

# Trade and Gender

**Semester:** Fall Semester – HS 2021

**Root number:** 448997

**ECTS:** 3

**Course Leader:** Prof. Elisa Fornalé (WTI)

**Lecturers :** Prof. Barnali Choudhury (UCL), Dr. Anoush der Boghossian (WTO), Prof. Sara De Vido (Venice University), Prof. Paola Profeta (Bocconi University)

**Location:** In response to the COVID-19 pandemic and following the guidelines established by the University of Bern, all courses of the 2020 WTI Summer Academy will only be held online. This course will have live sessions on Zoom.

**Dates:** 5-9 July 2021 (+ Saturday, 6 July: Take home assignment)

**Audience:**

- Government officials; Embassy staff; people working for international organisations and NGOs
- Master of Advanced Studies of International Law and Economics (MILE) Students
- Joint LL.M. / Diploma of Advanced Studies Trade and Investment Law (TRAIL+) Students - World Trade Institute / Faculty of Law, Unibe
- Certificate of Advanced Studies / Diploma of Advanced Studies in International Law and Economics (CAS ILE & DAS ILE) Students - World Trade Institute, Unibe
- Students from different universities across Switzerland and abroad (we will take into consideration different time zones.)

**Course Description:**

This course explores the potential of the trade-gender nexus in accelerating the path to gender equality and to influence gendered structures that embrace the distributions of economic resources. Over the last years, gender equality and women empowerment has been grappled with domestic and international trade in different frameworks. Extremely influential in this regard, came the Buenos Aires Declaration on Trade and Women's Economic Empowerment, which was adopted in 2017. This Declaration, for the first time, expressly linked equal participation of women and men in trade policy to the notions of inclusive economic growth and sustainable development.

This course starts by offering an historical account of concepts, principles, sources, and institutional framework that contribute to define the contours of a “gender-positive trade environment” and to provide new opportunities for removing barriers to equal

participation and economic empowerment of women. Then, the second part offers a timing introduction of some contemporary developments in the making of the trade agenda by covering specific thematic areas: the formation of gender/trade frameworks; regional integration and gender sensitivity; international cooperation on trade-related gender issues. The course will provide some insights in terms of legitimacy and representativeness of institutional environments to identify best practices for moving from *de jure* to *de facto* equality through and in trade policy.

## Learning Objectives:

After the end of the course, participants should be able to:

- The different sources of trade law and human rights law to shape socio-economic policy;
- The strengths and weaknesses of the international legal frameworks to ensure equal treatment of men and women in trade;
- What gender inclusiveness in international and national trade policy entails.

On successful completion of the course, students shall be able to:

- Identify the role of institutions in supporting women as economic actors and in promoting gender equality;
- Analyse current challenges to enhance women's economic participation in a changing trade agenda;
- Provide gender-based advice on trade initiatives and policies.

## Biography of the Lecturers

**Elisa Fornalé** is Swiss National Science Foundation (SNSF) Professor at the World Trade Institute (WTI), University of Bern. She is the Principal Investigator of the SNSF project "*Gender Equality in the Mirror (GEM)*" which explores women's participatory rights. In 2018, she was appointed as the WTI's Gender Coordinator, with the mandate to implement the Gender Action Plan at the WTI. Within this framework, I created the Gender Team "Know the GAP", which conducts activities to promote awareness and discussion about gender equality, diversity, and resilience to inequalities within our academic community and in a broader context. Against this background, prof. Fornalé initiated the "Gender Lecture Series – Know the GAP". Inaugurated in 2019, this lecture series has so far involved twenty leading speakers from around the country and Europe who were invited to address pressing gender issues. In parallel, she is implementing the SNF project "*Framing Environmental Degradation, Human Mobility and Human Development as a Matter of Common Concern*" ([www.climco2.org](http://www.climco2.org)). The project to identify the climate-mobility nexus change through a pilot case study in the Small Pacific Island States. Until April 2019 she was the lead scientist for the WTI of the Horizon 2020 project CLISEL: *Climate Security with Local Authorities*, which addressed the local dimension of the climate change–security nexus. In May 2021, she has been appointed as Co-Rapporteur of the ILA Committee on sea level rise and international law. She is an appointed member of the Advisory Committee of the Platform on Disaster Displacement; a member of the COST Action on Drylands facing change: interdisciplinary research on climate change, food insecurity, political instability (CA 16233). Previously, as the recipient of a Marie Curie Intra-European Individual Fellow award, she conducted a research project on regional migration governance at the Jean Monnet Centre for Excellence for Migration Law at the Radboud University,

Nijmegen (2015–2016).

**Barnali Choudhury** joined UCL as Professor in Law in 2015, having previously taught at another London university and before that in Canada, the U.S and New Zealand. She is the author of *Public Services and International Trade Liberalization: Human Rights and Gender Implications* (Cambridge University Press, 2012), a co-editor of *Understanding the Modern Company: Corporate Governance and Theory* (Cambridge University Press, 2017) and co-author of the monograph, *Corporate Duties to the Public* (Cambridge University Press, 2019). Barnali's work has been published widely and she has been invited to give talks throughout Asia, Europe, the Middle East, and North America. Her research has been cited by the United Nations, the House of Commons and the House of Lords EU Select Committee, among others. She has held visitorships at NYU Law School, the University of Cambridge and at the Max Planck Institute for Comparative and Private Law and has been the recipient of numerous research grants, including a Leverhulme Research Fellowship. She is currently the academic director for UCL's Global Governance Institute. Prior to joining academia, Barnali worked as an international investment and corporate lawyer. Barnali's work focuses on the intersection between economic and human rights issues at both international and domestic levels. Particular areas of interest include: foreign investment law, business and human rights, corporate social responsibility, international trade law, international arbitration, corporate law and corporate governance.

**Anoush der Boghossian** leads the work on trade and gender in the World Trade Organization (WTO). She was appointed the WTO's first focal point on trade and gender by Director-General Roberto Azevêdo in 2017. Anoush is a senior member of the WTO's Development Division. Prior to joining the Development Division in 2016, Ms. der Boghossian worked as the French Language Spokesperson of the WTO and she was appointed as the press officer to the former Director-General Pascal Lamy. She was also leading media operations in Africa for the former Deputy Director-General Valentine Rugwabiza. Between 2013 and 2016, she served the WTO as the Organization's NGO Liaison Officer and Social Media Manager. Anoush managed the Public Forum, WTO's flagship outreach annual event for four years. Anoush began her career at the WTO in 2006 after acquiring 10 years of professional experience in the private sector, in Brussels, working on EU policies, as a public relations specialist. Among her educational achievements, Anoush holds a Masters in European and International Law and a Masters in communications. Among her personal achievements, Anoush is a Member of the Confrérie des Chevaliers du Tastevin, Château du Clos de Vougeot. She is also an experienced diver.

**Sara De Vido** is Associate Professor of International Law at the Department of Economics Ca' Foscari University of Venice, Italy, and affiliate to the Manchester International Law Centre. She is vice-director of the Centre for Human Rights (Cestudir) at Ca' Foscari. Prof. De Vido conducts research in the field of human rights law, international law, gender and the law. Her current project is 'Violence against women and the right to health under international law.' She co-founded the Women in international law network in Manchester, Manchester international law centre, UK.

**Paola Profeta** is Professor of public economics at Bocconi University. Her work is on public economics and political economics (of taxation and pensions) and on gender economics, women in politics and policies to promote gender equality and female

leadership. Her main academic roles and positions are the following: Professor of Public Economics, Bocconi University; Director, Msc Politics and Policy Analysis, Bocconi University; Director, AXA Research Lab on Gender Equality, Dondena, Bocconi; President, European Public Choice Society (EPCS); Member of the Board of Management, International Institute of Public Finance (IIPF).

## Grading

Each participant will be assessed on the basis of:

- Active participation in class discussions of the assigned readings (20%)
- Presentation on Friday (20%)
- Take Home Assessment (60%)

## Course Timetable and Overview

Class	Date	Day	Time	Lecturer	Topic
1	5 July	Monday	10:00 12:00 14:00 16:00	Fornalé/De Vido	Women's Rights and Economic Inequality
2	6 July	Tuesday	10:00 12:00 14:00 16:00	Profeta/Fornalé	Gender Equality and Public Policies Case Studies
3	7 July	Wednesday	10:00 12:00 14:00 16:00	Fornalé/Choudhury	Trade and Gender Nexus
4	8 July	Thursday	10:00 12:00 14:00 16:00	Der Boghossian/Fornalé/ Government Representative	Gender Responsiveness and Trade Policies
5	9 July	Friday	10:00 12:00 14:00 16:00	Fornalé	Group Presentation and Debate
6	10 July	Saturday	Take-home assessment		Take Home Exam

## Schedule

### Monday, 5 July 2021 (Fornalé/De Vido)

Goals and Group Presentation Topics

Introduction to key concepts:

- Gender, Equality and Discrimination
- Gender Mainstreaming
- Gender and Development
- Gender and Sustainability

Women's Rights and Economic Inequality:

- International Human Rights Framework (CEDAW/ICCPR/ICESCR)
- Economic and Social Rights

**Tuesday, 6 July 2021 (Profeta/Fornalé)**

Gender Equality and Public Policies

Women's Economic Empowerment

- Women's Political Participation
- Women's Economic Participation

*Group work: Allocation of case study topics*

**Wednesday, 7 July 2021 (Fornalé/ Choudhury)**

Trade and Gender Nexus:

- The Interlinkages
- New Instruments: The Buenos Aires Declaration on Trade and Women's Economic Empowerment
- New Approaches: Mainstreaming Gender in Trade Policy and Ex-Ante/Ex-Post Gender Impact Assessment

*Group study*

**Thursday, 8 July 2021 (der Boghossian/Fornalé/Invited Government)**

Gender Responsiveness and Trade Policies

FTAs and Emerging Approaches:

- o Canada Approach
- o Chile Approach
- o European Approach

New Opportunities for Women' Empowerment: Digital Trade and Financial Inclusion

**Friday, 9 July 2021 (Fornalé)**

*Group presentations and final debate for future action*

**Saturday, 10 July 2021**

Take-home Assessment on Trade-Gender Nexus

**Compulsory reading:**

- Achary Rohini et al. (2019), Trade and Women: Opportunities for Women in the Framework of the World Trade Organization, *Journal of International Economic Law*, 1-32.
- Baghossian der Anoush (2019), Trade Policies Supporting Women's Economic Empowerment: Trends in WTO Members, WTO Staff Working Paper, ERSD-2019-07.
- Bahri Amrita (2020), Women at the Frontline of COVID-19: Can Gender Mainstreaming In Free Trade Agreement Help? *Journal of International Economic Law*, 23, 563-582.
- International Trade Center (ITC) (2020), *Mainstreaming Gender in Free Trade Agreements*.
- World Bank and World Trade Organization (2020), *Women and Trade, The Role of Trade in Promoting Gender Equality*.

**Optional reading:**

- Braunstein E. (2017), The gender dynamics of inclusion and exclusion: a macro perspective on employment, UNCTAD report.
- Barnali Choudhury (2008), The Façade of Neutrality: Uncovering Gender Silences in International Trade, *William and Mary Journal of Women and the Law*, 15.
- Barnali Choudhury (2012), *Public Services and International Trade Liberalization, Human Rights and Gender Implications*, Cambridge University Press.
- European Parliament (2018), Report on Gender Equality in EU Trade Agreements, A8-0023/2018.
- Fontana Marzia (2009), "The Gender Effects of Trade Liberalization in Developing Countries", in Bussolo, Maurizio Rafael de Hoyos, *Gender Aspects of the Trade and Poverty Nexus*, Palgrave, 25-50.
- Hoskyns Catherine (2008), *Governing the EU: Gender and Macroeconomics*, in Rai Shirin and Waylen Georgina, *Global Governance. Feminist Perspectives*, Palgrave.
- McGill Eugenia (2005), Trade and Gender, in Patrick F. J. Macrory, Arthur E. Appleton, Michael G. Plummer, *The World Trade Organization: Legal, Economic and Political Analysis*, 697-745.
- True Jacqui (2008), Gender Mainstreaming and Regional Governance in Asia-Pacific Economic Cooperation, in Rai Shirin M., Waylen Georgina, *Global Governance. Feminist Perspectives*, Palgrave.
- Van Staveren Irene (2005), *Five Methodological Approaches for Research on Gender and Trade Impacts*, The Hague : Institute for Social Studies, Working Paper, 417.
- Williams Mariama (2007), Gender Issues in the Multilateral Trading System, in Van Stavener Irene et al. (eds), *The Feminist Economics of Trade*, Routledge.