



CICLO DE CONVERSATORIOS
ACUERDO DE ASOCIACIÓN
CHILE - UNIÓN EUROPEA



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Partnership Agreement Chile – European Union – Panel Discussion Series

Second Panel Discussion
“The Modernization of the Partnership Agreement between Chile and the European Union”

Thursday, November 23rd, 2017 in Santiago

Background Paper for the Panel Discussion on
Trade and Gender
(Trade Pillar)

- The existing Partnership Agreement between Chile and the European Union¹ already includes in its political and cooperation pillar the question of gender and discusses contributing to improving the equal participation of men and women in all sectors of political, economic, social and cultural life. In this context, the European Union and Chile regularly carry out Human Rights Dialogues in which they discuss important topics such as gender violence, among others. The EU and Chile also cooperate fully in multilateral forums on the protection of human rights.
- However, as in other sectors, there still are huge gaps between male and female participation in foreign trade. According to DIRECON’s statistics, only 3% of 2016’s total exports correspond to companies led by women. 83% of 2016’s exports by these women-led firms were in the food sector².
- To date, the European Union has not had any specific provisions on gender and trade in its trade agreements. In Chile’s case, this country has been a pioneer at a global level in the incorporation of such provisions in the free trade agreements signed with Uruguay in 2016 and Canada in 2017.
- According to Chile’s Foreign Affairs Minister, Heraldo Muñoz, these new provisions on gender and trade look to generate greater opportunities for businesswomen to have an active role in these countries’ trade relations.

¹ Complete Text of the 2002 Partnership Agreement between Chile and the European Union: http://eur-lex.europa.eu/resource.html?uri=cellar:f83a503c-fa20-4b3a-9535-f1074175eaf0.0004.02/DOC_2&format=PDF

² <https://www.direcon.gob.cl/wp-content/uploads/2017/10/Primera-Radiograf%C3%ADa-Mujeres-en-las-exportaciones-de-Chile-IC-2017.pdf>



- Promoting the participation of more women in international trade and contributing to closing the gender gap in this sector would allow to not only expand women's personal horizons, but also to bolster the workforce and promote greater economic progress.

Questions

- Do you think the current Partnership Agreement between the EU and Chile has contributed in a positive manner to the integration of women in international trade?
- What are the barriers to women participation in international trade? Are they linked to the current Partnership Agreement between the EU and Chile?
- What expectations do you have for the agreement in terms of gender issues?
- Could you provide us with an example of a best practice in terms of gender and trade that has taken place in your sector?
- Are there any platforms that could contribute with its ideas to develop the provisions on gender and trade that want to take place within the modernization framework for the current trade agreement?

Existing provisions on gender and trade in trade agreements signed by Chile with other trade partners

Free Trade Agreement between Chile-Uruguay (2016)³

Chapter – 14: Gender and Trade

This chapter is divided into three main sections. The first covers general provisions, the second cooperation activities, and the third the establishment of a Gender Committee and its functioning.

General provisions:

- It begins by recognizing the importance of incorporating a gender perspective and policies for inclusive economic growth and sustainable socioeconomic development.
- The parties involved recognize that international trade can improve women's access to both the local and international economy and therefore commit themselves to promoting and implementing policies, regulations and best practices in the area of gender equity and equality.

Cooperation activities:

³ Text of the Agreement on DIRECON Chile's website: <https://www.direcon.gob.cl/wp-content/uploads/2013/08/ALC-CHILE-URUGUAY-suscrito.pdf>



- It is designed to reaffirm the desired interaction between the public, private, academic and other sectors of civil society, and identify potential areas for cooperation and the development of activities of mutual interest.
- The text describes a few areas of cooperation⁴ that can be included, but it expects the parties involved to identify more via their other cooperation activities⁵.

Gender Committee:

- This committee will be composed of each Party's governmental institution representatives responsible for gender and trade topics.
- The committee will meet the year the agreement comes into effect and then whenever necessary, as requested by any of the parties involved.
- Its functions are designed to facilitate the exchange of information on policies related to trade and gender and lessons learned and experiences, and discuss future joint activities on this subject and all the doubts and considerations that might arise with the implementation and operation of this Chapter on Trade and Gender.

With respect to dispute settlement, neither party involved can resort to the mechanism when said dispute derives from the Gender and Trade Chapter. However, it promotes the use of dialogue, consultations and cooperation to resolve any issue related to the interpretation and application of the Chapter.

Free Trade Agreement between Chile-Canada (2017)⁶

The text for this chapter (Chapter N-bis) is almost identical to that described for the Chile-Uruguay agreement. It also has three main sections: General Provisions, Cooperation Activities, and the creation of a Committee between the parties involved.

General Provisions:

- The Parties involved refer explicitly to Objective Nº 5 of the Sustainable Development Objectives and reaffirm their commitment to the Agreement in terms of gender equity and equality and eliminating gender discrimination.
- They also reaffirm their commitment to Art. G-14 bis⁷ of the same agreement on Corporate Social Responsibility, where it also refers to gender and includes the adoption of the OECD's Guidelines for multinational companies.

⁴ Programs to: promote the development of skills and competencies of women in the labour, business and social sectors; improve women's access to technology, science and innovation; promote financial inclusion and education; develop leadership networks for women; set forth best practices for the incorporation and permanence of women in the workforce; promote female entrepreneurship; promote the participation of women in decision-making roles in both the private and public sectors; among others. (See Art. 14.3 (p. 4))

⁵ Workshops, seminars, discussion series, knowledge exchange forums, internships, visits and research studies; collaborative research and development related to best practices; etc. (See Art. 14.3 (p. 5))

⁶ Text of the Agreement on the Canadian Government's website:

⁷ "Article G-14 bis: Corporate Social Responsibility: The Parties reaffirm their commitment to internationally recognized standards, guidelines and principles of corporate social responsibility that have been endorsed or are supported by the



Cooperation Activities:

- It is important to highlight that this agreement emphasizes the development of programs to promote the participation of women in all of society including corporate boards.

Gender Committee:

- This Agreement establishes that the Committee will have to work with other committees created under the same Agreement but that fall under other areas such as Labour Cooperation, the Environment, etc.

With respect to dispute settlement, the same mechanism as that previously described for the Chile-Uruguay Agreement applies.

Parties, including the OECD Guidelines for Multinational Enterprises, and each Party should encourage enterprises operating within its territory or subject to its jurisdiction to voluntarily incorporate these standards, guidelines and principles into their business practices and internal policies. These standards, guidelines and principles address issues such as labour, environment, gender equality, human rights, community relations, and anti-corruption.”