>
Location of relevant provisions	Whether the given FTA prioritizes or sidelines gender provisions by positioning them in the agreement's preamble, stand-alone chapters, side agreements, specific provisions, crosscutting provisions, or chapters and/or annexes.	<ul> <li>Is there a mention of gender-related concerns in the given FTA's preamble?</li> <li>In which part of the given FTA are 50 per cent or more of gender-explicit provisions located?</li> </ul>
Affirmations and reaffirmations	Whether the given FTA contains provisions that reflect members' commitments to address gender issues or affirmations that reaffirm their commitments under other international instruments relating to gender.	<ul> <li>Does the agreement demonstrate members' willingness or commitment to incorporate gender perspective into their economic growth and development policies, programmes, decision-making, policy-making and/or practices at the national level?</li> <li>Are there any references, affirmations or reaffirmations to existing international conventions or declarations, or other international instruments, either directly or indirectly related to gender issues?</li> </ul>
Cooperation Activities	Whether the given FTA demonstrates members' commitments to cooperate nationally and internationally on issues relating to women's access to resources, and elimination of barriers to trade and access to education.	<ul> <li>Does the given FTA contain provisions that prescribe cooperation activities aimed at the elimination or reduction of barriers to trade for women, and enhancement of women's empowerment (e.g., cooperation on access to education, access to finance, formation of business networks and others)?</li> <li>Does the given FTA, among its cooperation activities, incorporate women's access to education or skills development?</li> </ul>
Institutional arrangements	Whether the given FTA establishes institutions to implement the commitments or understandings related to gender; these could be in the form of a committee, council, network and/or commission.	<ul> <li>Is there a committee or any other institution to monitor the implementation or operation of gender-focused provisions?</li> <li>Does the agreement define duties, functions, meeting frequency and other organizational requirements of the committee, or any other institution created for the implementation or operation of gender-specific provisions?</li> </ul>
Procedural arrangements	Whether the given FTA establishes procedures to implement the commitments or understandings related to gender; these could be in the form of an action plan, exchange of information, dialogues, studies and/or research.	<ul> <li>Does the agreement create procedural tools to address gender issues, such as action plans, frameworks, dialogues, information exchanges and/or exchange of best practices and experiences, programmes and legislation?</li> <li>Do the members encourage or seek to collaborate on studies, research and/or publications relating to gender and trade?</li> </ul>
Review and funding	Whether the given FTA establishes review and funding mechanisms that are needed to ensure the implementation of the commitments and understandings related to gender.	<ul> <li>Does the agreement contain a provision that requires: (a) the review of the implementation of gender provisions and (b) the assessment of gender impact of the agreement?</li> <li>Have members provided funding or identified measures to finance gender-related plans, processes, institutions, activities and/or other related commitments?</li> </ul>
Settlement of disputes	Whether the given FTA provides a system for the settlement of disputes that arise from gender-related provisions; the methods to settle disputes could include consultations, mediation, arbitration and/or litigation.	<ul> <li>Is there any consultation or discussion mechanism to resolve gender-specific conflicts (excluding the ones arising from cooperation activities)?</li> <li>Are a majority of gender provisions (excluding the ones mentioned in cooperation activities) in the given FTA subject to a dispute settlement mechanism?</li> </ul>

Dimension	Description	Research Questions
Waivers, reservations and exceptions	Whether the given FTA provides for explicit women-favoring exceptions, reservations and waivers; these provisions could be found in the form of a gender exception (drafted along the lines of General Agreement on Tariffs and Trade (GATT) exceptions), supplier diversity programmes favoring supplies from women-owned or womenmanaged businesses, and womenfavoring government procurement arrangements.	<ul> <li>Does the agreement establish an exception referring to gender concerns?</li> <li>Does the agreement contain provisions to encourage industries/enterprises to incorporate minimum standards on corporate social responsibility, explicitly related to gender?</li> </ul>
Minimum legal standards	Whether the given FTA recommends or mandates its members to maintain or ensure minimum legal standards in their domestic laws; these standards could include, inter alia, equal pay, reproductive rights, care work, representation, gender-based anti-discrimination and/or anti-violence policies.	<ul> <li>Does the agreement establish minimum legal standards explicitly related to gender for the countries' respective national or domestic laws?</li> <li>Does the agreement contain provisions to encourage industries/enterprises to incorporate minimum standards on corporate social responsibility, explicitly related to gender?</li> </ul>

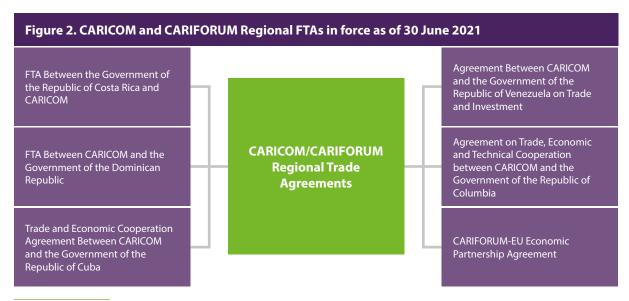
 $\textbf{Source:} \ International\ Trade\ Centre\ (2000).\ \textit{Mainstreaming\ Gender\ in\ Free\ Trade\ Agreements}.\ International\ Trade\ Centre:\ Geneva,\ Switzerland.$ 



# CARICOM AND CARIFORUM TRADE AGREEMENTS

n the Caribbean, unequal rights, responsibilities and opportunities for men and women have contributed to gender inequalities, occupational segregation and gendered divisions of labour in the trade sector. Human talent is the driving force for a country's competitiveness; globally, women make up one half of the workforce.<sup>4</sup> The 2010 World Economic Forum Report and Global Gender Gap Report observed this reality; however, it was not until 2017, that the World Trade Organization (WTO) declared its position on gender and trade.

CARICOM and CARIFORUM currently have seven FTAs, as confirmed by the CARICOM Office of Trade Negotiations. Six (6) of these FTAs are currently in force and one (1) is being applied on a provisional basis. The six (6) FTAs that are currently in force are with the Republic of Colombia, the Republic of Costa Rica, the Government of the Republic of Cuba, the Dominican Republic, the Republic of Venezuela, and the EU and its Members States (**Figure 2**). The CARIFORUM-EU Economic Partnership Agreement (EPA) was signed into effect in October 2008; however, since the United Kingdom's (UK's) withdrawal from the EU this agreement is being renegotiated. In March 2019, CARICOM signed an agreement with the UK (hereinafter referred to as the CARICOM-UK EPA), yet this FTA has yet to come into force.<sup>5</sup>



<sup>4</sup> Hausmann, R., L.D. Tyson & S. Zahidi (2010). The Global Gender Gap Report. 2010 World Economic Forum: Davos, Switzerland.

<sup>5</sup> Retrieved from: <u>CARIFORUM-UK economic partnership agreement – GOV.UK (www.gov.uk)</u>

In April 2021, negotiations on the Post-Cotonou EU/Africa-Caribbean-Pacific Partnership Agreement came to an end. This trade agreement is currently awaiting all parties to complete their respective internal procedures before it enters into force. Although the trade agreement was not assessed as part of this study, a review of the agreement demonstrates a well thought-out process to mainstream gender into the trade agreement. When the EPA between the EU and members of the CARIFORUM of the Organization of African, Caribbean and Pacific States (ACP) comes into force, this agreement will be one of the Caribbean's flagship gender-responsive agreements (hereinafter referred to as the Cotonou Agreement). In its preamble, the Cotonou Agreement reaffirms that "gender equality and empowerment of women and girls are essential to achieving inclusive and sustainable development." Gender equality and women and girls are also mentioned several times in the agreement, and there is a stand-alone article on gender equality in the agreement. These gender components are missing from most of the CARICOM and CARIFORUM FTAs currently in force.

<sup>6</sup> European Commission. (10 June 2021). Press Corner. Retrieved from: New EU/Africa-Caribbean-Pacific Partnership Agreement (europa.eu)

<sup>7</sup> European Commission. (10 June 2021). Press Corner. Retrieved from: New EU/Africa-Caribbean-Pacific Partnership Agreement (europa.eu)

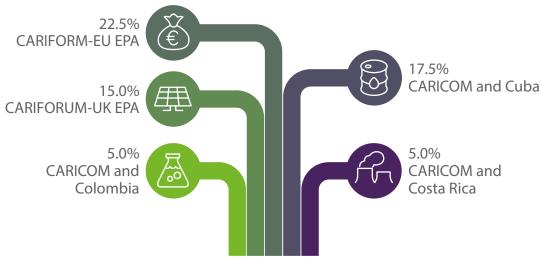


# GENDER-RESPONSIVENESS IN TRADE AGREEMENTS

ach of the FTAs that were reviewed for this analysis were limited in terms of gender-responsiveness, including the CARIFORUM-UK EPA which has been signed, but is not yet in force. These FTAs are either completely or close to being gender-blind or gender-neutral as they fail to mainstream gender concerns. In fact, none of the FTAs have provisions to classify them as evolving or advanced in gender-responsiveness; thus, they scored below 33.33 percent, when the ITC Gender-Responsive Trade Agreement Survey Tool was applied.

The only FTAs that received a score on the ITC Gender-Responsive Trade Agreement Survey Tool included: the CARIFORUM-EU EPA; the CARIFORUM-UK EPA; the Trade and Economic Co-Operation Agreement Between CARICOM and the Government Of The Republic Of Cuba; the Agreement on Trade, Economic and Technical Corporation between CARICOM and the Government of the Republic of Colombia; and the CARICOM-Costa Rica FTA (**Figure 3**). It is notable that each of these FTAs were categorized as having 'limited gender-responsiveness' with an overall maturity score below 33.33 per cent. The CARICOM-Columbia FTA and CARICOM-Venezuela FTA scored zero in all areas; therefore they are not presented in Figure 3.

Figure 3. Regional FTAs that scored above zero for gender-responsiveness



Each of the five abovementioned FTAs include gender-related terms, such as gender, women, female, girl, sex, mother and/or maternity; however, the Trade And Economic Co-Operation Agreement Between CARICOM and the Government of The Republic Of Cuba is the only FTA that includes a gender-related term more than ten (10) times and has a demonstrated commitment to women's empowerment and gender-related issues.

Although the majority of the text in the FTAs have limited descriptions related to the advancement of gender equality, there are opportunities for integrating gender into these agreements. For example, the CARICOM-Costa Rica FTA has provisions in Article 1.107 to "recommend to the Council the establishment of other committees, subcommittees and working groups as they consider necessary to assist the Council." This provision makes it possible for parties to make recommendations for committees that can address gender equality within the implementation of the trade agreement.

Among the ten (10) dimensions of the ITC Gender Responsive Trade Agreement Survey Tool, CARICOM and CARIFORUM regional trade agreements scored on only four (4) of the 10 dimensions – frequency of relevant provisions, location of relevant provisions, affirmations and reaffirmations, and waivers, reservations and exceptions. **Table 2** highlights some qualitative responses related to each of these four (4) dimensions. The substantive gender provisions experienced by CARICOM and CARIFORUM Member States during negotiations of the CARIFORUM-EU EPA and the Cotonou Agreement are excellent examples of gender-responsive agreements negotiated by CARICOM and CARIFORUM.

Table 2. Qualitative	responses to survey questions
Dimension	Qualitative survey responses
Frequency of relevant provisions	<ul> <li>There is no mention of any gender-related term, but there is a mere mention of human rights, social or moral or labor concern that might include issues relating to gender</li> <li>There is: (a) an explicit mention of gender-related terms, or (b) an acknowledgement of the role of women in trade, commerce or economy in general</li> <li>Any of these terms is mentioned less than 10 times in the entire agreement including side instruments, footnotes and/or annexes</li> </ul>
Location of relevant provisions	<ul> <li>There is an explicit mention of gender-specific concerns in the given FTA's preamble, which shows a commitment by members' to address gender inequality and/or promote women's economic empowerment</li> </ul>
Affirmations and reaffirmations	<ul> <li>The agreement shows members' awareness about the importance of incorporating gender perspective into their economic growth and development, policies, programmes, decision- making, policymaking or practices at the national level</li> </ul>
Waivers, reservations and exceptions	<ul> <li>The agreement establishes a general public morals or human rights exception or merely incorporates general exceptions mentioned in the GATT Article XX on General Exceptions<sup>9</sup></li> <li>There is a provision which affirms the importance of corporate social responsibility explicitly related to gender, but it does not contain any expression to encourage its industries and enterprises (subject to its jurisdictions) to incorporate standards of corporate social responsibility explicitly related to gender into their internal policies and practices.</li> </ul>

<sup>8</sup> Organization of American States. (22 May 2021). Foreign Trade Information System: Providing Trade Agreements to Governments and SMEs. Retrieved from: SICE – Free Trade Agreement between CARICOM and the Republic of Costa Rica (oas.org)

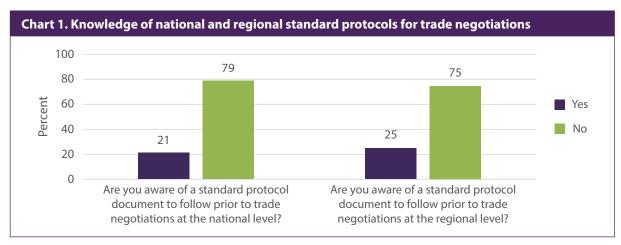
<sup>9</sup> For more information on GATT Article XX on General Exceptions see: GATT-Al-2012-Art20 (wto.org)



# GENDER PROVISIONS IN TRADE AGREEMENTS

o gain insight as to the gender provisions available at the national and CARICOM levels to facilitate the development of gender-responsive trade agreements, a short online survey was conducted with public sector workers responsible for trade and gender. The sample was made up of 24 respondents, including staff from ministries of trade (50 per cent), gender bureaus (33 per cent) and state departments and trade-related institutions (17 per cent) in 14 countries – Antigua and Barbuda, The Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago. The survey was supplemented with focus group discussions with representatives from national trade ministries, national audit offices, national gender bureaus and key regional intuitions.

Survey data revealed the majority of respondents were unaware of a standard protocol to follow prior to trade negotiations at the national and CARICOM levels (**Chart 1**). Qualitative data revealed that although trade practitioners at national and CARICOM levels were unaware of a standard protocol to follow prior to trade negotiations, there were established standard operating procedures (SOPs) that were followed at national and CARICOM levels by trade practitioners and negotiators.



**Source:** Short online survey developed for this study

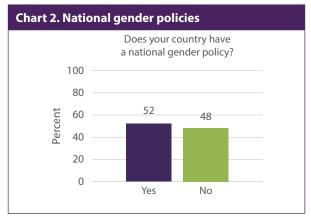
When asked to indicate what processes or protocols exist at the national level to inform negotiations and development of regional trade agreements, 1 in 2 or 50 per cent of respondents indicated, "the Ministry of Trade reviews the agreement and acts accordingly on behalf of the country." This finding demonstrates that there

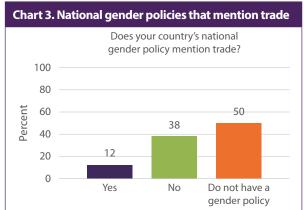
are opportunities to sensitize the public sector on the importance of inclusive and participatory stakeholder engagement for development results.

All CARICOM Member States and Associate Members have signed on to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and are committed to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs). In 2017, some countries – Barbados, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, and Saint Vincent and the Grenadines – signed the multilateral Buenos Aires Declaration on Women and Trade; however, this Declaration did not translate into the negotiation of a gender-responsive FTA when the CARICOM-UK EPA was negotiated and drafted.<sup>10</sup>

At the national level, prior to trade negotiations, consultations are held mainly with the private sector. Information sharing and public education related to agreements are limited to stakeholders identified by the ministry or department responsible for trade. There is very little engagement and collaboration between Trade Ministries/ Departments and Gender Divisions, either at the national and/or regional national levels, to discuss or provide input on mainstreaming gender into trade agreements. Thus, trade and gender practitioners typically do not come together to work on national trade development issues.

Although 52 per cent of CARICOM Member States have a national gender policy (**Chart 2**), only 12 per cent of countries had national gender policies that mentioned trade (**Chart 3**). Countries with a national gender policy include Belize, Dominica, Grenada, Guyana, Haiti, Jamaica and Suriname; yet only Belize and Grenada had national gender policies that mentioned trade. Although regional organizations have developed gender policies, these policies are not reflected in regional trade agreements. The absence of gender specialists and advocates in trade negotiations makes it difficult for trade negotiators to articulate the importance of gender and development issues in trade agreements; this was experienced during negotiations for the EPA among EU and CARIFORUM Member States.





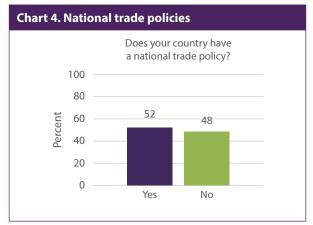
**Source:** Short online survey developed for this study

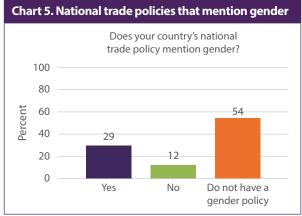
**Source:** Short online survey developed for this study

The same situation was observed when trade policies were examined to determine their gender-responsiveness. Even though 52 per cent of CARICOM Member States indicated having a trade policy (**Chart 4**), only 29 per cent confirmed their trade policy mentioned gender and 14 per cent indicated their national trade policy does not

<sup>10</sup> World Trade Organization (12 December 2017). Buenos Aires Declaration on Women and Trade outlines actions to empower women. Retrieved from: WTO | 2017 News items – Buenos Aires Declaration on women and trade outlines actions to empower women

mention gender. Countries with a national trade policy that mentioned gender were Belize, Guyana, Saint Lucia and Trinidad and Tobago; Haiti and Suriname did not have national trade policies that mentioned gender. It is notable that 54 per cent of CARICOM Member States maintained this question was not applicable, since their country does not have a national trade policy (**Chart 5**); this included Antigua and Barbuda, The Bahamas, Dominica, Grenada, Saint Kitts and Nevis, and Saint Vincent and the Grenadines.





Source: Short online survey developed for this study

Source: Short online survey developed for this study

Despite the fact that 29 per cent of the region's trade policies referred to gender, policy actions could not be translated into practice during the implementation of the trade agreements. This, in part, is because none of the gender bureaus consulted, 11 with the exception of Saint Kitts and Nevis, could confirm being directly engaged by their Trade Ministry/Department to assist in mainstreaming gender into trade policies, or to support the gender components in the implementation of the national trade policies. Saint Kitts and Nevis was the only country that reported being invited to attend meetings, however, follow-up actions were stalled and not much traction had taken place nationally on gender and trade issues.

Both State and non-State actors could not confirm a functioning mechanism at either the national or CARICOM levels to monitor gender in the implementation of trade agreements. The only agreement that has a pseudo monitoring mechanism is the EU-CARIFORUM EPA. The monitoring body is comprised of private sector organizations, non-governmental organizations (NGOs) and academia; however, due to an absence of resources to drive the work of the monitoring body, the group has been unable to function fully or to produce substantive work to monitor and guide the implementation of the FTA. Stakeholders from Belize made mention that in 2021, a National Trade Committee was appointed to guide and monitor national and regional trade related issues; this Committee reportedly includes a gender specialist. Given the National Trade Committee is newly created, observations or evidence of its achievements cannot be provided at this time.

<sup>11</sup> The Bahamas, Belize, Dominica, Saint Lucia, and Saint Vincent and the Grenadines participated in this study's focus group discussions.



# SEX-DISAGGREGATED DATA AND TRADE AGREEMENTS

o understand the nexus between trade and gender, sex-disaggregated data are crucial. It is important to analyse and understand how trade impacts men and women, and how gender-related issues impact men and women in their trade or business. The World Bank and WTO have taken the position that,

"Sex-disaggregated data are necessary to assess how different policies and obstacles affect women and men differently. Although more work and resources are needed to improve data availability for analysis, improved data collection around trade and gender can help policy makers to develop and implement transparent and effective targeted responses and policies."<sup>12</sup>

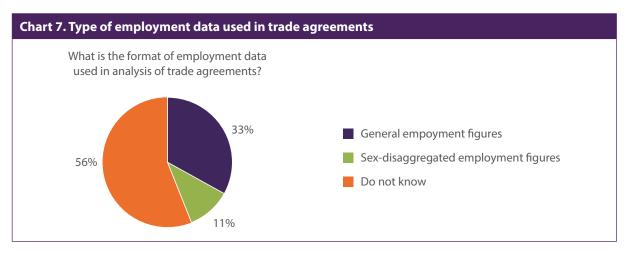
This study found that among the CARICOM Member States that completed the online survey, 46 per cent used general data to inform negotiations for trade agreements and only 8 per cent used sex-disaggregated data (**Chart 6**). Given this finding, one can infer that effective targeted policy and programme responses that meet the needs of men and women who trade are not fully considered or addressed during negotiations of trade agreements. The importance of sex-disaggregated data to trade policy development cannot be over-emphasized. In addition to sex-disaggregated data, other important criteria to consider during any socio-cultural analysis includes socio-economic status, poverty, race and ethnicity, and age, <sup>13</sup> particularly since men and women in the Caribbean are not homogenous groups.



Note: Respondent were able to respond to more than one category Source: Short online survey developed for this study

<sup>12</sup> World Bank and World Trade Organization (2020). Women and Trade: The Role of Trade in Promoting Gender Equality. International Bank for Reconstruction and Development/World Bank and WTO: Washington, DC, USA.

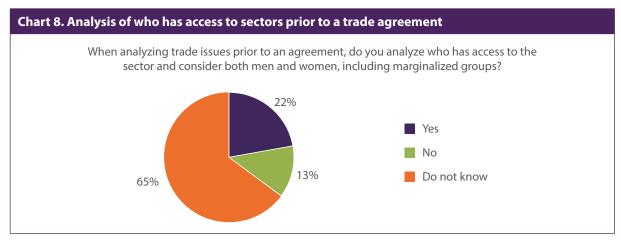
<sup>13</sup> Retrieved from: OSAGI Gender Mainstreaming – Concepts and definitions (un.org)



Source: Short online survey developed for this study

Although 56 per cent of respondents did not know the format of employment data used in the analysis of trade agreements (**Chart 7**), it is imperative that there is awareness as to why sex-disaggregated data are crucial to the work of gender and trade, why sex-disaggregated data should be shared with practitioners and how such data can be used to inform negotiations of trade agreements. It is also important to know who are the producers of key export commodities in all of the trading sectors that will be impacted by trade agreements. This information will help in the implementation of regional trade agreements, including to identify and address barriers and determine what can be done to enhance opportunities for traders.

Sex-disaggregated data on who is employed in key trading sectors will help practitioners analyse who has access to different sectors. In exploring this question, only 22 per cent of respondents confirmed that they analyzed who has access to a sector, when analyzing a sector, whereas 65 per cent of respondents did not know if this level of analysis takes place and 13 per cent reported such analysis does not take place (**Chart 8**). Effective implementation of trade agreements and policy actions at both national and CARICOM levels cannot take place in the absence of disaggregated data.



Source: Short online survey developed for this study

# INTERNATIONAL COMMITMENTS RELEVANT TO GENDER AND TRADE

he work of gender and trade is fundamentally aligned with human rights normative frameworks and principles. All CARICOM Member States have ratified CEDAW, which obliges signatories to eliminate discrimination in political life and to promote gender equality in the workplace by eliminating discrimination against women in employment and the economy. Similarly, the Beijing Declaration and Platform for Action (BPfA), a landmark document for advancing the rights of women and gender equality worldwide, focuses on gender equality and women's empowerment, including in areas of the employment and the economy.

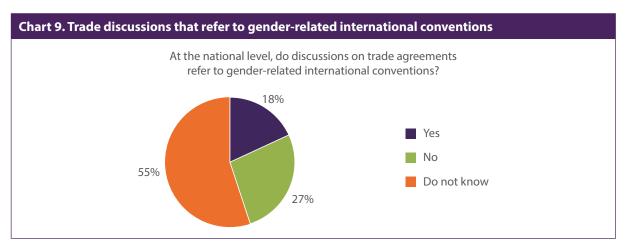
The 2030 Agenda for Sustainable Development and related SDGs that support the advancement of gender and trade-related issues. Gender and trade are addressed in several SDGs (**Figure 4**).



These various international commitments demonstrate a pathway to advance gender equality. In 2003, the United Nations Inter-Agency Network on Women and Gender Equality created a taskforce on gender and trade, and the United Nations Conference on Trade and Development (UNCTAD) was designated to deal with trade, investment and development issues. UNCTAD's goals are to maximize trade, investment and development

opportunities of developing countries, and to assist them in their efforts to integrate into the world economy on an equitable basis.<sup>14</sup>

Provisions exist to support international commitments to gender equality and women's empowerment, and to address issues of gender and trade. The objective is to translate international conventions and agreements into practice at the national level through legislation and policy. In the Caribbean, effort has been made to direct the trade discourse to include issues of gender and to take into consideration gender-relevant international conventions that have been ratified by Member States. It is notable, however, that survey research found that the majority of respondents either do not know (55 per cent) or reported there are no (27 per cent) discussions of gender-related international conventions at the national level when working on trade agreements; only 18 per cent of respondents reported that national level discussions on trade agreements refer to gender-related international conventions (**Chart 9**).



**Source:** Short online survey developed for this study

These findings highlight the urgent need for training on gender and trade, and reveal a real interest in access to training on gender and trade. **Chart 10** shows that as many 85 per cent of respondents reported they are interested in a capacity building course on gender and trade, and 13 per cent were not sure; there were no respondents who were not interested in a capacity building course on gender and trade. A capacity building course on gender and trade should focus on building the capacity to understand issues of gender and trade and international commitments to address gender and trade, and offer evidence-based models and approaches that have proven effective at mainstreaming gender issues into trade agreements.

<sup>14</sup> Retrieved from: Home | UNCTAD



**Source:** Short online survey developed for this study

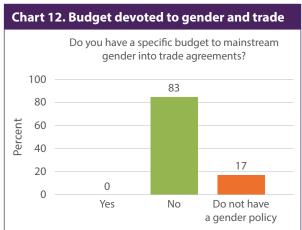


# RESOURCES DEDICATED TO GENDER AND TRADE

n the Caribbean, resources to advance gender and trade have not been reflected in the budgets of stakeholders. Although some stakeholders indicated working on gender issues, the work did not require a specific budget line; moreover, resources have not been earmarked to target gender and trade activities. This financial resource challenge is related, in part, to the human resource challenge, that institutions responsible for trade do not have staff assigned to mainstream gender into trade agreements.

**Chart 11** shows that 83 per cent of institutions sampled reported they do not have staff specifically assigned to mainstream gender into trade agreements. Moreover, **Chart 12** shows that 83 per cent of institutions do not have a specific budget to mainstream gender into trade agreements.





**Source:** Short online survey developed for this study

Source: Short online survey developed for this study

Consultations with gender focal points from some of the institutions discussed other challenges related to mainstreaming gender into trade agreements, including:

- Absence of a database of women-owned businesses.
- Limited gender awareness of senior public sector management and senior trade officials.
- Lack of sex-disaggregated data to assist in analyzing trade issues at the national level.
- Limited capacity building initiatives on trade and gender for both gender and trade focal points.

Similarly, trade focal points at the national level highlighted two key challenges that make mainstreaming gender into trade agreements difficult. This includes a lack of sex-disaggregated data and limited awareness and understanding of gender mainstreaming in trade.

Although 52 per cent of regional stakeholders had a national gender policy (**see Chart 2**) and 52 per cent had a national trade policy (**see Chart 4**), implementation of gender mainstreaming into the trade sector has remained very low. The Civil Society Committee established to monitor the implementation of the CARIFORUM-EU EPA has limited resources, which makes it very difficult for the Committee and national ministries to adequately ensure gender is mainstreamed into the trade agreement. Moreover, there are no statutory bodies at regional or national levels to monitor the application of gender during the implementation of regional FTAs.



## **CONCLUSIONS**

he work of mainstreaming gender into regional trade agreements cannot be seen as an isolated issue to be executed by ministries responsible for trade and gender. This should be a national and regional development priority, as all economies in the Caribbean thrive and trade on various goods and services.

In the Caribbean, commitment to advance gender and trade calls for buy-in and advocacy at the highest levels of government and among practitioners responsible for negotiating trade agreements. This study highlights the fact that there is interest among practitioners in gender and trade sectors to mainstream gender into trade-related issues and to ensure the development of gender-responsive trade agreements.

Steps should be taken to build the capacities of key stakeholders in the gender and trade sectors to work together to develop a multi-year plan for strengthening efforts to mainstream gender into trade at regional and national laws, and to ensure that gender issues are taken into consideration in all trade agreements. Continuous efforts are also needed to enhance data collection systems to systematically collected sex-disaggregated data, and to ensure that financial and human resources are mobilized at the national level to ensure that policies and programmes can effect change and be sustainable.

The ITC offers a checklist of 10 policy recommendations, with model clauses, that policy and trade negotiators can adopt, in part or in full, to increase the gender-responsiveness of trade agreements in negotiation and renegotiation (**Figure 5**).

Figure 5. Ten policy recommendations to increase gender-responsiveness in FTAs Highlight Include Set up gender Offer Consider a access to skill minimum legal gender-focused committees for enforcement development standards exception monitoring remedies Craft a Encourage Explore Encourage Provide a binding gender-explicit and compulsory research and reservations, corporate social preamble impact waivers and dispute settlement responsibility mechanism assessment exemptions

Source: International Trade Centre (2020). Mainstreaming Gender in Free Trade Agreements. ITC: Geneva Switzerland.

The ITC report on *Mainstreaming Gender in Free Trade Agreements*<sup>15</sup> is a useful resource that policymakers and trade negotiators can use to mainstream gender in FTAs. The ITC report provides practical guidance and tools that can be used to assess gender-responsiveness of trade agreements and create a roadmap for drafting gender-responsive FTAs. Increasing gender-responsiveness of trade agreements will serve to promote gender equality and decent work, sustainability and economic growth.

<sup>15</sup> International Trade Centre (2020). Mainstreaming Gender in Free Trade Agreements. International Trade Centre: Geneva Switzerland, p. xii. Retrieved on 29 July 2021 from: ITC Mainstream Gender FTA 20200707 web.pdf (intracen.org)



# **RECOMMENDATIONS**

■ he recommendations outlined below are designed to guide regional institutions, particularly CARICOM and CARIFORUM Member States and civil society organizations (CSOs), to enhance the development of gender-responsive trade agreements and their implementation at regional and national levels.

Recommendations	Actions to be taken by CARICOM and CARIFORUM Member States	Actions to be taken by Regional Organizations	Actions to be taken by CSOs
To facilitate the mainstreaming of gender in FTAs, key institutions at national and CARICOM levels with responsibilities for trade and gender should work together. To this end, gender focal points should be included in all trade discussions at both national and CARICOM levels.	$\checkmark$	✓	
Technical staff acknowledged in the survey their limitations to develop gender-responsive FTAs; thus, capacity building of national staff with responsibilities for trade and gender will enhance the development of gender-responsive FTAs in CARICOM and CARIFORUM regions.	✓	✓	
The emergence of gender-responsive FTAs in CARICOM and CARIFORUM regions will require an appreciation of this need by the highest-level decision-makers. To this end, ensure training on gender and trade is given at the highest CARICOM and CARIFORUM levels to gain buy-in and facilitate the political will to advance gender equality in trade-related matters.	✓	✓	
A gender analysis of trade sectors requires data. Data on employment should be disaggregated by sex, age, locality (rural/urban) and more. In addition, data on gender dynamics prevalent in the society and labour market should be collected and analyzed. Thus, ministries responsible for labour, statistics and gender must generate disaggregated data on primary national trading sectors for both the formal and informal economy.	✓	✓	

Recommendations	Actions to be taken by CARICOM and CARIFORUM Member States	Actions to be taken by Regional Organizations	Actions to be taken by CSOs
Stakeholders had limited information on FTAs that their countries had signed on to and there was very limited awareness in the public domain when negotiations were taking place. To this end, a comprehensive communication strategy needs to be developed for ministries responsible for trade to enhance their engagement with the citizenry, prior to the negotiation of a trade agreement, to ensure that no one is left behind.	✓	✓	✓
Entry points to advance mainstreaming of gender into FTAs that are in force will be to implement the provisions made in the agreements for the establishment of committees. To this end, Gender Committees can be established to monitor and make recommendations for gender mainstreaming in FTAs that are in force. These Gender Committees should include CSOs.	✓	✓	✓
To enhance CSOs' contribution to support national and regional development, a cadre of CSOs in the region should be trained in gender and trade, this will allow for more persons to support the committees that will be established.	✓	✓	✓
In order to capture and address gender-related issues during trade consultations, Ministries of Trade must collaborate with the national gender bureaus when consultations are taking place at the national level.	✓	✓	
To support the development, implementation and monitoring of gender-responsive FTAs, adequate resources are urgently needed; this includes both human and financial resources.	✓	✓	
Due to the limited gender-responsiveness of FTAs currently in force, further research is needed on the impact of gender on regional FTAs, and can also assess the implications for youth – both male and female youth. This will help national and regional stakeholders to make informed decisions when FTAs are reviewed.	✓	✓	
Since all FTAs in force in CARICOM and CARIFORUM regions have limited gender considerations, the establishment of a working group at CARICOM and CARIFORUM levels to develop gender equality recommendations for all CARICOM and CARIFORUM FTAs in force will assist in advancing gender equality in the region.	✓	✓	✓
In the absence of monitoring mechanisms, the application of gender recommendations are challenged; thus, establishing national and regional monitoring mechanisms will assist in the advancement of gender equality.	✓	✓	✓

Recommendations	Actions to be taken by CARICOM and CARIFORUM Member States	Actions to be taken by Regional Organizations	Actions to be taken by CSOs
The development and implementation of gender- responsive FTAs requires advocates. To this end, empower women in trade by building their capacities to excel and give them a seat at the table when discussions and decisions on trade are being made. Also, support male champions to advocate for gender-responsive FTAs.	✓	✓	✓
Due to the limited role that gender plays in all CARICOM and CARIFORUM FTAs that are in force, a review of CARICOM and CARIFORUM agreements to include a chapter or article(s) specific to gender, and resources for monitoring and guiding their implementation will advance gender equality in the CARICOM and CARIFORUM regions.	✓	✓	
Commission a gendered analysis of the export of goods and services at the national level. Such a study will assist both trade and gender arms of the government to develop plans to mainstream gender into trade issues. Part of the analysis should be a reflection on the vital role of gender in trade and the cost implications when a gendered perspective is not integrated.	✓	✓	
Following capacity building of trade ministries and commissions, gender should be mainstreamed into national development plans and trade policies.	✓	✓	
Create an enabling environment for CARICOM and CARIFORUM Member States to articulate concerns and priority areas, and converge for action on regional trade agreements.	✓	✓	
Work with youth and education institutions to create an awareness on gender and trade issues, and work closely with schools to address the occupational segregation that exists in the labour market.	✓	✓	✓



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