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Background Notes to the Statement of Dr. Mariama Williams, the International Gender and Trade Network, Development Alternatives with Women for a New Era (DAWN) and the Center of Concern, to the Enquete-Commission of the German Parliament, “Globalisation of the World Economy - Challenges and Responses”

(Revised)

Public Hearing on the issues of “**Globalisation and Gender**”

Monday, 18 February 2002, Reichstag Building Plenary Area, Berlin

Good Morning Members of Parliament, other officials of the German Government, Members of the General Public, other Guests and Members of the Enquete Commission. I would like to thank you for inviting me as a representative of the International Gender and Trade Network, Development Alternative With Women for a New Era, DAWN, and the Center of Concern to dialogue with you on this very important topic of Globalisation and Gender. All three of the organisations with which I am associated have many years of experience working for social, economic and gender justice in the international economy.

Germany as a nation and as a Member of the EU plays a significant role in the design, formulation and implementation of international economic policy. Through its own relative economic power, its membership in the G-8, the World Trade Organization, the International Monetary Fund, the World Bank, its contribution to the United Nations Conference on Trade and Development, UNCTAD, its voice in the UN and other multilateral, plurilateral, regional and bilateral forums, Germany is important both in determining the substantive issues of the development co-operation, trade and macroeconomic policy agendas, as well as, in helping to shape the contours of such policy shifts.

My specific topic is the area of international trade and its particular impact on women and women's concerns with trade policies and practices.

I would like to make five summary points that I will develop below.

1. The first is what DAWN refers to as "dissonance in the 'free' trade mantra" that is despite the loud protestations about the benefits of free trade/trade liberalisation, the empirical reality is that the rich countries protect their vulnerable and traditional sectors (agriculture and clothing and textiles etc.) by a host of protective devices include anti-dumping actions, Sanitary and Phyto-Sanitary (SPS) and technical barriers to trade (TBT) measures, subsidies and quotas.

Just a few examples will suffice to make the point:

In the area of agriculture/Agreement on agriculture:¹

- The EU final binding for the year 2000 was almost two-thirds above the actual tariff equivalent for 1988-93
- The US is three-fourths higher and the US has tripled its farm budget since 1997.

In the area of textile and clothing, though the implementation period is about fifty per cent over:

- only 33% of trade in Clothing and textiles sectors has been integrated by the Quad (the U.S., the EU, Canada and Japan) importing countries

¹ Data is from ESCAP, SEATINI Bulletin (Southern and Eastern African Trade, Information and Negotiation Initiative, various issues Vol3, 14, July 2000, and SUNS (South-North Development Monitor) various issues 4701-4735, 2000.

- It is mostly products not under quota that have been liberalised; only a few of the South's export items have been taken off the quota list

Canada has removed only about 29 of 295 restraint products

The EU 14 out of 219 (equivalent to less than 5% of EU textiles imports under quota

The US 13 out of 750 (roughly equivalent to 6% of US imports under quota

Elsewhere, these same governments have also taken proactive measures, such as the Trade Related Intellectual Property Rights and certain provisions with the General Agreement on Services of the WTO, to protect their emerging industries of services and information technologies. At the same time, the institutional framework of trade governance promotes trade liberalisation at all cost by instituting a set of rules that straight-jackets the developing countries and prohibits them from utilising tools that were critical to the development and continued growth dynamics of the rich countries. Thus the burden of liberalisation is shunted to the poorer developing countries.

2. In this context, trade liberalisation has become an ever-expanding perspective and end in itself. It is therefore not qualified or conditioned by anything outside itself, not even by an **economic development reality**. Thus there is a tendency towards an ever-expanding and all pervasive trade liberalisation agenda such that the trading system is appropriating everything to itself and under its umbrella, both at the regional and at multilateral levels. Thus trade rules and the multilateral trading system designed to enforce them are no longer confined to the foreign and commercial policy dimension of a country's economy, rather a kind of 'trade consciousness' pervades and permeates all other economic and social policies as well as domestic regulations.

Architects of the Multilateral Trading System, operating vis the World Trade Organization, have the tendency of identifying broad areas of economic and other activities (such as investment, government procurement, the environment etc.) either explicitly or implicitly as 'trade related'. Those activities and areas that are held to have a constraining influence on the growth of trade and or limit the activities of key trading actors, in most cases, multinational corporations, are seen as impurities, and technically labelled as, 'trade distortions.'

3. The international trade agenda is a critical lever for globalisation. It is alarmingly moving beyond the traditional areas of market access (tariffs and non-tariff barriers) on goods to services, investment, intellectual property rights, to encroach on areas that are critical to the day to day lives of children, men and women world-wide.

3b. The scope and depth of the arrangements impacts a wide range of economic activities and hence have significant implication for labour markets, household income, livelihood, the availability of critical variables such as public and social services: education, health care, and potentially even the access and availability of water.

4. Global competitiveness has been predicated on the absorption of female labour both in the formal economy and in the informal economies of the world. In the formal labour markets women have dominated in the labour intensive sectors such as in export processing zones. WTO process may further reinforce the reliance and exploitation of cheap female labour.

5. Untempered trade liberalisation, not only runs the risk of further marginalising women from key activities in the national economy but may itself engender significant violations of women's social and economic rights. When liberalisation proceeds without paying necessary attention to social and economic costs, it reduces people's ability to secure basic food, clothes and shelter. Without basic necessity to ensure a dignified life some people may be forced to make 'trades of desperation' such as tacit participation in the abuse of their children who labour under abhorrent working conditions in whatever paying production activity is available; or the parents, themselves, may have to accept conditions that abuse and humiliate them.

I will now try to more fully develop these points by tailoring the rest of my statement to some of the specific guideline questions posed by the Commission.

1. What are the most important gender specific topics with regard to trade agreement and free trade?

Very crudely, these are food, water, health and education, access to, ownership and control of income and resources. The first four are critical for sustaining life; but they are increasingly dependent upon changes and shifts in the social and economic environment that impacts women's access to income and resources such as physical assets (land), credit and technical assistance. All of these variables are significantly impacted by trade agreements on agriculture, services and investment. They will also be impacted by concerted push by certain rich countries to extend multilateral trade governance to competition policy, government procurement and a multilateral investment agreement.

Firstly, the starting point for understanding women's role and concerns about globalisation and the impact of trade liberalisation must be women's **unpaid labour**. For it is women's unpaid, undervalued and unrecognised labour in social reproduction--the production and maintenance of labour, the care of the elderly, nurturing of the sick, and the maintenance of community via volunteer activities, etc., --that is the lifeblood of all economies. In other words, women's labour in the household and community care giving is central to the process of accumulation and along with natural resources are the effective ingredients in the so-called "magic" of the market.

Second, there must be the explicit recognition that women more often than men:

- Face a coercive and oppressive gender division of labour
- Lack of access to and control over private assets and resource
- Have greater need for access to public services
- Generally may not have control over labour and income

Generally may not have control over their bodies
 Generally may lack access to and control over physical space
 Lack access to and control over political intangible resource—information, influence
 Lack access to and control over productive resources: land, equipment/credit and housing

Thirdly, trade liberalisation agreement involves both measures, rules and practices that promote import liberalisation and export promotion. Both sides of these agreements have different implications for women as the primary caretakers of household, family and community. They impact very directly and in different ways from men, women's time burden, nutritional status, health/morbidity and potential for social and economic advancement.

Let's take the case of import liberalisation

Trade expansion in many developing countries has been driven by import growth². Undoubtedly, some of these effects such as the availability of cheaper food and household goods will be positive. But some of the effect will be negative or contradictory for different households within the same economy. For example, while cheaper goods may help some households, it may also cause disruption in the daily lives of others. This result is likely to occur if cheaper food items displace local production, which were important sources of livelihood for some households. This may threaten the livelihood of some women and loss of traditional market domain such as vegetable and food production, marketing and distribution.

The budgetary implications of trade liberalisation are another rich area for teasing out the link between gender and trade. The revenue impact of tariff elimination or reduction is likely to have pronounced effect on the allocation of public expenditures. This will impact the flow of resources and the provision of basic social services. Gender issues arise in terms of where does the resources go. Is it into industries or sectors dominated by men or women? Which business sectors or groups are supported? Which sector suffers the most from changes in government spending as a result of loss of tariff revenues and what are the implications at the level of the household?

The case of export promotion

Trade rules which focus on export promotion by altering domestic regulations and forcing factor re-allocation may also affect women's access and control over resources such as land, credit and technical assistance. A case in point is the shift from food production to cash crop production, which puts pressure on the transformation of the use of land towards the cash crop sectors and away from women's traditional domain.

² UNCTAD Trade and Development Report 1999 provides evidence that rapid trade liberalisation led to trade deficit in the South as exports stayed flat or did not keep pace with rising imports. Thus the average trade deficit of the South is higher by 3% more than the 1970s and the average growth rate is lower by 2% (p. vi).

It is assumed that trade rules and policies have their primary impact only at the level of the formal economy hence not much attention is paid to the how the implementation of trade rules impact the informal economy. However, the expansion of export production, in particular, in manufacturing, as been associated with expansion of informal sector activities and homeworking, drawing directly on women's labour.

Even when trade agreements create jobs for women there is bound to be some direct impact on unpaid work. It cannot be assumed that because women may find work in the Export Processing Zones or in commercial agricultural production that their time spent on unpaid work will be decreased.

Whether current trade liberalisation regime is good or bad for women, as a group, relative to men is still a matter of debate. Some studies posit a pronouncedly positive effect of trade liberalisation on women in terms of increased employment. But other studies argue in terms of strong negative impact on women in terms of increasing social reproduction role, even as their labour market roles expand, health hazard of the employment create an the long term sustainability of wages and income; and the reinforcement of gender segregation and gender-typing of occupations and industries in which "women's jobs" have lower pay and less secure tenure than "men's jobs." .

It might be the case that trade liberalisation leads to less than desirable outcome for both women and men when it is untempered by social and human development consider. More specifically for women, the results may not be necessarily beneficial when women's specific needs and concerns are not factored into trade policies. These include corrective measure (such as improved access to credit and technical assistance etc.) to cover the special disadvantages that women may face that blocks their ability to take advantage of opportunities unleashed by trade liberalisation. But this must be in the context of balance and equitable trade rules that are biased in favour of sustainable, social and gender equity based development.

II. What are the most important items on the WTO agenda from a gender perspective? Why are these gender-specific? What roles do issues such as agriculture, GATS, TRIPS or TRIMs play?

Agreement on Agriculture (AOA)

The critical areas of concerns within the debate on agricultural liberalisation from a gender perspective are food security, food sovereignty and sustainable livelihood.

Traditionally, women have dominated food production in many developing countries. But they are increasingly losing ground to the encroachment of cheap food imports from the North. This puts a downward pressure on farm gate prices and along with the removal of subsidies creates extreme hardship for women farmers as well as women in their roles as provider of family well being. In these case women must increased time spent in home food processing since there is

inadequate income to purchase foodstuff on the market. Food security is intertwined with the loss of domestic agricultural production with impacts for nutrition and caloric intake of rural families. Loss of sustainable livelihood is linked to import penetration and the loss of preference in the international agricultural markets. Evidence of this in the WTO-EU US Banana dispute, and the impact of EU, US and Canada imports on the livelihood of African, Asian and Caribbean women farmers in vegetable and dairy sectors.

The AOA imposes conditions on domestic subsidy and domestic support for agricultural production. The impact of this will be disproportionately negative on women food producers, especially as there is no commensurate decline in such supports for corporate agriculture in the north. In addition, women farmers require such support for access to technology, adequate transportation and storage system for their outputs.

The provision on reducing domestic support to agriculture will present problems for small farmers and women farmers who rely on such kinds of assistance from governments, where such support is offered. What is needed is more support for women and other small farmers not less.

In addition, the privatisation and transformation of land to cash crop export agriculture is affecting women's access to and land tenure in many countries. The increasing role of multinational corporations in food and agriculture is also creating serious survival and sustainable livelihood issues for women farmers and women in family farming entities.

Finally, the implementation of AOA is likely to promote not stop the increasing corporatization of agriculture. Investment screen is a possible remedy in this regard. But this is greatly affected by the agreement on trade related investment (TRIMS) and may be totally eliminated by future investment agreement.

The General Agreement in Trade and Services (GATS)

The critical concerns regarding the liberalisation of services from a gender perspective are the impact on the access and availability of public services, such as health care and education, and natural resources such as water and energy. Other pressing concerns includes the impact on government's ability to regulate the quality of health care and the nature of the employment of women in the growing service sector. What are the conditions of work are they significantly different from those in the manufacturing export processing sectors and how sustainable are the employment, wages and incomes for women workers versus male workers?

The GATS covers 'any service except those services supplied in the exercise of government authority (Article 1). But Article 1:3(c) clarifies 'governmental authority' as 'any service which is supplied neither on a **commercial basis** nor in **competition** with one or more service supplier.' Thus pretty much all services with the exception of the

military (and, central banking, social security and 'the provision of service of trade negotiators) are subject to liberalisation.

The GATS sets rules on how countries treat foreign service providers and seek to eliminate 'all measures affecting trade in services (including government laws, policy and regulatory and administrative rules such as grants, subsidies, licensing standards and qualifications, limitation on market access, food safety rules, economic needs texts and local content provision, nationality requirements, residency requirements, technology transfer requirement, restriction on ownership of property or land; and tax measures which affect the foreign provision of services).

Liberalisation of services and its necessary precursor, privatisation, have strong implications for women, who, current data show, have less access than men to health, education and basic social services due to time, social or financial constraints. Women, due to their responsibilities for the household, have a high dependency on access to clean sanitation, portable water, good roads and transport. Research shows that in many countries women and children shoulder the main responsibility for collecting, storing and distributing essential goods, such as water and fuel, within the family and community. Lack of easy access, therefore, imposes a tremendous burden on women's time and their health, as they are often required to expend substantial amounts of time and energy in meeting these responsibilities. It is now recognised that women are likely to be over-represented among those suffering from untreated injuries/diseases, malnutrition/hunger, and illiteracy/ innumeracy. Trade reforms/trade liberalisation policy that do not take these factors into account are unlikely to yield much benefit to women in their multiple roles as caregivers, household workers, entrepreneurs, farmers and workers in the informal and formal sectors of the economy. Trade liberalisation/trade reform needs to be aware of, and sensitive to, these issues, as well as be complemented by similarly gender-aware social and labour market policies.

There is presumably great potential for employment for women in modern business services such as finance and software. But women also seem to predominate in the lower rungs of this sector. Women also still continue to dominate in low wage, benefit scarce traditional services (helpers, cleaners, waitress and sales persons and data processing).

Women in their social reproduction role will be greatly affected by lack of access to and affordability of privatised and liberalised social and basic services such as water and health care. While GATS is not an explicitly a privatisation agreement it is undeniable that in order for a service to be liberalised it must be first privatised. The privatisation agenda is carried out through the IMF and World Bank's programme. Evidence from Bolivia (privatisation of water) shows that privatisation dramatically increases the cost of water and reduce the access of the poor.

Trade Related Intellectual Property Rights Agreement (TRIPS)

In the area of the increasing privatisation and monopolisation of knowledge being implemented under the TRIPs agreement there are significant gender implications which

cris-crosses with the areas of agriculture, investment and services. The most obvious and well discussed are the implications for public health. With the HIV/AIDS dimension being the most popular. However, less attention has been paid to enlarging the framework of public health (within the TRIPS discussion) to include reproductive health and the drugs needed for reproductive related illness. Likewise, less public debate has also occurred on the impact of TRIPS on agriculture, food security and women's role in developing, transmitting traditional knowledge in health care, medicines and agriculture.

Patents and protection for plant varieties in agriculture have implications for **1)** biodiversity; **2)** genetic resources; and **3)** traditional (or indigenous) knowledge. These three factors in turn influence and determine to a large extent: *i)* livelihoods, *ii)* food security, *iii)* nutrition, and *iv)* technological transfer, thus affecting the future growth, productivity and competitiveness of the agricultural sector, as a whole, and the welfare of vulnerable groups in that sector - of which women are the most significant number. In the context of IPR/TRIPS implementation, a key concern is the continued viability of rural development, which is the base for income and sustainable livelihoods for small farmers, many of the most disadvantaged of whom are women.

Patents on seed and microorganisms such as algae, bacteria and fungi increase the cost of seed and fertilisers. Increasingly, many of the inputs needed for farming must be obtained in the market. Patents and more expansive breeder rights encourage restriction on the exchange, use or sale of seeds by farmers. This puts resource poor farmers, many of whom are women, at a severe disadvantage. Given existing disparities between women and men's access to cash and credit, which are necessary to facilitate the purchase of fertiliser and seed, women farmers tend to have a higher risk of falling into chronic indebtedness. Male farmers, as a group, tend to have greater access to cash and credit.

In the context of women's already weak or non-existent ownership and insecurity of land tenure, the rising expenses of farming is likely to severely compromise the livelihood of women farmers and increase their marginalisation and impoverishment.

Trade-related Investment Measures (TRIMs)

Gender concerns arise in the discussion of investment and trade liberalisation in many dimensions. Some of the most important dimensions include, the quantity and quality of male female employment, the impact of foreign investment on the nature, size and growth potential of women owned and operated small and medium sized firms in host countries, and the implications for women's health and morbidity of a rapidly accelerating climate of extreme de-regulation of foreign direct investment.

Currently, even the limited scope of the TRIMS in WTO agreements severely constrains the ability of government to regulate foreign investment in order to promote development. This is because of the prohibition against traditional and useful tools such as domestic or local content requirements on labour and inputs into the production process. With a greatly extended agreement investment agreement, government would have to change tax and company laws to remove existing favourable treatments to local investors and to create favourable conditions for foreign investors (South Centre 1999).

Governments would no longer be able to plan the sector(s) in which they would like to have foreign investment or circumscribe the extent of foreign investment in particular areas of the economy. Furthermore, the inability to give preference or protection to local investors, firms or farmers as well as the size and scope foreign investment may easily destroy local producers and markets. Since women owned businesses tend to dominate the micro and small business sector, there is likely to be significant adverse impacts if preferential or 'set aside' programs are abandoned where they were in effect and or governments who planned to initiate such programs as part of their gender mainstreaming and gender equity promotions commitment, are deterred from instituting such programs or policies due to fear of challenges 'trade distortion' from foreign firms.

3.What role do core labour standards play in improving the economic and social situation of women in Newly Industrialised and developing countries?

Gender equality concerns also arise in the discussion of labour standards in the multilateral trading system. Undeniably, women are increasingly at high risks for working in highly exploitative and extremely unsafe and hazardous working conditions. Yet the set of ILO core labour standards³ which is at centre of the debate does not pay attention to the fact that women workers face particular gender-related problems such as maternity and paternity leave, non-discrimination in the workplace, freedom from sexual harassment and sexual discrimination, reproductive rights, and access to childcare. A gender approach to the issue of exploitation and unfair treatment of labour in the global economy should focus attention also on the gender based constraints that women workers face such as menstruation leave, breast feeding times, negotiations on equal skill and knowledge for women and men workers; gender sensitivity training for men and women, women's leadership development and family welfare which women workers consider as basic workers' rights.

Furthermore, labour standards will not obviate the 'problems with regulating women's work that is hidden in the home or small sweatshops and informal sectors where labour standards are lowest (Hale 1996). Labour standards also do not address the wider issues such as unpaid work, property rights and access to education (Fontana et al 1998).

Summary and Recommendations

Gender biases in social and employment relations and gender inequalities in ownership, control and access to economic resources such as land, credit, and technical assistance play an important role in the multilateral trade system to the detriment of women. However, the existence of these biases and constraints do not seem to play a significant

³ [These generally include the core set of seven ILO conventions which have been most highly ratified by ILO Members: \(i\) freedom of association \(87, 1948\); \(ii\) Effective recognition of the right to collective bargaining \(98, 1949\); \(iii\) Suppression of all forms of forced \(29, 1930\) or \(iv\) Compulsory labour \(105, 1957\); \(v\) the effective abolition of child labour \[minimum age for employment\] \(138, 1973\); \(vi\) Combating discrimination in employment and occupation in all its forms \(111, 1958\); and \(vii\) Remuneration for work of equal value \(100, 1951\)](#)

role in the formulation of trade negotiation positions and trade policy. At the same time, trade expansion and trade intensification as promoted by the structural adjustment and other programs of the World Bank and the IMF, and the trade liberalisation agenda of the World Trade Organization rely explicitly on the incorporation of women's labour both in the formal and informal sectors of the economy. In addition, the cost of adjusting to the consequence of trade liberalisation (such as cuts in public services due to budget shortfall from the reduction of trade tariffs) are disproportionately borne by women. Overall, liberalisation and the economic adjustment it engenders or which accompanies it often leads to the intensification of women's care activities.

Thus from a gender perspective what is important is that trade policies, programs and mechanisms promote sustainable human development, values and enhances social policy which protects the poor and promotes the economic and social advancement of women and men; take difference in country needs, nature and scope of business size, activities, constraints and ability to compete, in consideration; and recognise and develop mechanisms and processes that seek to overcome the special constraints that women faces in the economy due to gender biases and gender inequality.

There is therefore need for an integrated framework for sustainable gender sensitive human development. Thus trade policy must be examined in the context of all other macro-level policies. In this context trade policy should be one of many instruments (along with industrial policy, fiscal and monetary policies etc) aimed at promoting gender equality, sustainable economic development, poverty eradication and the improvement in the standard of living of all citizens.

Trade rules should be constrained and bound by existing international agreements that promote human rights and women's rights, ecological sustainability, human dignity and life. There should be fairness, transparency, democracy and participation by civil society in WTO system and processes including rule-making, negotiations, monitoring and dispute settlements.

General recommendations regarding WTO agreements.

Gender and trade advocates globally have advocated for the following three broad activities in the area of institutionalising gender and trade within a balanced, fair, transparent and democratic policy framework of the multilateral trading system:

- An independent focal point should be established to monitor the coherence and contradiction between the policies and practices of the WTO, IMF, and World Bank with regard to the programs and operations of specialised UN agencies such as FAO, World Food Programme, WHO etc. It should also work to ensure that the emerging cross-conditionalities between the IFIs and the WTO system do not expand the power of international trade institutions above internationally agreed instruments and conventions such as the Universal Declaration of Human rights, CEDAW etc.

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- The integration of gender perspectives and analyses in national, regional and multilateral trade agreements, policies and practices.
- Gender impact assessment should be undertaken for all trade agreements both those occurring at the multilateral, regional, national and bilateral levels. At the current time many women's group and social actors are working on developing methodologies for carrying out such assessment. This work needs to be supported and promoted by governments in the north and the south. Gender impact analysis of trade agreements should be a vital component of social and sustainable development framework.
- Resources and training for the collection and analysis of gender disaggregated trade and trade related data. Formal channels for such endeavour could be bilateral support or multilateral support for institutional mechanism for developing such program(s) through UNIFEM, INSTRAW, UNDP or the NGO community.
- The integration of gender equality outcomes and gender mainstreaming goals and commitments into trade and other macroeconomic policies.

With regard to the specific areas of the WTO trade agenda

AOA

Key areas of concerns from a gender perspective: food security, food sovereignty, rural development and sustainable livelihood.

Recommendations: Support for development and food security boxes within the AOA framework. But within in the development of these boxes specially measures must be developed to meet the concerns of women farmers and attention need to be paid and remedied developed to address the inter-sectionality of the intellectual property regimes on agricultural production and outcome and the gendered nature of such outcomes

Food security (accessibility, affordability and adequate nutrition)

- Food products in countries in the South should be excluded from the discipline of import control and domestic support. Food security should be seen as a 'right' and measures to secure this right should be internationally guaranteed. Food aid cannot be a substitute for food self-sufficiency.

- International trade agreements on agriculture should take into consideration the particular situation of women farmers in the South, who do not participate in commercial ventures but engage in farming for food self-sufficiency, as a family activity passed down from generation to generation. Small-hold farmers in the South are not able to compete and meet the obligations of international competition. Large-scale international commercial farmers pose a threat to them and to rural livelihoods as such.
- Women farmers and smallholders should be protected, to avoid unemployment, poverty and food insecurity. A clear distinction between the production of staple food crops for domestic consumption and the production of other crops for exports should be drawn.
- Countries should plan and budget for food, just as they do for national security.

GATS

Key areas of concerns from a gender perspective: access to essential health care and essential services; access to natural resources such as water, fuel and energy.

Recommendations: specific measures to protect the access of the poor to public services and natural resources such as water. Gender and pro poverty eradicating biases impact assessment of the current GATS implementation, privatisation as well as the ongoing GATS negotiation. Global mechanisms to protect and ensure access and distribution rights of water and other related basic necessities of life.

TRIPS

Key areas of concerns from a gender perspective: public health/access to medicine including for reproductive health. Access to genetic resources for women and men; transfer of technology for women and men; protection and enhancement of traditional knowledge of women and men.

Recommendations. Legally binding provisions for ensuring access to essential medicine through compulsory licensing and parallel importing of medicine and food when and where needed. Gender and social impact assessment of patenting application and changes in patent regime before they are approved or amended. Legally binding gender sensitive mechanism for protecting and enhancing the continued viability of traditional knowledge. Support for the African Union position on TRIPS.

TRIMS

Key areas of concerns from a gender perspective: the survival and long term growth and prosperity of women owned small and medium sized businesses; the quantity and quality of the male and female employment in export enclave sector; the overall development friendliness/promoting impact of foreign investment.

Recommendations: developing countries be granted the right to develop and implement gender sensitive and pro development targets and requirements for foreign direct

investors; the right to use gender equality and pro poverty eradicating investment screens. Technical assistance for capital upgrading and technological improvement in the small business sector that is also gender aware and gender sensitive to the priorities and concerns of women owned business.

Labour rights

Key areas of concerns from a gender perspective: the abuse of women workers in homebased production and informal sector linked to industrial agriculture, manufacturing and service activities globally. Recognition of the specific needs of women workers in EPZs and industrial agriculture.

Recommendations: Legally binding and enforceable corporate code of conducts for Transnational corporations that covers not only their operation in EPZs and other such export enclaves but also hold them accountable for their subcontracting relations. Promotion of regional social protection fund for informal sector workers. Emphasis on promoting ensuring cultural, economic and social rights by state actors and private actors, including the financial market and transnational corporations. Strengthening of the ILO.

Recommendation regarding the interlinkage between trade liberalisation and development co-operation.

Employment and access to paid employment should be used as one of a range of measures of, and tools for, good gender sensitive trade liberalisation practices. Good practice that will promote benefits for women from trade liberalisation policy must start with a trade and development co-operation policies that are oriented towards poverty elimination and the promotion of gender equality as explicit objectives.

Thus both trade policy and development co-operation policies must be centred in a gender aware model of the economy, one that specifically incorporates the reproductive and informal sectors of the economy (high levels of unpaid work undertaken by women in fulfilling responsibilities within the household/community as mothers/wives etc.). This means that attention must be paid to the institutional factors that affect the supply of, and demand for, women's and men's labour. These would include:

- **Men's and women's time allocation** on productive (commercial or subsistence agriculture or formal employment) and reproductive (household/family and community) activities.
- **Women's bargaining power and control of household resources:** land and income.

Recognising and taking action to mitigate the fact that the economic activities of women are constrained by technological disparities - women and men have different access to use and control of technology, including equipment and machines; **factor market rigidity** - gender bias in the labour market that restricts women to particular job types and classifications, resulting in women dominating traditionally female work areas such as clerical work, nursing, etc.; **information bias** - greater information such as agriculture extension techniques, credit etc. is given to/accessible by men; and the **inter-**

sectoral mobility of resources - it is usually more difficult for women to move their activities/livelihoods between sectors such as agriculture and manufacturing.

- Enhancing women's skills/productivity and ability to compete in the global markets (also linked to the issue of gender-based occupational segregation where women are restricted to usually low skilled jobs): the areas in which women dominate are likely to be the areas of most intensified global competition (textiles, garments, agriculture). These are also areas experiencing rapid technological advances. Unfortunately, due to social and structural biases that limit their access to education, skills training and technology, women find it difficult to maintain or increase their productivity.

UN MANDATES RELATED TO MULTILATERAL AND REGIONAL TRADING ARRANGEMENTS

The **Beijing+5** document adopted in July 2000 places responsibility on multilateral organizations as well as governments in achieving equality goals. It states that: "*Organizations of the United Nations system and the Bretton Woods institutions, as well as the World Trade Organization, other international and regional intergovernmental bodies... are called upon to support government efforts ... to achieve full and effective implementation of the Platform for Action*" (para. 49).

The **Platform for Action** adopted at the UN's Fourth World Conference on Women (Beijing 1995) specified several actions by governments that are relevant to multilateral and regional trading arrangements:

- 165(k) *Seek to ensure that national policies related to international and regional trade agreements do not have an adverse impact on women's new and traditional economic activities.*
- 165(l) *Ensure that all corporations, including transnational corporation, comply with national laws and codes, social security regulations, applicable international agreements, instruments and conventions, including those related to the environment, and other relevant laws.*