

# Biodiversity, Gender, and Trade: A role for the WTO?

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# Roadmap

- Links between environment, gender, and trade: What the complex relationship means for the role of trade rules.
- Current issues in relation to biodiversity, gender, and trade.
- Summary.





# Trade and Environment: Role of the WTO?

- Interaction between trade and environment: Challenges and opportunities.
- Interdependence increases the need for coherence.
- WTO Preamble: trade should “protect and preserve the environment.”
- But how should the WTO “address” environmental issues?



# Gender and Environment

- One important consideration in answering the WTO/Environment question is the complexity of environmental issues: The gender dimension of environmental protection is one example.
- Gender equality and equity: both a question of human rights and also essential for environmental conservation and sustainable development.
  - In terms of environment, women have distinct roles, knowledge, and concerns.
- Any discussion on the environment should adequately address the contributions, needs, and visions of women. Environmental issues should also be handled with women's participation!





## Other aspects that make environmental issues complex:

- Environmental problems are unique;
- There are particular principles developed in the context of environmental management;
- Need for scientific and other inter-disciplinary expertise;
- Broad participation is essential.
- As a result...



# Trade and Environment (revisited): the role of the WTO

Critical that trade rules and institutions:

- Take account of their environmental impacts;
- Allow appropriate policy space for sustainable development;

BUT

- Do not intrude on regulatory areas that are properly addressed by environmental or social institutions.





# Case of Gender, Biodiversity, and Trade


- CBD objectives: conservation, sustainable use, and fair and equitable benefit-sharing.
- Article 15: Access to genetic resources on basis of mutually agreed terms and subject to Prior Informed Consent (PIC).
- Article 8 (j): “preserve and maintain knowledge, innovations and practices of indigenous and local communities” and “promote their wider application with the approval and involvement of the holders of such knowledge”.



## Case of Gender, Biodiversity, and Trade (cont.)

- Women and Biodiversity: Basis of their work, their belief systems and their basic survival. Unique insights.
- CBD recognizes “the vital role that women play in the conservation and sustainable use of biological diversity” and affirms “the need for the full participation of women at all levels of policymaking and implementation”.





## Case of Gender, Biodiversity, and Trade (cont.)

- The TRIPS Agreement and genetic resources.
- Paragraphs 12 and 19 of the Doha Ministerial Declaration. Discussions on disclosure requirements and on traditional knowledge.
- IP and Genetic Resources, TK and folklore in WIPO.



## Case of Gender, Biodiversity, and Trade (cont.)

- Article 27.3 (b) of the TRIPS Agreement: “sui generis” systems.
- The UPOV Convention, farmers’ rights and agrobiodiversity.
- Genetic erosion of crops and erosion of traditional knowledge are particularly relevant for women.





# Concluding Thoughts

- Trade, environment, and gender: In a mutually supportive relationship, essential that trade rules adequately allow for and advance equity, human rights, and environmental objectives, principles and rules.
- In relationship between patents, trade, and biodiversity: Importance of disclosure requirements and flexibilities.



Thank you!