

Chapter 23: Trade and Gender – Text of the 2023 Canada – Ukraine Free Trade Agreement

Article 23.1: General Understandings

1. The Parties acknowledge the importance of incorporating a gender perspective into the promotion of inclusive economic growth, and the key role that coherent gender responsive domestic and international trade policies can play in achieving sustainable socioeconomic development. Inclusive economic growth aims to distribute benefits across the entire population by providing equitable opportunities for the participation of diverse groups of women and men in business, industry, and the labour market.

2. The Parties affirm the importance of promoting gender equality policies and practices, building and strengthening the capacity of the Parties in this area, including in non-government sectors, to promote equal rights, equal treatment and opportunities for women and men, and the elimination of all forms of discrimination against women.

3. The Parties acknowledge that international trade and investment are engines of economic prosperity and sustainable development, and that improving women's access to opportunities, eliminating all forms of discrimination against women, and removing gender-related and other barriers to international trade and investment, enhance women's participation in national and international economies and contribute to sustainable economic development.

4. Each Party affirms its commitment to promoting gender equality through, as appropriate, laws, regulations, policies, and practices.

5. The Parties affirm that all women and other genders have the right to the full range of economic rights, without the consent of another person in any relationship capacity.

6. Each Party shall domestically promote public knowledge of its gender equality laws, regulations, policies, and practices.

7. The Parties acknowledge the important work being done on trade and gender in multilateral forums, such as the WTO. The Parties shall endeavour to work together in these forums, if possible, to advance knowledge and understanding of the trade and gender nexus and ensure that women can participate in and benefit from trade. If possible, the Parties may consider voluntary reporting on women in trade at the WTO Trade Policy Review Mechanism.

Article 23.2: International Instruments

1. Each Party affirms its commitment to implement its obligations under the Convention on the Elimination of All Forms of Discrimination Against Women, done at New York on 18 December 1979, and to give due consideration to the general comments made by its Committee.

2. The Parties recognize Goal 5 of the Sustainable Development Goals in the United Nations 2030 Agenda for Sustainable Development, which is to achieve gender equality and empower all women and girls.

3. Each Party affirms its commitment to implement its obligations under the Convention on the Rights of Persons with Disabilities, done at New York on 13 December 2006, and to give due consideration to the general recommendations made by its Committee.

4. The Parties recognize the importance to promote the objectives of the Beijing Declaration and Platform for Action (1995), in particular its strategic objective to promote women's economic rights and independence.

5. Each Party affirms its commitment to implement the Buenos Aires Joint Declaration on Trade and Women's Economic

Empowerment (2017) of the Eleventh WTO Ministerial Conference (MC11).

6. Each Party affirms its commitment to implement the obligations addressing gender equality or women's rights under any other international agreement to which it is a party.

7. For the purpose of this Agreement, the Parties shall use the definitions to the extent possible of women-owned business, women-led business, and women-led cooperative, established on 8 March 2021 by the International Organisation for Standardisation (ISO) and the International Trade Centre (ITC).

Article 23.3: Non-Derogation

1. A Party shall not fail to implement its laws that ensure equal rights and equal opportunities for women and men through a sustained or recurring course of action or inaction in a manner affecting trade or investment between the Parties.

2. A Party shall not weaken or reduce the protection afforded to women and men in its gender equality laws, regulations, and policies in order to encourage trade or investment between the Parties or between them and any other economy.

Article 23.4: Cooperation Activities

- 1. The Parties acknowledge the benefit of sharing their respective experiences and practices in designing, implementing, monitoring, evaluating, and strengthening policies and programs to encourage women's participation in national and international economies.*
- 2. The Parties shall carry out cooperation activities designed to improve the capacity, competitiveness, and conditions for women, including workers, business women, business owners, and entrepreneurs, to access and fully benefit from the opportunities created by this Agreement. The Parties shall carry out these activities with the inclusive participation of women in all their diversity.*
- 3. The Parties shall be proactive and results-oriented in carrying out cooperation activities under this Chapter, and shall be guided by the principles of:*
 - (a) equity, diversity, inclusivity, intersectionality, and gender balance;*
 - (b) evidence-based decision-making;*
 - (c) stakeholder engagement;*
 - (d) accountability and transparency; and*
 - (e) openness, flexibility, and reasonableness.*

4. The Parties shall carry out cooperation activities on issues and topics determined by the Parties through the interaction of their respective government institutions, businesses, labour unions, education and research organizations, other non-governmental organizations, and their representatives, as appropriate.

5. Areas of cooperation may include:

- (a) developing programs that encourage capacity-building and skills enhancement of women at work, in business, and at leadership levels in all sectors, to promote women's full participation and advancement in the economy and international trade, including on corporate boards;
- (b) improving women's access to, and participation and leadership in, science, technology, and innovation, including education in science, technology, engineering, mathematics, and business;
- (c) promoting financial inclusion, education, and training for women, as well as promoting access to financial assistance including trade and microfinancing;
- (d) promoting business development services for women, and programs to improve women's digital skills and access to online business tools;

- (e) developing better practices to promote gender equality within institutions and businesses;
- (f) fostering women's representation in decision-making positions in public, private, and not-for-profit sectors;
- (g) promoting women-owned businesses, competitiveness, and internationalization, in order to enhance their access to government procurement markets and local, regional, and global supply chains;
- (h) developing trade missions for business women and women entrepreneurs;
- (i) supporting economic opportunities for under-represented women;
- (j) promoting women's participation in standards development and implementation, including through standards bodies and sharing best practices;
- (k) sharing methods and procedures for the collection of sex-disaggregated data, the use of indicators, and the analysis of gender-focused statistics related to trade;
- (l) sharing information on advancing non-discrimination in the workplace; and

- (m) other issues as decided by the Parties.

6. The Parties may carry out activities in the cooperation areas set out in paragraph 5 through:

- (a) workshops, seminars, dialogues, and other forums for exchanging knowledge, experiences, and best practices;
- (b) internships, visits, and research studies to document and study policies and practices;
- (c) collaborative research and development of best practices in subject matters of mutual interest;
- (d) specific exchanges of specialized technical knowledge and technical assistance; and
- (e) other means as decided by the Parties.

7. The Parties shall decide the priorities for cooperation activities based on their interests and available resources.

Article 23.5: Committee on Trade and Gender

1. The Parties hereby establish a Trade and Gender Committee (the "Committee") composed of representatives from each Party, including gender equality experts.

2. The Committee shall:

- (a) determine, organize, and facilitate the cooperation activities under Article 23.4;
- (b) report and make recommendations, as appropriate, to the Joint Commission referred to in Article 27.1 on any matter related to this Chapter;
- (c) facilitate the exchange of information on each Party's experiences and best practices with respect to the establishment and implementation of policies and programs that address trade and gender-related issues, in order to achieve the greatest possible benefit under this Agreement;
- (d) facilitate the exchange of information on the Parties' experiences and lessons learned through the cooperation activities carried out under Article 23.4;
- (e) discuss joint proposals to support policies and other initiatives on trade and gender;

- (f) invite international donor institutions, private sector entities, non-governmental organizations, or other relevant institutions, as appropriate, to assist with the development and implementation of cooperation activities;
- (g) encourage multilateral and regional organizations to finance projects to enable women-owned businesses to participate in trade;
- (h) consider matters related to the implementation and operation of this Chapter;
- (i) at the request of a Party, consider and discuss matters that may arise related to the interpretation and application of this Chapter; and
- (j) carry out other duties as determined by the Parties.

3. The Committee shall meet as decided by the Parties, and annually thereafter or as otherwise decided by the Parties, in person or by any other technological means available, to consider any matter arising under this Chapter.

4. In the performance of its duties, the Committee may work with any other body established under this Agreement.

5. The Committee may request that the Joint Commission refer work to be conducted under this Article to any other body established under this Agreement.

6. The Parties may invite experts or relevant organizations to Committee meetings to provide information.

7. The Committee shall periodically review the cooperation activities carried out under Article 23.4, as well as the implementation of this Chapter and gender-related provisions of this Agreement. The Committee shall report and make recommendations to the Joint Commission on this review and other matters as necessary.

Article 23.6: Dispute Settlement

1. The Parties shall make all possible efforts, through dialogue, consultations, and cooperation, to resolve any matter that may arise relating to this Chapter.

2. If the Parties cannot resolve the matter in accordance with paragraph 1, they may consent to submit the matter to dispute settlement under Chapter 28 (Dispute Settlement).

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