
Centre for International Governance Innovation

CIGI's International Law Research Program presents

Making Trade More Equitable: How a Progressive Trade Agenda could share the benefits of Trade Labour, Women and Indigenous Peoples

Tuesday December 12, 2017

13:30-15:00

Trade and Sustainable Development Symposium

Bolsa de Cereales. Av. Corrientes 123 - Pb. C1043AAB Buenos Aires, Argentina

Breakout Room 3 - Rivadavia

CIGI's International Law Research Program (ILRP) is delighted to host this panel as a Knowledge Partner of the ICTSD's Trade and Sustainable Development Symposium in Buenos Aires, Argentina.

We have entered a moment of profound challenge for open societies. Overall poverty levels worldwide are diminishing with deepened trade, notably but not exclusively in China. Yet inequality within and across states is at record levels. The benefits of trade do not appear to have been evenly distributed, such that many workers consider themselves to be trade's losers forced to bear the individualized risk of economic restructuring, and women and Indigenous peoples wonder if they will ever experience firsthand the benefits of participating in international trade. The dawning awareness of the uneven distribution of the benefits of international trade stokes fear and cynicism about globalization and calls for more trade protectionism.

This panel calls attention to the perceived mismatch between existing provisions in trade agreements, and the concerns about the impact of trade on labour and employment, and the need to ensure that global trade is inclusive of women and indigenous peoples. This panel will review existing trade agreements. It will consider the potential to enhance participation of labour, women and Indigenous peoples, and reinforce progressive social values while promoting global economic growth. It will consider the possibilities and limits for individual states in fostering an inclusive trade agenda and progressive trade adjustment measures. It seeks to push thinking further, to consider whether and how regional economic agreements might become sites through which to rethink distributive justice (social regionalism). It will bring together leading experts on the interface between equality rights, indigenous rights, labour law, development and trade law, to discuss how core social principles of inclusion, equity and decent work might better be embedded in regional and multilateral economic agreements.

Invited Panelists

Oonagh Fitzgerald (Chair)



As director of CIGI's International Law Research Program, Oonagh Fitzgerald established and oversees CIGI's international law research agenda, which includes policy relevant research on issues of international economic law, environmental law, intellectual property law and innovation, and Indigenous law. She has extensive experience as a senior executive in the federal government, providing legal policy, advisory and litigation services, and strategic leadership in international law, national security, public law, human rights and governance. As national security coordinator for the Department of Justice Canada from 2011 to 2014, Oonagh ensured strategic leadership and integration of the department's policy, advisory and litigation work related to national security. From 2007 to 2011, she served as the Department of National Defence and Canadian Forces legal adviser, leading a large, full-service corporate counsel team for this globally engaged, combined military and civilian institution. Before this, Oonagh served as acting chief legal counsel for the Public Law Sector of the Department of Justice and special adviser for International Law.

Adelle Blackett



Professor Adelle Blackett is the Canada Research Chair in Transnational Labour Law and Development at the Faculty of Law, McGill University, and directs the Labour Law and Development Research Laboratory. She holds a B.A. from Queen's, LL.B. & B.C.L. from McGill, and LL.M. & J.S.D. from Columbia. She received SSHRC's Bora Laskin National Fellowship in Human Rights Research in 2010, and the Pierre Elliott Trudeau Foundation Fellowship in 2016. A former official of the International Labour Office in Geneva, she later authored the law and practice report and questionnaire that led to ILO Convention No. 189 on decent work for domestic workers, and led an ILO labour law reform process in Haiti. She was unanimously appointed by the National Assembly of Quebec to the province's Human Rights and Youth Rights Commission (2009-2016). She was awarded the Christine Tourigny Award of Merit from the Barreau du Québec and the status of advocate emeritus in 2014.

Valerie Hughes



Valerie Hughes is a CIGI senior fellow and an adjunct assistant professor of law at Queen's University. An expert in international trade law and international dispute settlement, she served as director of the Legal Affairs Division of the World Trade Organization (WTO) from 2010 to 2016 and as director of the WTO Appellate Body Secretariat from 2001 to 2005. Valerie also spent 22 years with the Government of Canada, during which time she held various positions, including assistant deputy minister at the Department of Finance, general counsel of the Trade Law Division at Foreign Affairs and International Trade, and senior counsel in the International Law Division of the Department of Justice. She has served as counsel for Canada and litigated before international courts and tribunals on trade law, investment law, and law of the sea matters.

Alvaro Santos



Alvaro Santos is Professor of Law and Director of the Center for the Advancement of the Rule of Law in the Americas (CAROLA) at Georgetown University. He teaches and writes in the areas of international trade, economic development, transnational labor law and the future of NAFTA. Professor Santos serves on the editorial boards of the American Journal of Comparative Law, the Journal of International Economic Law, the Law and Development Review, and the Latin American Journal of International Trade Law. He served as Co-Director of the Center for Transnational Legal Studies (CTLS) in London in 2014-15. He regularly teaches at Georgetown's WTO Academy and Harvard's Institute for Global Law and Policy (IGLP) and has also taught at the University of Texas, Centro de Investigación y Docencia Económicas (CIDE), Melbourne Law School, Tufts University, and the University of Turin. Professor Santos received an LL.B. with high honors from Universidad Nacional Autónoma de México and an LL.M. and S.J.D. from Harvard Law School.

Risa Schwartz



Risa Schwartz is a sole practitioner, focusing on international law and the intersections between trade law, environmental law and Indigenous rights. Risa was formerly a senior research fellow with CIGI's International Law Research Program. In that role, she researched law and policy that supported increasing Indigenous peoples' participation in international law and treaty making. Risa has also held positions as counsel to the Ministry of Aboriginal Affairs in Ontario, and the Ministry of the Environment and Climate Change, and worked as a legal officer at the World Trade Organization in Geneva, Switzerland. Risa obtained her LL.B. from Osgoode Hall Law School and her LL.M. from the London School of Economics.

About the Centre for International Governance Innovation

The Centre for International Governance Innovation (CIGI) is an independent, non-partisan think tank on international governance. Led by experienced practitioners and distinguished academics, CIGI supports research, forms networks, advances policy debate and generates ideas for multilateral governance improvements.

Conducting an active agenda of research, events and publications, CIGI's interdisciplinary work includes collaboration with policy, business and academic communities around the world. CIGI's current research programs focus on three themes: the global economy, global security & politics, and international law.

CIGI was founded in 2001 by Jim Balsillie, then co-CEO of Research In Motion (BlackBerry), and collaborates with and gratefully acknowledges support from a number of strategic partners, in particular the Government of Canada and the Government of Ontario. For more information, please visit www.cigionline.org.

About the International Law Research Program

The International Law Research Program (ILRP) at CIGI is an integrated multidisciplinary research and teaching program that provides leading academics, government and private sector legal experts, as well as students from Canada and abroad, with the opportunity to contribute to advancements in international law.

The ILRP strives to be the world's leading international law research program, with recognized impact on how international law is brought to bear on significant global issues. The program's mission is to connect knowledge, policy and practice to build the international law framework - the globalized rule of law - to support international governance of the future.

The program focuses on the areas of international law that are most important to global innovation, prosperity and sustainability. It seeks to collaborate with faculty and postgraduate students from universities across Ontario and beyond.