



***Does the Free Trade Area of the Americas (FTAA)  
Take Women into Account?***

***Some Reflections on the Democratic Roles and Responsibilities  
Of Québec Parliamentarians***

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***Presentation given at  
the National Assembly of Québec***

***At the invitation of the Québec Section of the  
Network of Women Parliamentarians of the Americas***

***Quebec City, May 20, 2004***

The question of representative democracy leaves me quite perplexed at a time when, according to accepted wisdom, States have been pulverized by the combined impact of globalization and economic integration, which have constrained them to a form of global structural adjustment whose outlines and repercussions lie outside their control. In this context, as the consensus would have it, citizens are thrust from local space into international space, without any State intermediation.

In all probability, the Free Trade Area of the Americas (FTAA) will come into being in 2005.<sup>1</sup> The FTAA will be more than a mere trade agreement. As with the WTO, it will propose a form of supranational governance of markets. Some important questions necessarily arise as trade agreements are concluded at an ever faster rate and, with this, the appropriate institutions are created: Who determines the temporal and spatial development of the phenomenon of economic integration? States? Lobbies? Negotiators? Who is entitled to a say in the matter? What impacts does the acceleration of the phenomenon of hemispheric and global economic integration have on the daily life of the most vulnerable groups—including women—among the populations concerned?

Given the sheer scope of these questions, the temptation is to simply throw in the towel. States would appear to have become hollow shells, or rubber stamps of trade policies that have been shaped outside the halls of parliamentary and participatory democracy.<sup>2</sup> On the contrary, a closer look at the text of trade agreements provides convincing evidence that States play much more than an accessory role.

This being said, the heavy fog surrounding trade negotiations has yet to conceal the far-reaching transformations our societies have been undergoing as part of the integration process. For economic integration entails much more than trade. It is an ideology founded on an economic theory whose underlying assumptions must be approached with care. The case of the FTAA is particularly telling in that regard. It is true that at this time, the negotiations have stalled.

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<sup>1</sup> For additional information about the negotiations process in the Americas, visit the official FTAA website at: [http://www.ftaa-alca.org/alca\\_e.asp](http://www.ftaa-alca.org/alca_e.asp). To follow world trade trends on a weekly basis, visit: Red Latinoamericana de Política Comercial at: <http://www.latn.org.ar/>.

<sup>2</sup> See, for example, Stephen Clarkson, *Uncle Sam and Us: Globalization, Neoconservatism, and the Canadian State*, Toronto, University of Toronto Press, 2002.

Whereas Canada and other countries want a comprehensive agreement that would impose a single set of common free trade rules governing goods, services and investments, some countries, Brazil in particular, have been working toward building what analysts call an expanded “NAFTA Lite.”<sup>3</sup> This approach was approved by the Trade Ministers of the Americas at their meeting in Miami in November 2003;<sup>4</sup> in essence, it tends to promote an economic synergy blending a multilateral core with several bilateral agreements negotiated according to the interest of the various partners involved.

It is important to note that even now, the Americas are home to an abundance of bilateral trade agreements negotiated between countries or between blocs of countries. Canada is no stranger to this phenomenon: It recently concluded trade agreements with Chile and Costa Rica and is about to sign similar agreements with four Central American countries.<sup>5</sup> Further, bilateral treaties covering investments have been concluded between the United States and other countries of the Americas at a steadily faster pace.<sup>6</sup> In short, regardless of the ultimate fate of the FTAA and the definitive form assumed by this agreement, Québec has unequivocally entered the era of the economic integration of the Americas. By the same token, this observation conveys some notion of the distance separating MNAs from the process that has brought us to this point.

Against this backdrop, I propose a three-stage reflection consisting in: first, an examination of the relationship binding States to the new governance stemming from trade agreements; second, a few comments about the democratic and parliamentary process in this period of trade agreements; third and finally, a call to parliamentary oversight in response to a too oft-ignored observation: women are affected differently, as compared to men, by the new economy and the

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<sup>3</sup> Globe and Mail, November 19, 2003, “‘FTAA lite’ seen as deal-breaker,” online at:

<http://www.globeandmail.com/servlet/story/RTGAM.20031118.wxtrad1119/BNStory/Business>.

<sup>4</sup> See: Dorval Brunelle, Observatoire des Amériques, *Les suites de la huitième rencontre ministérielle de Miami et les négociations de la ZLEA: échec ou repli stratégique?* Chronique 03-27, November 2003, online at: [www.ameriques.uqam.ca](http://www.ameriques.uqam.ca).

<sup>5</sup> See: Canada - Central America Four Free Trade Agreement Negotiations at: <http://www.dfait-maeci.gc.ca/tna-nac/ca4-fr.asp>.

<sup>6</sup> See: Regional and Bilateral Trade and Investment Agreements, Remarks at the Chatham House Conference Sustainable Development in the WTO. Trade, Investment and Environment after Cancun, *The Royal Institute of International Affairs, February 23-24, 2004*, Konrad von Moltke, Senior Fellow, International Institute for Sustainable Development (IISD), online at: <http://www.riia.org/pdf/conferences/Moltke.pdf>

structural impacts of these agreements. Thus, in answer to the question raised in the title of this presentation, there are indeed grounds for taking women into account in the FTAA process.

### ***Supranational Governance, Business Rights and Trade Agreements***

To begin with, I would like to emphasize a particular phenomenon affecting the core responsibilities of States, now on the eve of the FTAA, and that is the “paralyzing effect” of such agreements.

For it is true that trade agreements are ascribed not only economic attributes but also ideological properties. Namely, it is claimed that on account of the trade agreements ratified by or adhered to by a State, the latter is henceforth forbidden from imposing on the foreign suppliers or investors that may or may not be present on its territory those standards and regulations that it deems the most appropriate for promoting the interests of its citizens.<sup>7</sup> According to this ideology, labour law, environmental law, public services, and control over foreign investments, to take these most frequently cited examples, would all disappear out the window. However, according to the usual wording of trade agreements, this assertion is inaccurate. The State customarily agrees to guarantee foreign suppliers and investors the same treatment it reserves for local businesses—and to prohibit or refrain from any direct or concealed discrimination. Moreover, this guarantee will apply only to the industry, business or service sectors that this same State has chosen to bring within the scope of free trade agreements. Finally, a State may reserve the exclusive delivery of certain services to government authorities. National Treatment status, the form given foreign business rights, thus applies only in cases where the State relinquishes the public character of a service or a role and chooses to liberalize a given sector of activities. To put the matter succinctly, when a State exercises its prerogatives, it does not simply expropriate the rights of a foreign company.<sup>8</sup>

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<sup>7</sup> See, for example, NAFTA Chapter 11 to Date: the Progress of a Work in Progress”, IISD, *NAFTA Chapter 11 Conference*, organized by the Centre for Trade Policy and Law, Carleton University, January 18, 2002, in collaboration with DFAIT, online at: <http://www.carleton.ca/ctpl/conferences.htm>

<sup>8</sup> Lucie Lamarche and Rémi Bachand, *La protection et la promotion des droits des travailleuses québécoises à l'heure de la prolifération des accords commerciaux: le besoin de clarifier les causes de menaces potentielles afin d'orienter l'action* - Recherche, Conseil du statut de la femme, Government of Québec, October 2003, online at: <http://www.csf.gouv.qc.ca/fr/publications/?F=affichage&ma=20&choix=2&s=4>.

While trade agreements do not usurp the State's roles and responsibilities, they admittedly require of States a high degree of transparency, predictability and accountability with respect to legislative and regulatory action. A foreign business accorded National Treatment status should know exactly what to expect when it invests in Québec. In this connection, the literature makes a distinction between simple regulations and complex regulations. By way of example, the minimum wage is determined according to what is referred to as a simple (or primary) standard. On the other hand, the rules pertaining to pay equity belong to the second category, since where pay equity is concerned, a foreign company that employs Québec women workers is unable, from the outset of its activities, to exactly determine the nature of its commitment. Thus it is not inaccurate either to state that however refined Québec's government apparatus may be, it is, like others, subject to particular pressures stemming from trade agreements and the rights of foreign investors.

In short, trade agreements do not demand that the State "roll over and play dead." Rather, they require the State to actively and continually do better, or else see its vulnerability increase as the trend toward liberalization grows stronger. Ultimately, this situation requires of us that we reflect on the end purpose of the numerous standards created by the State. Normally, they stem from the need to protect and promote a certain common good. Moreover, they are often adopted for the purpose of rebalancing, within society, the social and economic relationships between its most affluent and most disadvantaged members.

***Is the Process of Hemispheric Commercial Integration an "Expert System" that Has Escaped the Control of Democracy?***

I am certain that each week, MNAs are contacted by dozens of citizens who, in addition to voicing their hopes and needs, use this opportunity to confide their innermost insecurities, in the words and images they are most familiar with. They talk about jobs that are difficult to come by and keep, an environment that continues to deteriorate, the credit they do not have access to, the family income they are unable to get by on, the natural resources that have been growing steadily scarcer, the difficulty of being a farmer, artist or truck driver, or about other people's culture they feel has become all-pervasive. All in all, they talk about the things that are vital to their well-being: health, education, security, identity, community and family. They talk about such

concerns because they believe in the mission of the State and because they view their MNA as the individual they have chosen to take action bearing on their personal destiny.

How are we to come to terms with a process that seemingly occurs at such a remove from us but that every day affects the people closest to us—namely, those for whom the benefits of parliamentary democracy were intended? Is the hemispheric commercial integration process an “expert system” that has escaped our control?

Québec is not opposed to opening its trade. More than ever, it is open to the world. But has it not also been drawn into an accelerated integration process that jeopardizes its values and the best interest of its citizens? How are we to preserve what is best in Québec, or safeguard its distinct character in this context? How can we see to it that Québec, historically a staunch defender and promoter of social and collective rights,<sup>9</sup> is able to take part in determining a pace of integration that is mindful of its values, existing standards and collective well-being?

These questions inevitably lead us to examine how democracy factors into the economic integration equation. We must also effectively grasp the vital importance for Québec of raising this issue in the context of the Americas, home to several young, as-yet fragile democracies but also home to extreme inequalities, vulnerability, various kinds of violence, and asymmetric development.

In other words, if MNAs reflect on the role they have to play in Québec, they cannot help but observe that they are in an excellent position to develop healthy democratic practices in this time of the integration of the Americas. Obviously, any such efforts must, to begin with, work to the benefit of their constituents. But it is just as clear that other countries of the Americas will be a source of demand for any expertise thus developed, as is shown by the continuing existence of COPA (Parliamentarian Confederation of the Americas).<sup>10</sup>

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<sup>9</sup> A number of these rights are, moreover, enshrined in the Québec *Charter of Human Rights and Freedoms* (sec. 39 and after).

<sup>10</sup> See: <http://www.copa.qc.ca/>

This vital reflection process requires, first of all, that MNAs continually bear in mind that trade agreements neither overwhelm the State nor devalue its critical roles and responsibilities. This being said, there is a real possibility that, in the thick of the agreement negotiation process, participating teams of experts will be tempted to give short shrift to the requirements of democracy, which is the primary responsibility of the States they represent. Thus, in my opinion, MNAs will have to act on four fronts on a daily basis:

- Request the creation of vehicles of information that set out, in layman's terms, the issues of the agreement being negotiated without, however, compromising the bargaining strategy per se. That way, the trade negotiation teams, which often favour contact with the ministries qualified as being natural partners, could also serve as educators to parliamentarians. On this point, the fact that Québec does not enjoy the last word does not, in my view, constitute a decisive factor, for trade agreements do not alter or impinge upon Québec's jurisdictions;
- Request that any potential trade engagements be evaluated in light of the other international engagements Québec has entered into. Some fields are particularly sensitive to a stipulation of this kind: culture, the environment and, of course, human rights and women's rights;
- Plan periods for informing and consulting citizens. Civil society groups interested in the issues of globalization have also spawned their "information have-nots" whom MNAs have an easier time of reaching in their riding;
- Finally, demand a parliamentary debate before the government adheres to a commercial agreement or accepts the ultimate terms of such an agreement. In short, the issue of Québec's international trade engagements must be referred to the National Assembly because such agreements are of direct concern to citizens and not merely the balance of trade or the abstract, total volume of jobs and investments.<sup>11</sup>

These recommendations, which, admittedly, are nothing if unoriginal, are also revolutionary when viewed in another light. In a recent study that I conducted on behalf of Status of Women Canada and that concerns the national regulations pertaining to employment equity and trade agreements, I discovered that both subjects are the subject of airtight ministerial and

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<sup>11</sup> In this respect, the adoption in 2002 of the *Act to amend the Act respecting the Ministère des Relations internationales and other legislative provisions*, R.S.Q. 2002, c. 8, constitutes an example of best democratic practices.

administrative silo-ing.<sup>12</sup> For example, in the federal government, no one has ever asked him- or herself whether foreign corporations having the status of employers in Canada could at some point contest employment equity requirements on the basis of certain rights accorded them under trade agreements. It thus stands that an analysis of the impact of trade agreements on local regulations is a critical democratic prerequisite. For, in each locality of Québec and Canada, such regulations entitle individuals to varying protections, standards and services in respect of education, health, childcare centres, the environment, social services, and much more. Québec is justifiably proud of its status as a democratic constitutional State. But is not human dignity the main thrust of a project of this kind? Now, as has been demonstrated, trade agreements have the unfortunate habit of endangering natural persons and glorifying legal persons! By itself, this observation provides sufficient justification for requiring the FTAA to take women into account.

### ***Women and the Globalization of Trade***

As economies liberalize, the vulnerability of women increases. Beneath such reassuring observations concerning an overall increase in the number of female jobs, for example, lies a darker reality—namely, the *commodification* of women. For each public protection or safeguard that is cut back or cut out, there is a woman whose domestic labour increases, sight unseen, among her close family and her community. The new economy also imperils women's job security. In such new forms of women's labour as telework, self-employment or caregiving, it increases the distance between the work performed and the protection afforded under labour legislation. The privatization of public services—said to be an outgrowth of globalization, an assertion that remains to be proven—makes the economy's demand on impoverished women yet more exacting. Generally speaking, women do not have the means to “consume” [in] the new service economy, including the essential services. For each role and responsibility that the State abdicates in favour of the market—irreversibly in some cases—women emerge upon the scene to fill in the cracks wherever the foundations of this market prove to be shaky, and they also bear the brunt of the concomitant forms of exclusion.

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<sup>12</sup> Status of Women Canada, *Sauvegarder les mesures d'équité en emploi à l'heure des accords commerciaux*, Lucie Lamarche, in collaboration with Rémi Bachand, Aurélie Arnaud and Rachel Chagnon. 100 pp., forthcoming, 2004.



At their meeting in Venezuela in November 2003, the members of the Network of Women Parliamentarians of the Americas reached similar conclusions in a discussion paper developed to analyze the impact of FTAA on women.<sup>13</sup> As well, their findings mirrored those contained in an important document adopted by the ECLAC (Economic Commission for Latin America and the Caribbean) regional conference on women in Lima in 2000.<sup>14</sup> Likewise, at a meeting of the Inter-American Women's Committee of the Organization of American States (CIM-April 2004), the CIM reiterated the importance of scrutinizing the impact of trade agreements on poverty and the democratic empowerment of women.<sup>15</sup>

It is critical to recognize that despite the asymmetries characterizing the Americas, the exclusion, poverty and burdens experienced by women as the result of economic liberalization also affect the lives of Québec women. In that connection, I should like to refer you to the opinion put forward by the Québec Conseil du statut de la femme in April 2001 entitled *Les Québécoises, la globalisation et la Zone de libre-échange des Amériques: une première réflexion*<sup>16</sup> as well as the Recommendations of the National Assembly Committee on Institutions contained in a report adopted in December 2000.<sup>17</sup> In response to the Committee's report, the Conseil proposed that the Government of Québec should closely monitor the liberalization of trade in services from the perspective of preserving and promoting the right of Québec women to equality. Women enter the globalization process under conditions of adversity. Merely increasing the total volume of jobs available to them, including in Québec, does not add up to an overall improvement of their living conditions.

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<sup>13</sup> See: IV Annual Meeting of the Network of Women Parliamentarians of the Americas, Caracas, Venezuela, November 24, 2003, Recommendation on the impact of the Free Trade Area of the Americas on Women and accompanying discussion paper at:  
<http://www.copa.qc.ca/Anglais/Femmesang/Recommandations/Caracas%202003/Recomendation%20FTA A.html>

<sup>14</sup> See: ECLAC, VIII Regional Conference on Women in Latin America and the Caribbean, Lima Consensus.

<sup>15</sup> [Trade Liberalization, Gender and Development: What are the Issues and How Can We Think About Them?](#) (CIM/REMIM-II/doc.4/04)

<sup>16</sup> See: <http://www.csf.gouv.qc.ca/telechargement/publications/AvisQuebecoisesMondialisationZoneLibre Echange.pdf> April 2001.

<sup>17</sup> National Assembly of Québec, Committee on Institutions, *Le Québec et la Zone de libre-échange the Americas: Effets politiques et socioéconomiques*, Report, December 2000, online at:  
<http://www.assnat.qc.ca/archives-36leg1se/fra/Publications/rapports/rapci1.htm>

Across Québec, women need education and healthcare services, childcare and employment centres. To achieve equality, they depend on decent living conditions embracing housing, the environment, transportation, and so on. For each of these indicators, women have been posting losses—across the board, though with variations. In other words, they are affected by the phenomenon of economic liberalization differently than are men.<sup>18</sup>

Québec cannot dispense with factoring women into the FTAA process. The Québec State has maintained beneficial relations with Québec women that are the envy of women in Canada and many other areas of the globe. Whenever Québec-wide policies are debated, it has become the norm to provide the viewpoint of Québec women a hearing. How then might an issue as important as that of the inclusion of Québec into the new integrated economic space of the Americas possibly alter this equation?

On the contrary, the standard of equality, a fundamental right in Québec, requires that the State perform a gender-based analysis of the impact of the FTAA. Québec has already perfected a reliable gender-based analytical tool for use with its policies.<sup>19</sup> The government should thus expand the scope of application to include trade agreements and the future FTAA while also submitting its commercial engagements to the standard of gender equality as promoted under the *Québec Charter of Human Rights and Freedoms*.

This being said, gender-based analysis presupposes a relationship of proximity with women citizens if the objective is to obtain meaningful results. The reality of Québec women is multifarious: They may be wage-earners, businesswomen, small business owners, social assistance recipients, unemployed, tenants, applicants to adapted healthcare or vocational education programs, and so on. In the present time, they may also be involuntarily self-employed or, to an ever increasing degree, natural caregivers. They are, moreover, increasingly less well

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<sup>18</sup> See, for example: Government of Québec, Conseil du statut de la femme, *Travail atypique cherche normes équitables Synthèse* – Information document, April 2000, No. 200-03-I, 20 pp., online at: <http://www.csf.gouv.qc.ca/fr/publications/?F=affichage&ma=20&choix=1&s=41>

<sup>19</sup> See: Government of Québec, Conseil du statut de la femme (2001). *Pour aller plus loin: une évaluation du cadre d'analyse développé par le ministère des Finances du Québec sur l'analyse différenciée selon les sexes*, Avis, 34 pp. and Government of Québec, Secrétariat à la condition féminine (2001). *Plan stratégique 2001-2004* of the Secrétariat à la condition féminine, Quebec City, Government of Québec, 26 pp.

off on the whole. Québec women are also immigrants, refugees—all those whom globalization has rather unceremoniously taken advantage of.

It is not enough to say that trade increases the overall number of jobs, for it also augments the vulnerability of women. All international and regional institutions with a focus on this set of issues have said so. The FTAA is a matter of concern not only to Latin American women, it is a matter of concern to Québec women too. And where the latter are concerned, they stand to benefit from a democratic examination of the validity for Québec of signing on to trade agreements, including the FTAA. How are they are to be assured as to the outcome of this process unless they can avail themselves of the primary democratic forum promoted by a constitutional State—namely, the Assembly of parliamentarians?

That is why, in all respects, the certitudes of trade negotiators are simply unable to measure up against the yardstick of women's needs and rights.

### ***Québec Women's Equality and Trade: In Quest of Best Parliamentary Practices***

A *sine qua non* of democracy and equality is the gender-based analysis of the impact of draft trade agreements on national regulations and the underlying framework legislation. Accordingly, parliaments, or the National Assembly, must be provided the tools that will enable elected representatives to raise, at the appropriate forums, well-focused questions on the impact of the FTAA, not forgetting, however, that trade agreements will not whittle away at the prerogative of public authority merely on the strength of being signed or coming into force. Not a ministry, not a negotiating team should be exempted from this requirement.

Québec women need the State. Post-war history and, even more so, the last 30 years, have forcefully shown this to be so. Parliamentarians must democratically oppose any adherence by Québec to a commercial engagement whose effect is to surrender women's security to the rule of the marketplace. On this score, the recent history of Latin America is particularly instructive.

My remarks do not constitute an indictment of trade agreements. It is not my intention to challenge the justifications given for opening borders to trade. Protectionism has generated so

many conflicts that it has become a concept no less deserving of our suspicion. What is more, the developing countries do not want to restrain trade but to facilitate it. At the same time, however, they aspire to a form of trade that is both fair and mindful of their capacities, their culture and the needs of their citizens. Was it ever really conceivable that similar concerns would not arise in the developed countries?

Instead, I wish to defend the cause of democracy, transparency and gender equality. Obviously, this is a process that will require time, attention and courage to succeed. It will require yet more analyses, documents and discussions, yet more committees, institutions and compromises. The cause of democracy demands a slowdown of globalization, both temporally and spatially. There is nothing for it: There is no such thing as globalized citizens, unless the transnational companies are considered citizens. That may very well be, but unless I'm mistaken, they haven't yet had the audacity to claim the right to dignity and identity! Citizens live in cities and towns, which form the cores of their sense of security and identity. MNAs are the democratic conduits of human spaces. They are the sounding boards for their constituents whenever the latter voice their needs. In these times of globalization, the citizens of the Americas expect from democratic nations such as Québec to be able to share in the best practices of parliamentary democracy.

One such practice is particularly self-evident: furthering the access of women to the role of parliamentarian and making available to women the appropriate information tools bearing on the phenomenon of globalization and, in particular, economic liberalization. There is no disguising the fact that, as a rule, international trade is a man's world! Here again, in respect of studies of the impact of trade agreements, the best gender-based analytical practices will work to the benefit of the women parliamentarians of the Americas, provided that Québec's female elected representatives acquire the means with which to share such practices.

However, reflection must extend farther than the need to achieve a more equitable gender balance in parliamentary representation. Regional forums, such as APEC (Asia Pacific Economic Cooperation Forum), for example, offer several avenues worth further exploring. The APEC has developed a valuable online directory of gender-focused initiatives (called the Gender Focal Point Network), which it makes available to a variety of groups: businesswomen, decision-

makers and parliamentarians. These initiatives are alike in aiming to disclose the “gender” dimension of regional economic policies.<sup>20</sup> The annual reports bearing on such policies also make a point of integrating gender. Throughout Québec and the hemisphere, shouldn’t women parliamentarians be stressing the value of this input?

However, the quest for best democratic practices serving to preserve human rights and women’s equal rights must also be followed up on at the Québec-wide level. At this point, I should like to direct my remarks to four main avenues of future action:

- **Gender mainstreaming:** Québec adopted the *Act to amend the Act respecting the Ministère des Relations internationales and other legislative provisions*,<sup>21</sup> which prescribes submitting for approval by the National Assembly the international engagements of Québec in respect of certain treaties, including those relating to international trade or human rights. Shouldn’t some thought be given to coupling this democratic procedure of Québec’s with the systematic monitoring of the potential impact on women’s rights of the commercial engagements to which Québec wishes to adhere? This process should be placed under the auspices of the National Assembly and its committees or institutions;
- **The supremacy of women’s rights over trade:** In Québec, the supremacy of the rule of law is governed by, among other things, the Québec *Charter of human rights and freedoms*. This fundamental instrument was not only based on the major human rights treaties adopted by the United Nations during the 1970s (called Covenants<sup>22</sup>), but has also often referred to these covenants for the purposes of interpreting its own provisions (for example, in the case of women’s right to equality, the Québec Tribunal des droits de la personne (Human Rights Tribunal) draws on the guiding principles set out in the CEDAW<sup>23</sup>). It is the National Assembly’s duty<sup>23</sup> to ensure that each time Québec adheres to a regional or international trade agreement, the latter is accompanied by at least one

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<sup>20</sup> See S. Hassalani, *Commerce international: Intégration des considérations liées à l’égalité entre les sexes dans le processus d’élaboration des politiques*, Status of Women Canada, December 2000.

<sup>21</sup> See above, note 11.

<sup>22</sup> The *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social and Cultural Rights*.

<sup>23</sup> United Nations *Convention on the Elimination of All Forms of Discrimination Against Women*.

declaration of interpretation asserting that Québec shall be bound only by the interpretations of this trade agreement that are consistent with Québec's human rights commitments;

- **The consultation of women within the framework of efforts to add sectors to the list of those covered by trade agreements:** The list of sectors currently excluded from the application of international trade rules is by no means definitive. On the other hand, several exclusions are vital to promoting the right of Québec women to equality. Thus, in my opinion, oversight mechanisms must be developed so as to monitor the expansion of liberalized sectors or the withdrawal of exceptions. Women must take part in outlining negotiation strategies in accordance with this concern and must, as well, be given the opportunity to voice their opinion about any annexed schedules, interpretative notes and exclusion lists. So that women may flesh out this new “area of authority,” they must be provided the support of the Québec State. Conversely, so that the institutions of the National Assembly may profit from any such analyses, they must be apprised of the findings of consultations on women's concerns prior to approving Québec commercial engagements;
- **Gender-based analysis (GBA) and the revision of interministerial practices respecting international trade:** The practice of GBA should be extended to Québec's international trade engagements. Before committing to such engagements, the National Assembly could require the demonstration that each ministry (and not only those described as the natural partners to international trade) has been called on to assess the impact of the proposed engagement on women.

### *Conclusion*

The title of this presentation contains a double-headed question. To begin with, I believe I have demonstrated that the economic integration process of the Americas has not yet taken women into account, although it is urgent to do so. Secondly, I have examined the issue of the responsibility of parliamentarians in this area.

I have attempted to go beyond the level of principles with a view to venturing a response to the second component of this problematic. Toward that end, I have referred to certain observations:

a correlation between the hermetic character of trade negotiations and the ensuing democratic deficit; the difficulty that women and parliamentarians alike have encountered in gaining timely access to information on trade negotiations; and, finally, the situations of *fait accompli*, whereby parliaments are placed before the conclusions of negotiations and are thus divested of the control they used to exercise over regional or international trade agreement processes. All in all, these observations show up not only the democratic deficit so often referred to by members of civil society but also the mounting risk posed by this deficit from the perspective of women.

Remedying this serious problem compels devising not only educational solutions, intended for parliamentarians and women both, but also institutional solutions. I have just explored some of these with you. All such solutions presuppose the determination of elected representatives to take action. On the other hand, no woman dedicated to the cause of democracy can afford, in this era of global governance, to entertain doubts about any such determination so directed. For female citizens do not inhabit virtual spaces, nor does their right to equality amount to some rhetorical luxury. Accordingly, it is the National Assembly's responsibility, first and foremost, to provide substance to this fundamental right, which has made for increasingly intricate equations.

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June 18, 2004