

RAPID Task Order 2.2 Activity

End of Assignment Report:
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Position: National Working Group Deputy Team Leader
Dates of Consultancy: November 2000 – September 2001

Submitted to:
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Background

Task Order 2.2

RSCA in October 2000 issued Task Order 2.2 for "Support to National Working Groups (NWG) on the Implementation of the SADC Free Trade Agreement". The primary objective of this Task Order is to enhance the capacity of the SADC national governments and the private sector to manage and coordinate the regional market initiative and activities by:

- Supporting measures for the effective implementation of the Trade Protocol
- Providing facilitators to the National Working Groups for a period of 11 months
- Providing logistical support and assistance to National Working Groups

By enhancing the SADC national governments' capacity to analyze and address critical issues that may impede implementation of the SADC Free Trade Area, this Task Order would contribute directly to the process leading to the reduction of barriers to cross-border trade, investment and finance in the SADC region (Intermediate Result 1). The Task Order would also support Intermediate Result 3, Advocacy for Sustained Regional Integration Strengthened, by developing institutional capacity to manage and coordinate regional market integration initiatives and activities as they relate to the implementation of the SFTA.

Task Description

MAIN TASK ORDER ACTIVITIES:

Phase One (Month 1)

- Consult with SADC Secretariat and GTZ advisor to confirm objectives and purpose of TO
- Meet with senior government officials and representatives of the private sector in each of the 11 SADC Member States implementing the Trade Protocol.
- Prepare detailed, prioritized work programs for each National Work Group. These work programs will address, *inter alia*, the expected consulting and financial requirements.
- Organize and hold the first regional meeting of national working group Chairpersons. This will be held in Gaborone and include the SADC Secretariat and SITCD.

Phase Two (months 2-10)

During Phase Two the Team Leader and three Trade Advisors will continue as facilitators. For planning purposes, it is assumed that there will be a full time facilitator for each Member State, (i.e., a total of eleven consultants working as facilitators). However, it should be recognized that when the initial assessment carried out under Phase One is completed, the parameters for this Task Order might change to reflect the specific requirements for each Member State.

The national consultants working with Member State's National Working Groups (NWGs) will:

- Work closely with the Chairpersons of the NWGs and the government officials responsible for implementing the Trade Protocol. The national consultants will also keep the Team Leader informed of progress through regular, detailed progress reports. The Team Leader will be based in Gaborone and will be responsible for keeping the SADC Secretariat, SITCD, GTZ and RCSA informed of the Task Order's progress.
- A key responsibility of the national consultants will be to assist in identifying and addressing areas where problems impeding the implementation of the Trade Protocol arise that require additional assistance. There are several ways in which additional assistance can be provided to Member States, including through the SADC Secretariat's advisors and/or through RAPID.
- The national consultants will assist in organizing and holding regular meetings of the NWGs. They will also assist in conducting a mid-term regional meeting of NWGs.
- The national consultants will assist in the coordination of each Member State's implementation program with other technical assistance activities and regional initiatives aimed at implementing the Trade Protocol underway.
- The national consultants will work with the NWGs to prepare longer term work programs, (i.e., to cover activities that would extend beyond the coverage of this Task Order). These will be drafted by month 9 and submitted for comments to the Team Leader, SADC Secretariat, SITCD, GTZ and RCSA. The longer term work programs will include, but not be limited to, a plan of action for RCSA through the year 2003.

Phase Three (months 10 and 11)

During the final month of this Task Order, the following activities will be carried out:

- A regional wrap up meeting will be held, including the NWG Chairpersons, relevant government officials, the national consultants and representatives from the SADC Secretariat, SITCD, GTZ and RCSA. This meeting will focus on the progress achieved during the Task Order and the work ahead. This meeting will be held in the first week of month 11. (Assume for planning purposes that this meeting will be held in Gaborone.)
- The national consultants will submit for discussion final reports that describe activities carried out under the Task Order and also present detailed proposals for additional activities in these areas.
- The Team Leader and national consultants will present final reports in meetings with the SADC Secretariat and RCSA.

Tasks

From November 2000, I was recruited as Deputy Team Leader entrusted to perform the following tasks:

- a) Leading team visits to National Working Groups in SADC Member States and identifying

- contacts in implementing the Trade Protocol;
- b) Assisting in preparing and conducting regional meetings for chairpersons.
 - c) Organization of meetings with representatives from the private sector, relevant Government ministries and other public and private institutions to discuss the progress in activities necessary to be undertaken to ensure effective implementation of the Trade Protocol.
 - d) Monitoring formulation, approval and publication of the receptive legal documents translating the provision of the STP into national law
 - e) Monitoring the availability of documents necessary for intra-regional trade and the smooth provision of origin certificates by the responsible authorities.
 - f) Assist in the creation of and agree on a STP implementation training program for relevant national institutions and private sector representatives.
 - g) Maintaining contacts and monitoring STP implementation with private and public institutions and propose remedial action, where unforeseen obstacles occurs.
 - h) Arranging and address meetings with the private sector informing about the challenges and new possibilities created by STP.
 - i) Keeping SADC institutions informed about problems arising in STP implementations and Propose measures to overcome such problems. Inform SADC institutions about the need for support from regional or international institutions, wherever necessary.
 - k) Participating in regional meetings of similar task forces in other SADC Member States to compare progress. Learning from success and setbacks elsewhere and ensuring a regionally coordinated approach to STP implementation.
 - l) Setting up and coordinating a small secretariat support him. /her in carry out his/her tasks.

Locations visited

This assignment was coordinated from the TO headquarters location in Gaborone, Botswana. Initially I was involved in work with all the eleven countries currently party to the SADC Trade Protocol. However, later I was assigned to work specifically with Mozambique, Namibia, Swaziland, Zimbabwe and Zambia. The rest of the participating countries were a direct responsibility of Ms Hellen Kembo, then Team Leader of the National Working Group Activity.

Trip visits included fact finding missions, assistance to Governments in the preparation of the launch of the NWGs e.g. Zambia and participation in awareness workshops for Customs Authorities. In addition, the team also attended a number of Trade Negotiating Forum meetings including roundtables which had been initiated to resolve a number of outstanding issues in the

Trade Protocol negotiations.

National Working Groups

Following a request from SADC Secretariat that was in response to a decision by the Sector Ministers of Industry and Trade, RAPID during 2000 and part of 2001 was actively involved in an exercise to assist the eleven SADC States that are participating in the SADC Trade Protocol in their endeavors to establish National Working Groups (NWGs)

The main purpose of setting up the National Working Groups was to facilitate the implementation of the SADC Trade Protocol (STP). The main role of these working groups once established would be as follows:

- Oversee and coordinate policy, regulatory and other changes that may be necessary to ensure compliance with the provisions and obligations of the STP
- Provide a broadly based forum, comprising of representatives from the relevant Government Ministries and Agencies and the private sector whose main functions but not exclusive would be:
 - Monitoring the STP implementation process and where necessary provide a platform for Government and private sector to jointly and timely solve problems.
 - Formalizing and strengthening dialogue and information sharing between government and private sector. This would elevate the participation of the private sector in SADC issues in two important dimensions. Firstly, regarding trade matters- the private sector would be afforded an opportunity to make more meaningful (effective) contributions into their respective countries' positions in future STP negotiations (previously minimal in a number of countries) Secondly, on broader SADC issues – the private sectors through the NWG would have a chance to make input into the National Task Forces that will be established in the new SADC Structure; and
- Deliberate on trade and other related economic policy issues in general and where necessary make recommendations to Government.

Interventions

Needs Assessment Studies

Prior to assisting with the actual establishment of the NWGs, RAPID in conjunction with GTZ undertook needs assessment studies in 8 SADC countries¹, namely Botswana, Malawi, Mozambique, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe. The needs assessment

¹ Three countries were not covered. It was felt that it was unnecessary to undertake needs assessment studies for Mauritius and South Africa that already had in place mechanisms for dealing with issues that the NWGs were designed to do. The delay in covering Lesotho was due to the fact that they are still organizing themselves.

studies were intended to identify the types of assistance that RAPID could provide to facilitate the establishment and effective operationalization of the NWGs. Two important observations were made during the course of these studies. Firstly, both the public and private sectors fully supported the idea of establishing NWGs and appear to have a good appreciation of the benefits of having such fora in place. Secondly, a general lack of knowledge about the STP was evident, particularly among the private sector which in most instances had not really been exposed to the negotiation process.

Enumerated below are the main common areas identified by the needs assessment studies that RAPID was requested to assist the Member States with other than the assistance with respect to the establishment of the NWGs.

- Organizing, funding and providing resource persons to conduct awareness / familiarization workshops focusing on issues relating to the STP, Customs, AGOA, and other relevant trade matters;
- Organizing, funding and providing resource persons to conduct specialized Customs of Training targeted at customs officers;
- Funding and providing resource persons to assist with the alignment of legislations and regulations to ensure compliance of STP provisions and obligations;
- Funding and undertaking study on NTBs;
- Providing technical assistance on Trade remedies such as antidumping, safeguard and countervailing measures;
- Funding and undertaking studies of the impact of the STP on selected sectors; and
- Funding and designing websites for the NWGs.

Results

As result of RAPID's interventions three of the five countries I was assigned established NWGs namely Swaziland, Zambia and Zimbabwe. Mozambique and Namibia are still in the consultative stage. Mozambique has submitted a request to Cabinet seeking approval for the establishment of the NWG, whilst Namibia indicated that it needed more time to rationalize the various working groups working on related matters currently in place.

In terms of phase 1 activities of the task order description, the RAPID team attained all the targets with the exception of the organization and hosting of the first regional meeting of the National Working Group Chairpersons.

With respect to phase 2 activities, there was a deviation from the original plan of engaging national consultants. Instead the project decided that all work would be coordinated from Gaborone by the Team Leader and the Deputy. Out of the three countries that established the NWGs which were directly under my responsibility, assistance was provided to Swaziland and Zambia in identifying and providing possible solutions to problems that were likely to impede the implementation of the Trade Protocol. Part of the aspect was addressed through the awareness workshops conducted with Customs officials and the private sector. In addition to this, the RAPID team through the regular consultations with SADC, Government and private sector officials assisted Member States in identifying other areas where additional assistance could be provided by the project. Examples of such areas are listed under opportunities.

However, the team could not address the preparation of long term work programs for the NWGs. This was mainly caused by the delay in their establishment, especially that the exercise in the end demanded the physical presence of the two coordinators to assist with the preparation and launching of the NWGs e.g. Tanzania and Malawi. In both instances this took more time than had initially been anticipated.

Phase 3 of the task order activities was not delivered as the activity was suspended before the end of the assignment.

Constraints

The following were some of the constraints experienced.

- i) One of the major impediments in this activity was the lack of commitment on the part of the Member States to set up, and or appreciate the benefits that could be derived from a viable NWG. This problem was compounded by the failure of the Ministerial decision to provide guidelines and timeframe for the establishment of these working groups. The result was, Governments taking their time in establish the NWGs which subsequently derailed the initial programme of work under RAPID, which had initially envisaged undertaking all the activities under the auspices of the NWGs.

On the other hand, the few countries that did establish the working groups could not get them to run effectively because in most instances they had limited experienced and knowledgeable staff to ensure effective coordination of the activities. The few officials available were also tasked with numerous other tasks. Hence the decision by RSCA to suspend further support to this activity.

- ii) Deviations from some of the original programmes of the activity were also a source of some of constraints. I am of the opinion that had the regional workshop on NWGs been held as outlined in phase one of the task activities some of the problems experienced later could have been avoided. The workshop could have been an appropriate forum for countries to share experiences with each other especially those that already had effective NWGs in place such as Mauritius. For those that didn't have them in place, the workshop could have accorded an opportunity to appreciate the role that NWGs have played in other countries where they have been established. This could have played as a catalyst to the establishment of these NWGs in those countries that were lagging behind.
- iii) The shift by RAPID from the original concept of funding a facilitator and some of the meetings of these working groups may also have attributed to the slow response and perhaps the non performance some of those that were established. RAPID in the initial stages had indicated preparedness to fund national facilitators in each country who would coordinate the activities of the NWGs in each country. In addition to this, the project had also indicated that it would provide funding to facilitate some of the meetings of the working group. On the other hand GTZ who were partners in this exercise also committed to

providing support on providing capital equipment for the Secretariat of the NWGs once in place. Neither of this support was forthcoming from both donors with the exception of Swaziland where a facilitator was provided. Whilst it is true that resources should not be pumped into activities that are not yielding results, it is also true that most of the countries in SADC are not in a position to financially sustain such an activity without some form of financial assistance. Inadequate funding by the Government Treasury is a problem for most of the countries especially the least developed countries. Often there is a divergence in the priorities in the allocation of funds between Treasury and the Economic Ministries resulting in the latter always being under funded. This is exacerbated by the fact that most of these countries are operating on a cash budget and thus depend on a monthly allocation which is inadequate to meet the Ministries' monthly commitments of expenditure. The result of this is oftentimes the non settlement of utility bills such as telephones and fuel leading to the disruption of transport and telecommunication services. The issue then is how effective the NWGs would be in such an environment even if a country is committed? Although RAPID cannot take up the responsibility of paying utility bills, this is the reality with some of the countries.

The question one poses then is, given a situation where a country had identified an effective facilitator was showing serious commitment to establishing the NWGs and making an effort of undertaking certain activities within their budget, Shouldn't RAPID and GTZ have considered rather than refusing all together?

- iv) Related to the above, was the lack of consistency in following up on commitments made to Member States. During the course of the assignment RAPID committed to providing support to SADC countries for various areas of need that had been identified. However, often times there were changes made to agreed programmes of assistance without Member States being notified. An example of this is assistance requested by Mozambique where with the exception of one or two activities agreed to, all the requests were shelved without Mozambique being advised as to why. This in my view does not portray a good image of the project and does not provide a good base for future cooperation.

Opportunities

Even though the pace of establishment of the NWGs was slow, the interventions through the needs assessment studies provided an opportunity for RAPID to engage SADC and its Institutions and individual Member States in other activities other than those arising directly from the assessment.

The interventions listed below comprise of various forms of assistance that RAPID provided or is still providing either in response to specific requests from individual countries or from the SADC Secretariat or where RAPID has taken the initiative to bridge gaps that may have identified:

- Funding translation of some important documents into Portuguese;
- Undertaking analysis of Offers (done all countries) and assist in cleaning up of offers (Zimbabwe);
- Compiling inventory of SPS legislation and regulations which will form the basis upon which recommendations for an SPS Annex to the STP will be made;

- Funding and/or providing resource persons and technical papers for Round Table Meetings;
- Funding and or providing resource persons and technical papers for the Association of SADC Chambers of Commerce and Industry (ASCCI);
- Funding the Interim Steering Committee meetings and providing resource persons and technical papers for a workshop of the Regional Tariff and Trade Facilitation Forum;
- Identifying trade opportunities under AGOA and assisting eligible SADC states obtain visa qualification for textiles and apparel; and
- Funding delegates participating in the TNF, SADC TNF Committee Meetings (e.g. Sugar, Clothing and Textiles); Round Table meetings; High Level Committee meetings, etc.

Recommendations

Since a decision to discontinue with this activity was already made, this aspect may not require my input. However should the project ever reconsider its position I would recommend that SADC must be actively involved in the process and Member States must exhibit a certain level of commitment both in terms of providing competent staff and some allocating some minimal resources to the activity before donor resources are provided.

Attachments

1. **SOW**
2. **List of Key Meetings held and contact information**
Refer to Needs Assessment Studies and Trip Reports
3. **List of reports produced and dates**
 - Needs Assessment Studies for Botswana, Namibia, Swaziland, Zambia and Zimbabwe November 2000
 - Trip Report on Customs Awareness Workshop- Zambia April 2001
 - Trip Report on Customs and Private Sector Awareness Workshop- Namibia- June 2001
 - Trip Report on establishment of Zambian NWG- July 2001
 - NWG Overview Report October 2001
 - Monthly and Quarterly Activity Reports