

Title: **The *Lex Specialis* Obstacle to Representing Women and Their Interests within the World Trade Organization**

Abstract: 238 words

The World Trade Organization is an institution of global economic governance that is resistant to the representation of women and their interests, while other international organizations, including organizations of global economic governance, have incorporated some form of women's representation, mostly through gender mainstreaming. A small exception is through the WTO's co-operation with the Aid-for-Trade Programme, which incorporated gender mainstreaming in 2011. While a milestone, many remained disappointed, and for the first time in June 2016 a 'gender perspective on trade' was discussed at the Annual Session of the Parliamentary Conference on the WTO. However, the Outcome Document reinforced the responsibility to mainstream gender into trade policies by members without any role by the WTO.

Although I have explored several reasons for such an outcome elsewhere, this paper argues that there is a crucial 'institutional' reason embedded in international law that would have to be overcome in order to represent women and their interests from within the WTO. Namely, WTO dispute settlement operates as *lex specialis*, a specialized sub-system of law that has a distinct place in the interrelationships of international law. Although this appellation is the subject of an extended controversy, known as the Marceau-Pauwelyn debate, it is of great significance because WTO dispute settlement as *lex specialis* negates the effectiveness of the strategy of identifying women's rights with human rights.

The paper is embedded in a larger research programme concerning the democratic potential of global (economic) governance.