The Economic Empowerment of Women in Africa: Regional Approaches to Gender-Sensitive Trade Policies

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Abstract

Empowering women through trade has been an objective of African regional economic communities since their creation. Yet, women across Africa are disproportionately more likely than men to feel the negative effects of trade liberalisation.

This article offers a critical intervention into the debate on women and trade and examines the gendered and gendering nature of trade law and policy in historical and contemporary contexts. Women are situated as the

central subject of inquiry and a comprehensive mapping of gender clauses in the constitutional legal texts of the RECs is presented to illustrate synergies and divergences in African gender-sensitive trade policies. A significant challenge facing Africa's future development strategies relates to the data gaps of women in their diverse roles, and especially as informal cross-border traders, and how these gaps contribute to the ongoing invisibility of women in trade policy.

However, there are examples of progressive gender- sensitive trade strategies in Africa, including the East African Community's Simplified Trade Regime and the Tripartite Free Trade Agreement's Non-Tariff Barrier Reporting, Monitoring and Eliminating Mechanism, that demonstrate how pragmatic responses to gender inequality can be formulated at the regional level. It is argued that an intersectional and multidimensional understanding of how women's experiences may converge and diverge in the context of trade policy is key to our understanding of how gender-sensitive trade can and should be framed.

To conclude, this article submits that inclusive trade policies, which should incorporate both legally binding commitments and 'soft law' instruments, at the pan-African level must build on the progressive steps taken by some of the RECS and follow other innovations that are emergent at the multilateral level.

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