

CHAPTER 25

TRADE AND GENDER EQUALITY

Article 25.1 **Māori Terminology**

For the purposes of this Chapter:

“wāhine Māori” refers to indigenous women of New Zealand.

Article 25.2 **Objectives**

1. The Parties affirm their intention to implement the provisions of this Agreement in a manner that advances women’s economic empowerment and promotes gender equality. In addition to this Chapter, other Chapters of this Agreement contain Articles which seek explicitly to advance this objective, including:
 - (a) Article 10.4 (Development of Measures – Domestic Regulation);
 - (b) Article 11.11 (Transparency – Financial Services) and Article 11.13 (Diversity in Finance – Financial Services);
 - (c) Article 15.20 (Digital Inclusion – Digital Trade);
 - (d) Article 16.22 (Working Group on Government Procurement – Government Procurement);
 - (e) Article 23.8 (Non-Discrimination and Gender Equality in the Workplace – Trade and Labour);
 - (f) Article 24.3 (Cooperation to Increase Trade and Investment Opportunities for SMEs – Small and Medium-Sized Enterprises); and
 - (g) Article 27.1 (General Provisions – Trade and Development).
2. The Parties acknowledge the key role that gender-responsive policies can play in achieving inclusive economic growth and sustainable development. Gender-responsive policies aim to ensure that the benefits of economic growth are more broadly shared by:
 - (a) recognising the systemic barriers that affect women in trade and investment and in accessing finance; and

- (b) providing equal rights and access to opportunities for the participation of women in business, industry, and the labour market.
- 3. The Parties affirm the importance of promoting gender equality policies and practices and building the capacity of the Parties in this area, including in non-government sectors, to eliminate all forms of gender-based discrimination in trade.
- 4. The Parties acknowledge the benefit of sharing their respective experiences in designing, implementing, monitoring, evaluating, and strengthening policies and programmes to address the systemic barriers which exist for women in international trade, and prevent them from participating equitably in global, regional, or domestic economies.

Article 25.3

General Commitments

- 1. The Parties agree to advance women's economic empowerment across this Agreement and promote the importance of a gender perspective in the Parties' trade and investment relationship.
- 2. The Parties shall implement and enforce their respective laws, policies, practices, and regulations that promote gender equality and improve women's access to trade and economic opportunities.
- 3. The Parties shall take steps towards increasing women's participation in trade and investment, including by identifying the range of barriers that limit opportunities for women in the economy, to enable the delivery of evidence-based interventions in response.
- 4. Each Party shall promote public awareness of its gender equality laws, regulations, policies, and practices relating to trade, including by making them publicly available.
- 5. The Parties acknowledge that it is inappropriate to waive, or otherwise derogate from, their gender equality laws to encourage trade or investment.

Article 25.4

International Instruments

- 1. The Parties affirm their commitment to implement the obligations under the *Convention on the Elimination of All Forms of Discrimination against Women* done at New York City on 18 December 1979, and acknowledge the general recommendations made under its Committee.

2. The Parties affirm the objectives of the *Joint Declaration on Trade and Women's Economic Empowerment* done at Buenos Aires on 12 December 2017, including acknowledgment of the need to develop evidence-based interventions to address the barriers that limit opportunities for women in the economy.
3. The Parties recognise that inclusive trade policies can contribute to advancing women's economic empowerment and gender equality in line with Sustainable Development Goal 5 of the *UN 2030 Agenda on Sustainable Development* adopted by the UN General Assembly Resolution 70/1 on 25 September 2015. The Parties acknowledge the important contribution by women to economic growth through their participation in economic activity, including international trade, the labour market, business leadership, and entrepreneurship.
4. The Parties also affirm their commitment to implement the obligations under any other international agreement or instrument addressing women's rights or gender equality to which they are party.

Article 25.5 Cooperation

1. The Parties recognise the importance of strengthening their trade relations and cooperation in the implementation of this Agreement, and shall carry out cooperation activities with the aim of enhancing the ability of women including workers, entrepreneurs, businesswomen and business owners, and wāhine Māori in the case of New Zealand, to fully access and benefit from the opportunities created under this Agreement. These activities shall be carried out in a transparent manner, as appropriate with the inclusive participation of women.
2. Cooperation activities shall be carried out on issues determined by the Parties, through the interaction and coordination, as appropriate, with their respective government agencies, private companies, labour unions, civil society, academic institutions, and non-governmental organisations, among others, and with the participation of Māori in the case of New Zealand.
3. Areas of cooperation may include:
 - (a) developing programmes to promote women's full and equal participation, empowerment, and advancement in society by encouraging, valuing, and recognising women's unpaid care work, capacity building, and skills enhancement including at work, in business, and at senior levels in all sectors of society (such as on public and private boards), insofar as doing so is related to trade;

- (b) improving women's access, participation, leadership, and education, in particular in fields in which they are underrepresented such as science, technology, engineering, mathematics (STEM), as well as innovation, e-commerce, and any other field as it relates to trade;
- (c) advancing the development of women's leadership and business networks;
- (d) promoting business development services for women to improve women's digital skills and access to online business tools;
- (e) promoting financial inclusion and literacy, access to relevant financing, and financial assistance;
- (f) developing trade missions for businesswomen and women entrepreneurs;
- (g) enhancing women entrepreneurs' participation in government procurement markets;
- (h) fostering women's entrepreneurship, including activities to promote the internationalisation of SMEs led by women;
- (i) promoting equal opportunities for women in the workplace, including workplace flexibility;
- (j) advancing care policies and programmes with a gender and shared social responsibility perspective including parenting and other family co-responsibilities;
- (k) supporting economic opportunities for diverse groups of women in trade and investment;
- (l) in the case of New Zealand, providing opportunities for wāhine Māori to engage in trade activities including with a Te Ao Māori framework;¹
- (m) collaborating in international and multilateral fora, including at the OECD, WTO, and with developing countries as appropriate to advance trade and gender equality issues and understanding;
- (n) enhancing the competitiveness of women-owned enterprises to allow them to participate and compete in local, regional, and global value chains; and
- (o) any other areas as the Parties may decide.

¹ For the purposes of this Chapter, the term "Te Ao Māori" will have the meaning ascribed to it under Article 26.1 (Māori Terminology – Māori Trade and Economic Cooperation).

4. The Parties shall develop a framework for analysing sex or gender-disaggregated data and gender-focused analysis of trade policies, including where appropriate through cooperation activities, joint research, and the sharing of data insights, concepts, and best practices. Areas of cooperation may include:
 - (a) conducting gender-based analysis and monitoring the gender-based effects of trade, including by both qualitative and quantitative methods;
 - (b) sharing methods and procedures for the collection of gender statistics and sex-disaggregated data, the use of indicators, monitoring and evaluation methodologies, and the analysis of gender-focused statistics related to trade;
 - (c) improving analysis and monitoring of access to trade for women-led or owned businesses and, in the case of New Zealand, wāhine Māori, including in relation to specific barriers to trade;
 - (d) sharing data insights, lessons, and best practices for analysing gender segregation in the labour market, and on the working conditions of women in export-oriented industries and sectors impacted by trade; and
 - (e) encouraging the integration of gender-related monitoring, consideration, and activities across the implementation of this Agreement, including through cooperation with specialised committees or subsidiary bodies where appropriate.
5. The priorities for cooperation activities shall be decided by the Parties based on their interests and available resources with the aim of achieving mutual benefits and measurable advances in women's economic empowerment and gender equality outcomes.
6. The Parties may undertake cooperation activities through modes such as:
 - (a) dialogues, workshops, seminars, conferences, cooperation programmes, and projects, including internships, visits, and research;
 - (b) technical assistance to promote and facilitate capacity building and training;
 - (c) exchange of experts and information; and
 - (d) sharing of experiences and best practices in designing, implementing, monitoring, evaluating, and strengthening policies and programmes

to enhance women's participation in domestic, regional, and global economies.

Article 25.6

Inclusive Trade Sub-Committee

The Inclusive Trade Sub-Committee established under Article 30.9 (Inclusive Trade Sub-Committee – Institutional Provisions) shall support the effective implementation and operation of this Chapter and monitor and review its implementation and that of relevant provisions in other Chapters. With respect to this Chapter, the Inclusive Trade Sub-Committee shall have the functions set out in Article 30.8 (Inclusive Trade Sub-Committee – Institutional Provisions).

Article 25.7

Contact Points

1. Each Party shall designate one or more contact points to facilitate communication between the Parties on any matter covered by this Chapter, and shall provide details of such contact points to the other Party. The Parties shall notify each other promptly of any amendments to the details of their contact points.
2. The contact points may consider any matter that they consider appropriate to advance women's economic empowerment across the Agreement and make recommendations to the Inclusive Trade Sub-Committee.
3. The contact points may communicate or facilitate communication with relevant stakeholders and groups, including women workers, business owners, and entrepreneurs and, in the case of the contact point for New Zealand, wāhine Māori.

Article 25.8

Non-Application of Dispute Settlement

Neither Party shall have recourse to dispute settlement under Chapter 31 (Dispute Settlement) for a matter arising under this Chapter.