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Work in
Progress
No. 88



Economic Commission for Africa

African Trade Policy Centre

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Assessment of Gender Impacts of SADC Trade Protocol in Selected Countries

Rose Shayo

January 2012



ATPC is a project of the Economic Commission for Africa with financial support of the Canadian International Development Agency (CIDA)

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Abbreviations

AU	African Union
AIDS	Acquired Immune Deficiency Syndrome
ACHPR	African Charter on Human and Peoples Rights
BPFA	Beijing Platform For Action
CATS	Convention Against Transnational Crime
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CEO	Company Executive Director
COMESA	Common Market for Eastern and Southern Africa
CMT	Committee of Ministers of Trade
CPA	Commonwealth Plan of Action
ECA	Economic Commission for Africa
EPA	Economic Partnership Agreements
EU	European Union
FTA	Free Trade Area
FGD	Focused Group Discussion
FRELIMO	Frente de Libertação de Moçambique
GDP	Gross Domestic Product
GIDD	Gender in Development Department
GAS	Gender Audit Study
GMS	Gender Mainstreaming Strategy
GBV	Gender Based Violence
GMT	Gender Mainstreaming Tool
HIV	Human Immune Virus
IOC	The Indian Ocean Commission
ICT	Information Communication Technology
IDS	Institute of Development Studies
ICBT	Informal Cross Border Trade Association
IMS	Information Management Systems
IPME	Institute of Promotion of Small and Medium Enterprises
MS	Member States
MDG	Millennium Development Goals
MTP	Mauritius Trade House
MHSWD	Ministry of Health, Social Welfare and Children Development
MGECW	Ministry of Gender Equality and Child Welfare
MFAID	Ministry of Foreign Affairs and International Cooperation
MITC	Ministry of Industries and Trade
MAC	Ministry of Agriculture and Commerce
MOFEA	Ministry of Finance and Economic Development
MUCCER	?
NBS	National Bureau of Statistics
NSA	Non State Actor
NGO	Non Government Organization
NWCE	National Women Council of Entrepreneurship

RAS	Regional Advocacy Strategy
RISDP	Regional Indicative Strategic Development Plan
SADC	Southern Africa Development Community
STP	SADC Trade Protocol
SIF	Strategic Implementation Framework
SDU	SADC Gender Unit
TOR	Terms Of Reference
TIFI	Trade, Investment, Finance and Trade
UN	United Nations
UDSM	University of Dar es Salaam
VAWC	Violence Against Women and Children
WTO	World Trade Organization
WEDP	Women Entrepreneurship Development Programme
WBTIF	Women in Business and International Trade Fair
ZIFA	Zambia Federation of Women in Business

Executive Summary

The Southern African Development Community (SADC) introduced its trade protocol in the year 2000 to promote intra regional trade in goods and services among its member states (MS) as well as finance and investments. The overall goal of establishing the STP is to ensure efficient production of goods and services and trade across member states in particular. The ultimate goal of the STP is to reduce poverty and to enhance economic growth within the region. After ten years of implementing various STP measures, it has been found that men and women directly involved in regional trade have been affected differently both within and across countries. However, there has not been an in-depth regional comparative study to establish the magnitude of such gender impacts of the STPs. Therefore, this report presents findings of a regional study that was carried out in four countries from mid November to mid December 2010 in four SADC member states namely, Mozambique, Mauritius, Namibia and Zambia respectively.

Objectives and Methods

The study assessed the STPs measures as an attempt to gain an understanding on the gendered impacts, gaps, and weaknesses, entry points for promoting gender equality, equity and women empowerment with reference to the four country case studies.

The study adopted a variety of research methods and techniques to collect data from both secondary and primary sources. For the primary data, initially, the study intended to use both quantitative and qualitative research methods to allow for comparisons between countries. Overall, a total of 100 respondents including ... men and ... women were interviewed.

Main Findings

There were no clear directives, targets and time frames for Member States to integrate a gender perspective in the STP during its implementation. Therefore, most respondents were caught unprepared with regard to providing concrete comments on the gender impacts of the STP. In view of this shortfall, it was not possible to come up with quantitative data on the magnitude of the gender impacts of STP both at macro and micro levels for individual Member State. Overall, there was dearth of gender disaggregated data and information on actions taken to implement STP strategies as well as gendered outcomes.

The study assessed a variety of issues necessary for establishing the gender impacts of STPs at macro and micro levels using information mostly from qualitative sources. These the presence of enabling environment for the integration of gender in STPs implementation , gender sensitivity of specific actions taken to implement the STP by different actors as well as types of effects and or impacts to men and women gendered outcomes. Further, the study identified main problems and challenges that limited the effective integration of gender in the implementation of the STP.

Enabling environment for addressing gender issues

The study examined the degree to which key informants at macro, meso and micro levels were aware of various issues necessary for a successful mainstreaming of gender in programmes and policies such as the STPs. Some of these include having a clear and effective institutional framework for overseeing integrating gender perspectives in STP implementation, having adequate capacity (human and non human) to identify and address gendered issues emerging from the implementation of the STPs, knowledge and awareness on the STPs including contents and implementation framework, capacity for handling gender specific issues in STPs, WTOs, commitment to implement the SADC Gender equality protocol and regional and global conventions , having a national gender policy and ability to identify and analyse gender and policy issues and collection and utilization of gender statistics. Overall , study findings from all the countries visited, indicated that there is an elaborate enabling environment as well as clear institutional frameworks for dealing with gender related issues in general terms . In fact most of these structures were already in place well before the launching of the STP. Some of these include establishment of national machineries responsible for coordinating gender and women issues in each country as well as Gender Focal Persons (GFP) in all Ministries Departments and Agencies (MDA) and national gender policies and women specific NGOs. However, most policy makers had some reservations as to whether there were specific institutions responsible for coordinating gender specific issues related to the implementation of the STPs.

Interestingly, study findings revealed that respective Member States have national gender specific policies and that highlight priority gender concerns in the key sectors of their respective economies including trade. Further, it was established that the implementation of the STP at country level is coordinated by the Ministry of Foreign Affairs and Regional Cooperation and Ministry of Trade and Commerce but the latter confessed that they are s responsible for managing general issues and not gender specific issues related to STP implementation . In addition, they reported that SADC Gender Unit has not ordered them to follow-up the implementation of the STP from a gender perspective both in general or specific terms

Availability and utilization of gender statistics

Respondents were asked to indicate whether respective departments collect and maintains gender disaggregated data on men and women involved in intra/inter regional trade by type of trade, economic issues (types of trade, earning and employment), time use and resource allocation, social and environmental aspects related to trade, main gender issues affecting traders, status and positions of traders involved in trade, relationship between men and women involved in trade by sectors (agriculture, industry, commerce, etc) and on health related issues and social service delivery. Overall findings from all the four country visits suggest that collection and management of gender statistics on all the seven variables mentioned above is average. Most of respondents confessed that the collection and dissemination of gender statistics related to trade is not satisfactory at all. Several problems and challenges were cited showing why most organizations do not collect and utilize gender statistics. Some of these include inadequate knowledge on the importance of collecting gender statistics; lack of enforcement from the government to collect and use gender statistics for policy and programming

purposes; lack of tools showing how to collect and analyse data from a gender perspective; lack of capacity for handling and analysing data in terms of gender

Assessment of the gendered outcomes of the SADC Trade protocols

To unveil the gender impact of STPs, respondents were asked to comment on the gender sensitivity of specific actions that were taken to implement various measures were indicated in the STPs as well as their outcomes and impacts on men and women or organizations in their diversity. Overall, the study findings failed to obtain gender specific information from all the four countries showing the so called gender impacts of the STPs. On the contrary, the majority of respondents concentrated on discussing constraints that limited the integration of gender in STPs both during its design and implementation phases. As one male respondent from Zambia narrated, “Issues of gender analysis in our country are quite new. We do not have adequate capacity (skilled manpower) to handle gender specific issues for each sector. In some ministries, including the Ministry of Agriculture they seem to be doing well because they have a GFP. So what is needed is promotion of collaborative work in dealing with gender related issues in the country.”

Similar sentiments were echoed during a FGD with a group of 20 chairpersons of women and men business association who are involved with trade within the SADC. For them, the main concern was lack of awareness on the STP document although they knew of its existence. In fact, majority confessed that they were aware of the SADC commitment to eliminate tariff barriers that limit effective participation of men and women in trade matters but confessed that they were aware of the other measures. They knew that their respective governments were doing token things to certain groups including those who are influential and well informed. The majority of small traders at the grass root especially those involved in cross border trade are completely unaware of the STP specific measures let alone actions taken to implement them.

Custom procedures

Study findings suggest that in all four countries no concrete evidence were obtained showing types of actions that were taken by actors at different to educate traders on the customs procedures neither their gender sensitivity or gender impacts . Most reported that there have been many seminars on custom issues and suggested that I should contact them directly. However, respondents especially in FGD, expressed concerns on the complications of processes and procedures of acquiring a certificate of origin from South Africa in particular. They reported that South Africa has too many restrictions that make it difficult for traders to obtain the certificate of origin. On the contrary, some respondent in Mauritius for instance argued that rules of exporting certain products to the European Union (EU) are relatively simple compared to those of SADC. For instance they reported that only a single transaction is required. Further, the study findings established that that there is a sizeable a number of women traders who have failed to continue doing regional trade due to limited knowledge on customs issues including eligible products for tax exemption, duration of stay South Africa and issue of certificate of origin.

Trade laws

The study examined type of actions taken by respective Member States to educate different actors involved with the implementation of STP on international and regional agreements/ laws on (i) application of sanitary and phyto-sanitary measures and (ii) standards and technical regulations on trade.

Surprisingly, in all countries, no data was available on these issues which suggest they were taken for granted. As was the case for the previous section, it became evident that most respondents have not read the STP in details to get to know all these specific issues.

Anti-dumping measures

This item requires respondents to indicate types of actions/measures that have been taken by various actors to provide education on anti-dumping measures to be used in line with WTO provisions. As was the case with the previous item, no respondent commented on this item including those at micro level

Subsidies, countervailing issues and safe guard measures

Respondents were required to mention actions that were introduced by their respective government and or other Non State Actors (NSA) to educate people on issues such as subsidies and counter veiling issues/ competition, safe guard measures to protect their trade from foreign competition, trade relations both within and outside SADC countries, coordination of implementation strategies, coordination of different actors settlement of disputes and what is involved in the Free Trade Area (FTA) plan.

In addition, respondents were required to indicate gender sensitivity of such measures. As was the case from the previous section, none of the respondents filled this section from all countries visited.

Awareness on gender mainstreaming strategy

Ideally, mainstreaming gender in STP would require thorough understanding of various efforts at international, regional and national levels. Thus , respondents were asked to indicate whether they were aware of important guiding documents from SADC or national gender machineries that are useful for mainstreaming gender in trade and other related issues Further , they were supposed to indicate actions that have been taken to educate key actors and traders on documents such documents and in particular Regional Indicative Strategic Development Plan (RISDP), Strategic Implementation Framework (SIF) on Gender and Development (2006-10), SADC Gender and Development Business Plan, Protocol on Finance and Investment, SADC Gender Work Place, SADC Gender Monitor, SADC Gender Mainstreaming Resource Kit.

Interestingly, as it was going through the list, one respondents at macro level commented that, 'the problem with SADC Gender Unit (SDU) is that they are good at designing these many useful documents but they do not create space to follow up how they are been used by actors at member state level or not.

We people at member state level, we also have our own enough responsibilities which sometimes are beyond our ability to accomplish them.”

Disturbingly, none of respondents at micro level seemed to be aware of the list of documents available from the SADC Gender Unit including men and women.

Main gender concerns/outcomes of STPs

Positive aspects

Overall, respondents from all countries both at macro and micro level indicated that the introduction of some STP strategies such as visa removal and elimination on non-tariff barriers has enabled more women and men who are interested in trade related activities to participate in intra regional trade. However, no actual up to-date gender disaggregated statistics were obtained given to show the patterns and trends of men and women involvement in regional trade before and after the introduction of the STP. Most respondents felt that such data would be available from the Ministries of Trade and Commerce which was not the case.

Second, study findings from all countries showed that the patterns and trends on men and women involved in inter/intra regional trade has been fluctuating from time to time especially small scale traders after the introduction of the STP due to a number of factors, such as type of trade, size of capital and level of technology, and ability to cope with changing market demands

Third, the introduction of trade liberalization has opened up various opportunities for men and women involved in cross border trade as well as regional trade. Products from the region are becoming cheaper and readily available. Those women have been successful have been able to contribute to poverty reduction through improved family welfare, children education and national development in general.

Fourth, traders involved in regional trade need and use foreign currency in their business transactions but the frequent currency depreciation or velocity of the exchange rate has somehow negatively affected traders profit accumulation. This has been bad for those traders with small capital and in particular women because some have been thrown out of markets and hence got disempowered.

Problems and challenges of mainstreaming gender in STP

The study findings revealed several types of challenges and problems that were encountered by actors both at macro and micro levels at various stages of implementation of the STP including the formulation, implementation and monitoring and evaluation. Interestingly, this is one of the popular issue that attracted the attention of respondents from all the four countries visited. Surprisingly, both general and specific comments were given including on issues that were not directly part of the study including decentralization of SADC activities. Thus, the main problems and challenges cited include:

- Limited knowledge on the STP as well as its key contents;
- Limited skills and knowledge on gender analysis;

- Limited advocacy on STP itself at member state level;
- Unclear coordination framework;
- Lack of clear monitoring and evaluation / follow up plan;
- Inadequate knowledge in gender analysis;
- Inadequate gender disaggregate statistics;
- Limited knowledge on gender mainstreaming;
- Lack of gender action plan; and
- Limited participation of key actors in a consistent and coherent manner.

Main lessons emerging from implementing the STP

Overall , the study findings concludes that most actors in the four countries lacked both capacity and clear institutional framework for a systematic and effective assessment of the gender impacts of STPs. The following are the specific lessons emerging from the study findings:

- Insufficient knowledge and skills in gender analysis among actors at all levels limits ability of actors at macro meso and micro levels to identify and establish main gender issues related to the implementation of the STP.
- Compilation and utilization of gender statistics by different actors especially on trade related issues is still a challenge both at macro and micro levels.
- Some periodic and inconsistent actions have been done by some actors at macro and micro levels especially by institutions interested in promoting gender on some trade related issues but not specifically on the STP protocol including key strategies. Only a few ad hoc sensitization activities were given to association of traders in Mozambique by the tax authority on tax legislation.
- No detailed evidence based country specific studies by governments on the impacts of trade policies have been done by any SADC member state to show the outcomes by sector or STP measures to date. Only individual and institutional reports on selected issues such as ICBT
- The question of having gender plans and sensitive monitoring and evaluation framework for use by different actors involved in the implementation of the STP is imperative but it is still missing.
- Upward and downward feedback mechanisms on various issues related to STP is vital for attaining the desired outcomes but it was not well placed in any of these four countries
- The role and contribution of the training and research institutions as well as the private sector is crucial for the successful mainstreaming of gender in trade related activities.
- Women's and men's involvement in STP is severely handicapped by both structural and institutional barriers that are not gender sensitive. Most actors at macro, meso and micro showed little evidence of undertaking gender sensitive actions to inform people on the STP measures.
- Due to low levels of literacy among women, they do not benefit much from opportunities brought up by the STP and WTO respectively. For instance, informal cross border women traders across the region do not use available formal systems and structures for most of their transactions and this makes it difficult to establish the ideal gender impacts of STP.

- The dual categorization of trade between formal and informal trade can limit initiatives to establish the magnitude of the gender impacts of STP. Formal and informal traders should be seen as a continuum from small traders to large traders and the two co-exist. Actors at macro, meso and micro levels including SADC, ministries responsible with trade and commerce and women affairs should see them as two partners operating along the same trade rules and regulations

Recommendations on how to mainstreaming gender in the STP

The study findings came up with various recommendations for various stakeholders involved directly with the implementation of the STP including macro and micro levels. Some of these includes measures to eliminate gender blindness in SADC protocols including trade, finance and investments, measures to ensure systematic and continuous collection and utilization of gender disaggregated data on trade related issues at all levels, institutional structures and mechanisms that should be put in place to address gender issues emerging at different levels, gender sensitive measures to be taken by different actors to ensure that gender issues are mainstreamed into STPs and other legislations for protecting women and men from violence against women and gender based violence. Others recommendations include measures to ensure support, cooperation and participation of different actors dealing specifically with trade related matters both within and outside the region as well as building and strengthening capacities of various actors to mainstream gender in various processes and procedures related in the STPs. Further, the study recommends measures for developing gender sensitive monitoring and evaluation tools for use by actors at all levels to track and monitor the implementation of STP.

The study concludes by calling for sharing of resources and opportunities available for gender mainstreaming both within and across SADC and as well as provides a Gender Action Plan with concrete strategies and actions for enforcing the integration of gender in the STP implementation through STP programming cycle including the design, implementation, monitoring and evaluation. It also calls for continuous gender focused research on STP both at macro and micro levels at country and regional level respectively.

Chapter One: Introduction

1.1 Background information and context

Since time immemorial, trade has played an important role in the economic development of most countries in the world including those in the Southern African region. The contribution of inter and intra regional trade in overall social and economic development of most countries in the Southern Africa, has been increasing significantly over the past two decades after the establishment of regional economic groups including the SADC, COMESA, EAC and IOC. The focus of this study is on the Southern African Development Community (thereafter referred to as SADC) which was established in the year 2000 with the intention of enhancing both economic and political development through various policies and programmes including trade agreements. Since its inception SADC has introduced a number of protocols including trade, finance and investments protocols.

The STP contains specific strategies that aim at liberalizing its intra regional trade in goods and services as well as ensuring efficient production. Some of the strategies that were introduced to implement the SADC trade protocol (STP) include: gradual elimination of trade and non trade barriers, adoption and harmonization of custom rules and procedures, attainment of internationally acceptable standards, quality accreditation and meteorology, harmonization of sanitary and phyto-barriers, and liberalization of trade in services and trade liberalization. To ensure consistency and smooth implementation of the trade protocols among Member States, several trade specific measures were introduced; namely, trade in goods, customs procedures, trade laws, anti-dumping, subsidies and countervailing issued and safe guard measures. It was envisaged that efficient implementation of the proposed economic measures will contribute towards the improvement of trade climate for cross border trade, attract foreign investments, poverty reduction as well as enhance economic growth. Initially, the STPs envisaged the establishment of a Free Trade Area (FTA) in the region by the year 2008, a Customs Union (CU) in the year 2010 and later a common market strategy by the year 2012

In the process of implementing the STPs, it was assumed that its primary stakeholders at macro level (notably Member States (MS) and Non State Actors (NSA) institutions) and micro (NGOs) levels were to integrate a gender perspective in various activities taking place both within and across Member States as clearly reflected in its Declaration and Treaty (more details in Chapter 2). In a nutshell, through this act, SADC is committed to respect the principles of human rights, democracy and the rule of law as well as equity, balance and mutual benefit (Article 4). Further in 1997 and 1998, SADC approved the Declaration of Gender and Development and an Addendum to the declaration on the Prevention and Eradication of Violence against Women and Children (VAWC) respectively.

These specific protocols are cited because they were introduced and endorsed by Member States to ensure that the implementations of SADC policies and programmes including the STP are gender sensitive. In addition, SADC has developed a 15 years Regional Indicative Strategic Plan (RISDP) to guide Member States, SADC institutions and other primary stakeholders both within

and outside the region on how to turn the community's vision into a reality by addressing gender issues into the programming cycles .

Disturbingly, despite the big emphasis made on giving special attention to gender specific issues in the STP, there are growing concerns from various gender activists in the region and SADC Gender Unit (see TOR) in particular that suggests that men and women involved in trade related activities within the SADC region, are not benefitting equally. Generally, two main factors have been single out as contributing to potential gender inequalities in trade namely, institutional and structural. First, at institutional level, there are claims that mechanisms in place do not address the diverse interests, needs and priorities and women traders. For instance, there are unconfirmed claims that the focus of the STP is mainly on large scale traders involved in wholesale trade in goods and services, the majority who happen to be big organizations. Indeed, this is considered as a big oversight in view of the fact that even before the establishment of the STP, the majority of cross border traders was women doing both formal and informal trading.

Second, in terms of structures, there are concerns that women and men involved in intra trade activities in the SADC region are treated as a homogenous entity. In reality both men and women traders or even organizations involved with trade in the SADC region have differential access to ownership and control over economic resources such as land, credit, information and own labour as well as in decision making organs and participation. This means men and women involved with intra regional trade within the SADC region could be experiencing different gendered impacts arising from their involvement in implementing various measures mentioned earlier. However, since the establishment of STP, there has not been an in-depth and systematic regional gender focused study to provide evidenced based documentation on experiences of traders both at the macro and micro levels.

Thus, in trying to address this knowledge gap in terms of establishing the gender impacts of STP, the SADC gender Unit in collaboration with UN-ECA arranged for this study. The identification gender impacts of the STP and subsequent preparation of a Gender Mainstreaming Action Plan (GMAP) to address emerging gender issues related to the implementation of the STP is seen as a priority on for two major reasons. First, it will enable SADC to reach out the needs, interests and priorities of the key stakeholders involved with regional trade including cross border traders who are contributing significantly to economic development of their respective national and household economies respectively. Records indicate that cross border traders (majority of who are women) contribute almost equivalent to 30-40 percent of intra –SADC trade and yet they are exposed to various forms of sexual harassments and gender based violence. Second, the majority of women in the SADC region are still engulfed in different forms of inequalities (including social, economic and cultural) and high levels of poverty which seems to impair their effective involvement in trade activities.

1.2 Rationale and Objectives

For several years, gender activists both within SADC and UN-ECA as well as researchers at regional and international levels have been raising concern about gender blindness of trade protocols in terms of addressing main gender issues affecting both men and women involved in regional and intra trade in their diversity. As earlier mentioned, there are claims that the implementation of various trade policies including STP measures are affecting men and women differently both within and across Members States (MS) as well as across sectors but there has not been an in- depth empirical studies

(both at country or regional level) to establish and document both the positive and negative impacts of either by sector or gender. In one of its meetings, the SADC approved a recommendation to undertake a regional study to establish the gender impacts of its trade protocols preferably at macro level. The decision fits neatly with other SADC commitments elaborated earlier including the SADC Protocol on Gender Equality (2008), Gender Mainstreaming Plan and SADC 15 years, Regional Indicative Strategic Development Plan (RISDP) all of whom explicitly emphasize the need for addressing gender issues affecting men and women in all social, economic development sectors, in their diversity including trade. This report therefore, presents, study findings from a regional study that was commissioned by SADC Gender Unit and United Nations Economic Commission for Africa (UN-ECA) to establish the gender impacts of the SADC Trade Protocol from 27th November to 11th December 2010 by an independent gender consultant from Tanzania.

The study assessed the STP as an attempt to gain an understanding on the gendered impacts, gaps, weaknesses, entry points for women empowerment. The study findings are expected to enable SADC/ UN-ECA to understand clearly the magnitude of the problem particularly at the macro level. Specifically, the study examined three major issues:

- (a) Entry points for mainstreaming gender in trade policies. This aspect was examined by raising the following issues:
 - (i) To what extents are primary stakeholders are aware of the STP.
 - (ii) What institutional mechanisms have been put in place for addressing gender issues both in general terms and specifically in relation to the STP?
 - (iii) What is the level of commitment of key stakeholders to implement the STP as well other regional and global gender equality protocols?
 - (iv) Have respective Member State adopted a National Gender Policy and is trade one of the priority areas
 - (v) Are gender disaggregated statistics easily collected and utilized for various purposes including STP policy development, programming and implementation both in general terms and specifically in relation to trade and other economic variables?
 - (vi) What concrete actions have been introduced to implement various strategies of STP and how gender sensitive are these?
- (b) Assessment of the main gendered outcomes , problems and challenges of STPs: This aspect was examined by raising the following issues:
 - (i) What are the main strengths and weaknesses of SADC trade policies
 - (ii) What are the main impacts and outcomes of implementing various measures stated in the SADC trade policies on men and women traders. Some of these include removal of tariff barriers, trade laws, custom procedures, anti dumping measures etc ,
 - (iii) What are the emerging key problems and challenges of assessing the gendered outcomes of SADC trade protocols at institutional levels
 - (iv) What are the main problems and challenges men and women involved with intra trade/cross border trade within SADC Member States encounter

- (c) Recommendations on how to mainstreaming gender in the STP
- (i) What measures should be taken to eliminate gender blindness in SADC protocols including trade, finance and investments
- (ii) What measures should be taken to ensure systematic and continuous collection and utilization of gender disaggregated data on trade related issues at all levels
- (iii) What institutional structures and mechanisms should be put in place to address gender issues emerging at different levels
- (iv) What concrete actions/measures should to be taken by different actors to ensure that gender issues are mainstreamed into STPs
- (v) What actions should be taken to enforce the implementation of legislations for protecting women and men from violence against women and gender based violence
- (vi) What measures should be used to ensure support, cooperation and participation of different actors dealing specifically with trade related matters
- (vii) What concrete measures should be taken to build and strengthen capacities of various actors to mainstream gender in various processes and procedures related in the STPs
- (viii) What types of gender sensitive monitoring and evaluation tools should be introduced at different levels to track and monitor the implementation of SADC trade protocols
- (ix) What measures should be promoted for attaining gender equality through the sharing of resources and opportunities available for gender mainstreaming both within and across SADC
- (x) What methods or strategies should be introduced to enforce establishment and utilization of available gender policy frameworks in the programming cycle including the design, implementation, monitoring and evaluation?
- (xi) What should be done to ensure utilization of ICT in trade
- (xii) What measures should be done to ensure continuous undertaking of gender focused research both at macro and micro levels at country and regional level

1.3 Relevance of gender in trade issues

Kevanne, M, 2004 suggests that gender is both a concept and a tool that is used to reflect how socially and culturally constructed beliefs, norms and values in given social contexts differentiate men and women in relation to what roles, tasks and functions can be ascribed and proscribed to each sex within the family, society, community and the public at large. These social attributes, opportunities and relationships are not only socially constructed but they are learned or acquired through the socialization process that takes place at the three levels mentioned above respectively. Gender can also be applied to trade related activities to show types of trade men and women are involved with and how they have responded to opportunities brought up with the introduction of the STP and WTO respectively. Indeed, in most SADC countries where patriarchy ideology is dominant, there are huge differences and disparities both between men and women involved with trade in their diversity. In addition, these gender differences are exacerbated by other factors including race, poverty level, ethnic group, general entrepreneurial tendencies and level of economic development of a respective country.

In this respect, gender activists such as Conway, J (2008) and (Hartstock, 2003) suggests that that gender should be treated as a unit of analysis that is flexible and not static but it varies from place to place and changes from time to time depending on a number of factors such as changes in economic policies and strategies and technological improvements taking place in a given space. Thus, gender analysis can be in all social economic spheres including trade.

During the specific country visits, it became evident that to most respondents both at macro and micro levels, the meaning of gender and how it relates to trade and development was not uniform neither consistent. There were some few respondents including men and women who had different views, perceptions and attitudes towards the importance of gender in organisations dealing with trade related matters. As one respondent put it,

For me, the most important thing is the prompt response I get from my clients when there is a demand for a certain product. Whether such a response comes from a man or a woman, for me this is not an issue at all. The most important thing for me is the ability and efficient delivery of the required specifications. (One female respondent from Mauritius private sector)

As the above remark suggests it appears that there are still misconceptions on the meaning and application of gender analysis in trade related issues. Thus, when preparing this report therefore, I thought it is necessary to include a section on the meaning of gender analysis and its importance in identifying gender issues in trade both in general and practical terms. Generally, research studies have established various forms of gender biases in trade affecting both men and women involved in different types of trade at different levels (Nilufer Catagay and Korkuk Erturk, 2004). Basically, this happens mainly due to the fact that men and women have been engaged in different types of trade both at national, regional and global level, including formal and informal. Practically, policy makers responsible for formulating trade policies have been approving gender blind trade policies that do not take on board, the needs, interests and priorities of men and women in their diversity including local, intra trade or regional and international trade agreements. In view of this neglect on gender issues, such trade policies have been found to have different impacts on men and women in their diversity. In view of the above, Zo Randriamano (1995) emphasize that gender is a key factor in understanding the complex relationships between trade, growth and development although. Such knowledge on the linkages between gender and macro policies is necessary for clarifying widespread assumptions that trade policies and agreements are class, race and gender neutral. For instance, she argues that the implementation of trade liberalization and its emphasis on reduction of barriers to trade (such as import tariffs) in order to promote international trade and competition has been found to affect men and women involved in trade differently.

1.4 Why is gender analysis of trade so important?

Since the establishment of the SADC in 1992, Heads of Governments from its member states adopted gender mainstreaming as a development strategy for ensuring the integration of gender perspectives in all areas including economic sectors at national and regional levels. Between 1992 and 1998, the SADC introduced and approved other gender specific protocols to encourage actors at different levels to promote equality by giving opportunities to both men and women. There is wide evidence showing that although men and women engaged in various trades related activities that contribute significantly

to Gross Domestic Products (GDP) in their respective countries they encounter gender specific barriers. This is rather unfortunate because both men and women are entitled to benefits accruing from SADC trade policies and in particular trade liberalization.

The implementation of various SADC trade protocols and trade liberalization in particular has resulted in widening gender inequality among men and women including those directly or indirectly involved in trade related activities and this has resulted in enhancing or limiting both individual and national productivity, output and growth. For some few big wholesale traders including men and women, trade liberalization has resulted in both positive and negative results. On the positive side, trade liberalization has increased women employment opportunities especially in the manufacturing sector, and hence women have earned some incomes.

On the other hand, through frequent restructuring of product mix, most traders including women, men especially in those with lower capital have lost their trading partners and they have been forced to change into retail trade which is highly competitive. Thus, the effects of trade policy on economic and social activities tend to be different between men and women as they have different economic and social roles and different access to and control over resources, due to socio-cultural, political and economic factors. Women tend to be more affected by the negative side effects of trade liberalization and are facing bigger challenges than men when it comes to taking advantage of the opportunities trade offers. This situation is due to gender biases in education and training, gender inequalities in the distribution of income and command over resources, as well as unequal access to productive inputs such as credit, land, and technology, which translate into significant gender differences in occupational distribution.

Therefore, it is clear that engendering trade policies is so crucial because of the fact that such policies have been found to affect men and women differently due to persistent gender inequalities in access to and control of economic and social resources and decision making. At the same time trade impacts have been found to be not homogeneous but they differ in relation to type of trade, specific roles and responsibilities done by men and women including sexual and gender division of labour.

1.5 Sources of data and Methods of data collection

Two major sources of data were used in preparing this report including secondary and primary.

(a) Secondary Sources

A desk review of various documented related to the study available at SADC headquarters in Botswana were done both before and during the presentation of the Inception Report (IR) in Botswana in May 2010. In addition, other related research reports available in the internet and UDSM main library, country specific libraries were used as shown in the bibliography. These include National Gender Policy, Gender Violence Reports and respective Beijing +15 reports as well as reports from Non-Government Organizations dealing with trade related issues. The latter were identified by the Departments of women/gender in each respective country.

(b) Primary Data

Primary data were obtained mainly through one to one interviews or focused group discussion or meetings. Initially, a schedule of country specific studies (see annex III) were arranged in collaboration with the SADC Gender unit. Introduction letters were sent to the permanent secretaries, ministry of gender/women affairs in the four SADC member states. It was explicitly stated that this was a macro study aiming at obtaining information from key stakeholders dealing directly or indirectly with trade related matters at country level. Thus, Permanent Secretaries in respective Member States were asked to arrange for meetings with stakeholders within the respective country, including government ministries and departments (MDA) and Non Government Organizations (NGOs) including chambers of commerce, industry and agriculture as well as selected women's NGOs directly involved with intra/ cross border trade both within /across SADC member states.

(i) Primary Data collection

Initially, it was envisaged that both quantitative and qualitative methods of data collection were to be employed in collecting primary data. First, during country specific visits, a combination of one to one interviews (with selected respondents) as well as Focused Group Discussions research methods were used in administering the questionnaire that contained both open and close ended questions. Some respondents opted to fill the questionnaires by themselves after the brief introduction because of other pressing commitments. In addition, most respondent's complained that they did not have data off hand on some of the issues that were raised. In this case, such respondents were allowed to fill the questionnaires and return them to my hotel on the last day of respective country visit.

1.6 Limitations

Different types of problems were encountered in the process of undertaking this assignment including before, during and after data collection.

(a) Pre-survey problems

Initially, the study was scheduled to take place in July 2010. However, this period coincided with other competing assignments by the consultant. As a fulltime employee of the UDSM, the consultant was not allowed to travel during June and July because it was the end of the academic year and students were doing their final exams, including undergraduate and graduate. During this time, tutors are required to compile student continuous assessment record, mark grade and provide overall grades for the year. At the same time, such students' records are discussed and approved at different levels. In view of this, travel permission to lecturers is frozen for almost two months. As a result of this, the study had to be postponed and negotiate for the review and renewal of the contract as well. Member states were notified about the changes in the country visits accordingly.

(b) Limitations during the actual implementation

During the inception report meeting that was held in May 2010 involving representatives from TIFI Directorate and gender SADC unit, it was agreed that only three days will be set aside for each country including travel.

In the actual implementation, four limitations were encountered as follows:

(i) Timing of the study and duration

The study was rescheduled for November and December 2010 – which is the end of the year. This timing coincided with other national activities in almost all countries including Tanzania. For instance in Tanzania, the protesting of the questionnaires coincided with the preparations for the 2010 national elections including Presidential, Parliamentary and Local government's elections. The cabinet was resolved and most ministers went back to their constituencies to seek for re-election and others had retired. This means access to the targeted respondents was highly impaired.

Likewise, during the country visits to Mozambique and Maputo, we found that most key respondents were involved in end of year party activities (FRELIMO) and national workshops (Namibia). In fact, the Namibia experience was the worst as it was not easy to get access to any key respondent other than the Ministry of Gender and Women Empowerment. Only secondary sources of data were given to extract information on various aspects related to the study. The maximum support came from respondents in Mozambique, Mauritius and Zambia respectively. However, there were problems from the non state actors.

(ii) Duration of the study

Most respondents raised concern on the number of days that were set aside for this important assignment. Most respondents suggested that they needed at least five days to participate in the study. It was evident that some key actors were left out such as the Ministry of Foreign Affairs and Regional Cooperation and other NSA actors involved with intra trade within the SADC such as informal/formal cross border trade associations.

(iii) Coordination of the study

For most respondents, when I introduced myself and purpose of the study, the first reaction was to seek clarification why this study coordinated by the Ministries responsible with Gender and Women Affairs instead of the Ministries responsible with Trade, Industry and Commerce or Ministry of Foreign Affairs and Regional Cooperation. Interestingly, when I went to the Ministries of Trade and Commerce, I was told that the best spokespersons for gender issues are the National women's Machineries including Ministry of Gender and Development or Women Affairs.

It is pertinent to indicate that under the institutional mechanisms for the implementation of the SADC trade Protocol, it is explicitly stated that it is the (a) Committee of Ministers responsible for Gender/Women's Affairs;(b) Committee of Senior Officials responsible for Gender/Women's Affairs; and (c) SADC Secretariat that shall be responsible for overseeing the implementation of the protocol at different levels. Thus, it was proper for the respective national ministry of gender and women affairs to be assigned this mandate of coordinating this study because of their role as national machineries for coordinating gender in respective Member States. While this was seen as the best option, surprisingly

the directorates of gender and development in some countries seemed not prepared to take this responsibility. For instance, there were concerns that the SADC Gender unit did not give them clear directives/guidelines on how to track the gender impacts of STP neither told them that they are required to monitor its implementation. Indeed, some even complained that it was unfair to organize such a big regional study before supporting micro level studies at national level.

As if this was not enough some respondents from other ministries than gender were also wondering why other important ministries such as Ministry of Foreign Affairs and Home affairs were not included in the sample of respondents. This was somehow amazing because under article 34 of the Protocol on Gender and Development, it is clearly stated that it is the responsibility of Committee of Ministers in charge of Gender/Women's Affairs in each Member State to oversee the implementation of the protocols as well as supervise the work of any committee or sub-committee established to undertake assignments related to gender. Thus, introductory letters were sent correctly to the Principle secretary in the Ministry of Gender and Women Affairs because they were required to ensure the successful implementation of the STP as well as to supervise the work of any committee or sub-committee established under this Protocol.

(c) Post data collection period

After completing the collection of data, other limitations that were encountered include end of year/new year festivities and other personal issues. During the inception report, I declared my intent to go for a one year sabbatical leave in Ottawa, Canada. After field work I had to complete final preparations for my trip to Canada. It took me almost two/three weeks to settle in Canada as I was also required to teach two courses on Transnational Feminism, Gender Mainstreaming and International Development (PSCI 4500) and Gender and Development with a focus on Africa (AFRI 4050). At the same time, I have been experiencing several personal problems including family and health issues that significantly affected the completion of this report.

1.7 Organization of the Report

After this introductory chapter, Chapter 2 presents a brief overview of the SADC Trade protocol, Finance and Investment Protocol, and the Regional Indicative Strategic Development Plan (RISDP). Included in this section is brief information on the protocol on gender equality and gender mainstreaming within which gender mainstreaming and gender equality policies have originated as well as its Trade Protocol goals and objectives. Chapter 3 which is the core of this report presents study findings on the gendered outcomes of SADC Trade Protocols. It starts by entry points for mainstreaming gender in trade policies as well as institutional mechanisms (including policies, strategies and structures) in place for mainstreaming gender at country level. In addition it presents findings on the gendered outcomes as well as problems and challenges encountered by different actors. Chapter 4 presents major lessons, conclusion and recommendations. Chapter 5 presents an action plan for addressing the existing problems, challenges and opportunities.

Chapter Two: SADC Context

2.1 Introduction

The main thrust of this chapter is to provide brief overviews key policy frameworks informing the mainstreaming of gender in the STP. The main interest is to highlight the main gender issues emphasized in these different protocols that were purposely designed with the intention of creating a sound economic integration in SADC that is sustainable and gender sensitive. As already mentioned in chapter one, the research was undertaken first, to establish the gender impacts of STPs, with a focus on identifying its gaps, strengths and weaknesses in relation to how gender considerations have been taken care of and second, to assess its impacts on men and women involved in intra and regional trade respectively. Recognizing, however growing concerns from both SADC Gender Unit and UNECA as well as gender activists both within outside the region, on prevalence of gender inequalities among actors at different levels, it is necessary to provide the context of the study.

2.2 SADC Protocol on Gender and Development (2008)

The SADC Gender and Development was signed by SADC Heads of State and Government at their 28th Summit, held in Johannesburg, South Africa, on the 17 August, 2008 Protocol to promoting gender equality and equity both at the head office and among member states. It contains 28 substantive targets for achieving gender equality in the sub region by 2015 including constitutional and legal, governance, education and training, productive resources and employment, gender based violence and sexual harassment to name just a few. Indeed, the signing of the protocol was acknowledged as a strategy to speed up the empowerment of women in the SADC region including those engaged with trade. In implementing this protocol, Member States were expected to adopt specific legislative measures, policies, strategies and programmes to enable women to participate fully with their male folks in all social, economic and political aspects including regional trade. Some of the key activities included; (a) building the capacity of women to participate effectively through leadership and gender sensitivity training and mentoring; (b) providing support structures for women in decision-making positions; (c) establishment and strengthening of structures to enhance gender mainstreaming; and (d) changing discriminatory attitudes and norms of decision making structures and procedures. During country visits, it became evident that although most of these activities were done satisfactorily to a large extent but there was huge gaps across such institutions within countries as will be discussed in detail in the next chapter.

2.3 SADC Gender Mainstreaming Strategy (2008)

As part of its efforts to mainstream gender in its programs, activities and policies at all levels including actors a head Office, national and sub-regional levels, SADC adopted its gender mainstream strategy in 2008. Gender mainstreaming is a comprehensive strategy that aims at achieving greater gender equality at all levels and in all fields including trade. In trade related matters, gender mainstreaming entails integrating a gender perspective in trade legislations, policies, strategies and as well as addressing gender inequity issues affecting various stakeholders by creating working environments

that are gender responsive, and guaranteeing equal opportunities and treatment to both women and men in their diversity.

In this respect, the SADC Gender unit was established to coordinate and oversee the integration of gender issues in all SADC activities implemented at the head Office and Member state levels. The Gender Unit has therefore developed clear policy instruments and guidelines that were signed and adopted by SADC leaders for use by different actors. Some of the SADC policy instruments that guide gender mainstreaming efforts include the; Regional Indicative Strategic Development Plan 2001 (RISDP) that among other things provides strategic direction on the key priority issues that SADC should address in the next 15 years including gender equality. Gender equality was identified as one of the critical cross cutting issues to be addressed in order to reduce poverty and the improvement of the quality of the standard of living of the majority of the citizens of the region.

Some of the regional activities that were implemented to develop capacities for mainstreaming gender within the policies and programmes include the following: development of the SADC Gender Mainstreaming Toolkit Kit in 2009. This toolkit was expected to be used as a generic tool for use by actors who wanted to mainstream gender in its activities including trade, industry, finance and investment, infrastructure and services, social and human development and special programmes, politics, defence and security cooperation, human resources etc. The toolkit provides practical guidelines with step by step checklists and questions to be asked at different phase of mainstreaming gender in projects and programmes such as trade

Further, SADC Gender Unit has organized different types of capacity building trainings in gender analysis, planning, and gender budgeting to staffs in the region specifically from the sectors of trade, industry, finance and investment. During such training, emphasis is usually put on explaining the importance of gender equality in regional social economic development and in particular value added by addressing the gender dimension. Through these trainings staffs acquired gender specific skills for designing and implementing gender responsive plans and budgets including Directorates of TIFI and its clusters. Training was also expected to enable trade experts to mainstream gender in their planning, implementation and monitoring and evaluation activities. Likewise, during such trainings re the need to establish a strong base of experts trade officials were introduced to other competencies such as negotiations skill for mainstreaming gender in various activities taking place at national, regional and international including trade negotiations (Economic Partnership Agreements (EPAs), Cotonou Agreement, World Trade Organization (WTO), etc.

In the same spirit, gender sensitization trainings were given to Customs Experts and staffs in order to build their capacity for identifying and addressing gender issues and concerns of women and men involved with trade including Informal Cross Border Traders (ICBTs). Emphasis was put on the importance of simplifying customs procedure to ensure fast movements of people and goods at border posts. Likewise, in 2004, SADC developed clear guidelines for mainstreaming gender issues in Trade, Industry, Finance and Investment. However, the main focus of this training was on policy and legal frameworks, institutional frameworks, training and capacity building, programme interventions and monitoring and evaluation respectively. These guidelines provide clear examples of appropriate interventions necessary at each level. Most importantly these guidelines strengthened trade experts knowledge and skills in mainstreaming gender at various levels in a more concise and systematic manner.

Last but not the least, the SADC Gender unit has also organized a three days regional High Level Meeting (1-3 November 2010) involving Informal Cross Boarder Traders and other primary stakeholders including immigration officers and trade experts to discuss how to reduce bottlenecks facing traders in the region . The main output of that was a gender aware Regional Advocacy Strategy (RAS) on ICBT's. The SADC gender unit did not only develop capacity of actors at macro level only but also at meso level. Further, every two years, the SADC Gender Unit organizes regional international trade fairs and trade exhibitions with the intention of strengthening capacities of business women to access regional and international markets. For instance, in August 2010, The SADC, Women in Business Trade Fair and Investment Forum (WBTFIF) was held in Namibia, Windhoek. This created a lot of opportunities to women in Namibia in particular because they were able to participate in large numbers. The SADC gender Unit is also planning to assist national business women associations to form competitive regional networks/organizations that are capable to participate in regional and international business.

In addition to capacity building activities, the SADC secretariat also promotes research studies with the intention of collecting evidence based information for improving its policy, programming and advocacy activities both within and outside the head office. Thus, it is on this basis, that the SADC-Gender Unit, with the support from UN-ECA(African Trade Policy Centre) are supporting a study to identify and analyze the gendered impacts of the STP with the intention of establishing the magnitude of gender barriers, gaps and weakness in trade policies, programmes and activities at both regional and national levels. The main expected output of this study is a gender action plan for implementing key recommendations eliminating the emerging gender issues in trade including policies and process at national and regional levels.

In retrospect, the SADC Secretariat has commissioned other gender specific researches as follows: In the year 2000 (immediately after the introduction of the STP), the SADC commissioned a Gender Audit Study (GAS) of key units responsible with coordinating gender in their respective departments to assess the extent of integration of gender equality concerns in their programmes under the SADC Programme of Action. The results of the study enabled the Secretariat to facilitate and coordinate the design and implementation of its Gender Mainstreaming strategy (GMS).

Similarly, in May 2003, the SADC Gender Unit commissioned a regional study in ten Member States to assess the capacity needs of the Secretariat and National Machineries involved with promoting for gender equality. The study findings showed high levels of staff awareness on gender issues among SADC staff members in all Directorates. In addition, the SADC has developed a Gender Monitoring Tool (GMT) for collecting data on progress made by respective Member States in relation to the implementation of its various gender equality commitments, including regional and international.

Surprisingly, during the country visit there were some concerns that these activities targeted mostly macro level officials and were done on ad hoc basis. On the contrary, actors at the meso and micro levels indicated such capacity trainings on gender were not readily available to them. Indeed, this reason was given as an excuse for not addressing gender issues in trade and other sector specific issues where gender is not so direct. In fact most indicated that they need specific training four priority issues namely, (i) the promotion of gender awareness in trade issues and trade analysis;(ii) the integration of

gender perspectives into all levels of STP measures ; and (iii) how to include gender in the trade review mechanisms; and (iv) collection and utilization of gender-disaggregated data for trade analysis.

2.4 SADC Trade Protocol, Finance and Investment

The Trade, Industry, Finance and Investment (TIFI) cluster of the Regional Indicative Strategic Development Plan (RISDP) is mainly responsible for implementing the STP. The four parts of TIFI are connected as they all positively impact development and poverty alleviation overall aims of establishing the SADC. The STP promotes trade liberalization as one of its strategies for attaining viable and sustainable industrial development and cooperation in finance and investment as well as economic development in the SADC. The STP provides a framework of trade cooperation anchored to equity, fair competition and mutual benefit that SADC believes will contribute to the emergence of a workable development community in Southern Africa. Initially, 12 of the then 14 member states signed the STP on 24 August 1996 but the actual enforcement started in the year 2000. The STP assumes that an integrated regional market opens up new opportunities for a dynamic business sector. Therefore, the primary objective of the STP is to further liberalize intra-regional trade in goods and services on the basis of fair, mutually equitable and beneficial trade arrangements, complemented by protocols in other areas. Another objective is to ensure efficient production within SADC that leverages the comparative advantages of member states. SADC also plans to improve investment climate; enhance economic development, diversification and industrialization; and form a free trade area in the region.

The STP document covers a vast realm of commercial matters including trade in goods (Part 2); customs procedures (Part 3); trade laws (Part 4); trade related investment measures (Part 5); trade in services, intellectual property rights, and competition policy (Part 6); and trade development (Part 7). Apart from these substantive issues, the Protocol also covers trade relations among member states and with non-member states (Part 8) as well as institutional arrangements and dispute resolution (Part 9). 5 annexes implementing the Protocol address rules of origin (Annex I), customs co-operation (Annex II), simplification and harmonization of trade documentation and procedures (Annex III), transit trade and facilities (Annex IV), and trade development (Annex V). The STP also contains various proposals to be followed during its implementation by respective member states as summarized hereunder.

(i) Trade in goods

One of the main strategies to implement this is the removal of trade barriers. In the first part of the STP, detailed information is provided on various aspects including trade in goods and the removal of trade barriers. In summary the STP, calls for the removal or reduction of tariffs (article 3), import and export duties (articles 4 and 5), non-tariff barriers (article 6), and quantitative import and export restrictions (articles 7 and 8). Further, the STP entrusts a Committee of SADC Ministers responsible for trade (CMT) with the tasks of controlling the process for the phased elimination of tariffs and non-tariff technical barriers (NTBs). In doing so, the CMT will have to pay attention to the preferential arrangements between and among member states, the time frame for the elimination of barriers, the adverse impact that the removal of trade barriers may have on member states, and different tariff lines for different products.

(ii) Customs procedures

A STP customs procedure involves the classification, valuation and origins of goods to allow member states to apply appropriate tariffs and rates. Part 3 of the STP explicitly states common customs procedures to be followed by member states. It requires member states to take appropriate measures, including arrangements on customs administration co-operation, to make sure that states apply the STP effectively and harmoniously, simplify and harmonize trade documentation and procedures, and grant freedom of transit to goods in transit.

(iii) Exceptions

Article 9 of the STP provides lists of broad exceptions to the removal of trade barriers. Member states are allowed to take measures necessary to protect intellectual property rights; national treasures; public morals and order as well as human, animal, plant life or health; and to maintain peace and security. However, Member states are advised to adopt necessary measures to secure compliance with WTO obligations or any other international obligations; to prevent deceptive trade practices and critical shortages of foodstuffs; to limit transfer of certain mineral resources; or to conserve natural resources and the environment.

(iv) Safe guard measures

Part 4 of the STP provides information on safe guard measures that Member States may adopt with regard to protecting trade in imported goods from within and outside the region. These measures include standards-related, sanitary, phyto-sanitary, safeguard, anti-dumping measures, subsidies, and measures for the protection of infant industries. Others include standards-related measures often used in raising non-tariff technical barriers to regional trade, which arise from the application of divergent standards and regulations by states in SADC. In this context, the purpose of the STP is to harmonize these divergent rules by advocating for internationalization of standardization.

(v) Standards-related measures

The STP contains other standards-related measures which give member states some flexibility in the protection of health, life, consumers and the environment while preserving at the same time the compatibility of standards with one another in SADC for the sake of regional trade liberalization. The Protocol allows member states to use applicable international standards when setting technical standards, except where these standards would be ineffective and inappropriate in achieving the legitimate objectives of member states

(vi) Safeguard measures

The STP require Member states to apply a safeguard measure to a product if they conclude that the product is being imported into their territory in such quantities and such conditions as to cause serious injury to a domestic industry that produces like or directly competitive products. A 'serious injury' is defined, by reference to the equivalent WTO provisions, as a significant overall impairment in the position of a domestic industry. However, the STP does not clarify whether key concepts such as 'product', 'industry', 'directly competitive product', must be defined in terms of WTO Agreement

on Safeguards. The basic philosophy of safeguard measures is to cater for the interests of the member states that suffer from trade liberalization by giving them more time to adjust. Safeguard measures may also be seen as a safety valve for SADC governments to dilute protectionist pressures from local constituents. Safeguard measures apply to products in a non-discriminatory manner and regardless of the origin of the products within SADC. A member state may apply a safeguard measure only to the extent and for so long as necessary to prevent or remedy serious injury and to ease adjustment. In any event, a safeguard measure must not last more than 8 years, which should incidentally induce greater efficiency in the state applying the measure. Furthermore, the Trade Protocol embodies special provisions for the protection of infant industry. Upon application by a member state, the CMT may temporarily authorize that state to suspend trade concessions in respect of like products from other member states.

(vii) Anti Dumping Measures, subsidies and countervailing issues

The STP gives Member states the freedom to adopt anti-dumping measures and, with some restrictions as well as use of countervailing duties. Dumping occurs where a member state exports a product to another member state at a price that is inferior to the one charged in the exporting state or the one charged by a non-member state. It also occurs where the exporting state sells the product at a price below production costs. In essence, anti-dumping laws are designed to counter what the importing state considers to be unfair or trade distorting practices. However, a consensus is emerging among experts that anti-dumping measures reduce general welfare more than they benefit the economy of the states that impose the measures. This consensus might be the reason for the requirement that a state apply an anti-dumping measure only if a product imported into its territory has caused serious injury to its domestic industry. With regard to subsidies, a member state may provide subsidies to its domestic products as long as they do not distort regional trade or contravene WTO provisions. An importing member state may levy countervailing duties on a product of another member state in order to offset the effects of subsidies applied by that state on the product.

(viii) Services, intellectual property and competition

The STP also extends its coverage to other opportunities proving service to trades such as insurance, banking, and securities and ICT), intellectual property rights and competition policies. It urges member states to formulate policies and execute measures in line with their obligations set by WTO in order to liberalize the services sector in within SADC. Likewise, member states must protect intellectual property rights (IPR) basing on the agreed WTO regulations as well. Likewise, SADC member states are required to enact measures to prohibit unfair business practices among Member states and instead promote competition.

(ix) Intra-regional trade and trade with third parties

Further, Member states are encouraged to may maintain preferential trade arrangements that existed prior to the coming into force of the SADC Trade Protocol in 2000. Member States are allowed to enter into new preferential trade arrangements among themselves if these arrangements are consistent with the STP including COMESA, EAC and IOC. Article 28 of the STP establishes the principle of the most-favoured nation as it ordains that member states accord most-favoured nation treatment to one another. This imply that Member States could develop intra-regional cooperation and

coordinate as much as possible trade policies and negotiating positions in relations with third parties and international organizations in order to advance the objectives of the Trade Protocol. Likewise, respective Member State may also enter into preferential trade arrangements with non-SADC states, provided that such arrangements do not frustrate the objectives of the STP and that any concession made to non-SADC states is also extended to other SADC member states. However due lack of clear information on this aspect, some respondents raised concern on the issue of multiple membership to regional economic blocs including this mentioned above.

2.5 Regional Indicative Strategic Development Plan (RISDP)

The SADC adopted the Regional Indicative Strategic Development Plan (RISDP) as its main instrument for achieving its regional economic integration. The main focus of these 15 years RISDP is to provide strategic direction with respect to SADC programmes and activities, and to align the strategic objectives and priorities of SADC with the policies and strategies for achieving its long-term goals. The RISDP outlines the necessary conditions that should be realised towards achieving SADC main goals. To facilitate its monitoring and measurement of progress, it sets targets and time frames for achieving goals in the various fields of co-operation. It also provides SADC Member States with a consistent and comprehensive programme of long-term economic and social policies. It also provides the Secretariat and other SADC institutions with a clear view of SADC's approved economic and social policies and priorities. The RISDP accords top priority to poverty eradication and it aims at promoting sustainable and equitable economic growth and socio-economic development that will ensure poverty alleviation with the ultimate objective of its eradication. The focus areas, strategies and targets for poverty eradication are covered in all the other priority intervention areas because it is a cross-cutting issue. The goal of the gender equality and development priority intervention area is to facilitate the achievement of substantive equality between women and men in the SADC region through mainstreaming gender into all national and regional policies, programmes and activities, and the adoption of positive measures to accelerate progress in this regard. Specific interventions focus on gender policy and institutional frameworks, women's human and legal rights, gender mainstreaming, access to and control of resources, and access to key political and decision making bodies

In addition, RISDP gives priority to the role of the private sector, cooperation in infrastructural development, information and statistics and environmental sustainability as well as human and social development. For the latter, the priority issues are to contribute to the reduction of human poverty and to improve the availability of educated, skilled, healthy, flexible, culturally responsive, productive and efficient human resources for the promotion of SADC's equitable growth, deeper integration and its competitiveness in the global economy.

2.6 The Finance and Investment Protocol

The SADC Finance and Investment Protocol were signed by seven member states at the SADC Summit of Heads of State and Government in Maseru, Lesotho in 2006. However to-date all 14 SADC member states have signed the Protocol with the next step being ratification of the Protocol. The objectives of the SADC Finance and Investment Protocol are to facilitate regional integration, cooperation and coordination within the finance and investment sectors with the aim of diversifying

and expanding the productive sectors of the economy and enhancing intra-SADC trade to achieve deeper monetary integration, sustainable economic development and growth, as well as poverty eradication. Further, the Finance and Investment Protocol aim to achieve macroeconomic convergence through tax harmonization in the region, currency convertibility in the region, and establishment of a network of Development Finance Institutions of the SADC Region. The idea of having a protocol on regional co-operation and integration in finance and investment was mooted by SADC finance ministers as early as 1995. The Summit in Maseru (Lesotho) adopted the Finance Protocol on 18 August 2006 when all member states signed it. The Finance Protocol and the Trade Protocol are the two pivots of SADC legislation.

The Finance Protocol spells out its main objective as the harmonization of financial and investment policies of member states to make them conform to the objectives of SADC. It ensures that changes to investment and financial policies in one member state do not lead to undesirable adjustments in other member states. To hit that objective, the Finance Protocol chose to facilitate regional integration, co-operation and coordination within finance and investment sectors. It also chose to diversify and expand the productive sectors of the economy and enhance trade to attain sustainable economic development and poverty eradication.

The Protocol contains strategies for achieving regional economic development and poverty eradication, through the creation of favourable investment climate, macroeconomic stability and convergence, co-operation in financial matters, creation of frameworks for central banks and development of capital markets. Co-operation and coordination of finance and investment is central in the achievement of economic development and poverty eradication. In addition to financial cooperation, the Finance Protocol obliges member states to cooperate with respect to information and communication technologies among central banks, development finance institutions non-banking financial institutions, stock exchanges, and anti-money laundering. Accordingly, the greater part of the Protocol is devoted to the various matters for cooperation including anti-money laundering and the creation of a development fund. These strategic themes are expounded upon in the 11 annexes to the Finance Protocol.

In the field of investment, the Protocol obliges member states to co-ordinate their investment regimes and cooperate to create a favourable investment climate within SADC as outlined in the first annex to the Protocol (Investment Annex). The Investment Annex specifically aspires at achieving economic growth and sustainable development through regional integration and investment promotion agencies in the SADC region. It is guided by the ideals, objectives, and spirit of the Finance Protocol in the facilitation and stimulation of investment flows, technology transfer and innovation. It is a response to alarms over the low levels of investment in the SADC region, despite numerous measures taken to attract investment. It is also an acknowledgement that IPAs need to cooperate among themselves to enhance the attractiveness of SADC, alive to the truism that without effective policies the region will continue to be marginalized. The Investment Annex is essentially a set of measures for adoption by member states. These measures may conveniently be grouped into promotional, protective, and regulatory categories.

Chapter Three: Study Findings and Analysis

3.1 Introduction

The findings of the study are presented in six sub sections. Sub-section 3.2 presents main strengths and weaknesses of the STP whereas sub-section 3.3 presents entry points for addressing gender issues related to the implementation of STP, finance and investment policies. Included in this section are: awareness on trade protocols, the institutional arrangements for mainstreaming gender in trade protocols as well other regional and global gender equality protocols and availability of gender disaggregated data on trade related issues. Sub-section 3.4 presents the gendered outcomes related to the implementation of SADC trade policies. Included in this section are the following: main gendered impacts and outcomes of implementing various measures stated in the STP as well as key problems and challenges of assessing the gendered outcomes of SADC trade protocols at institutional levels. Likewise it presents information on main problems and challenges affecting men and women involved with intra trade within SADC Member States. Sub-section 3.5 presents a synthesis and analysis of emerging gender and policy issues whereas sub-section 3.6 provides the overall conclusion.

As already mentioned the information presented here was obtained using qualitative methods from respondents in all four countries visited including leaders of selected Government and NGOs organizations as shown in Appendix I. In some countries such as Mozambique and Mauritius, working sessions with technical staff and Focused Group Discussions were held with Chairpersons (including men and women) of NGOs involved directly with cross border trade within the SADC region. All respondents were interviewed using a structured questionnaire with both open and closed ended questions as shown in Appendix II. Due to time constraints and lack of information off hand, some respondents opted to fill the questionnaires after the interview sessions. The filled questionnaires were collected at the end of the country specific mission. However, there were few respondents who mailed their filled questionnaires via the internet. Disturbingly, most respondents including those from government institutions and NGOs returned the questionnaires without filling the questions that wanted information types of actions that were taken to educate the masses and traders in particular on the STP measures as well as gender sensitivity and outcomes of such actions.

3.2 Strengths and Weaknesses of the STP

The following points were raised as what respondents consider to be the major strengths (advantages) and weaknesses (disadvantages) of the STP respectively.

3.2.1 Strengths

- (i) SADC explicit commitment to address gender issues in the region by instituting gender equality and gender mainstreaming policies and strategies.
- (ii) SADC economic activities are transparent and all citizens are free to participate and do what they are able to do
- (iii) To a large extent, the SADC organizers at head office try as much as they can to engage key actors from the governments and Non State Actors (NSA).
- (iv) Having clear institutional framework for coordinating SADC activities

- (v) Periodic reviews on implementation of SADC policies at the regional level.
- (vi) Domestication of SADC Gender equality policies and gender mainstreaming in particular at member state level.
- (vii) Awareness on the STP is relatively high among officials the macro level

3.2.2 Weakness of the STP

- (i) STPs are gender neutral in the sense that they don't explicitly target men and women.
- (ii) Inadequate knowledge on institutional mechanisms for implementing the STP at member state level
- (iii) Inadequate knowledge on roles and responsibilities of different organizations/actors working on trade related issues within the SADC
- (iv) Limited capacities (including human and non-human) for implementing gender issues related to the STP
- (v) Lack of coordination among various factors involved with the implementation of the STP
- (vi) Dual membership to regional blocks (COMESA and SADC) working on the same issues creates confusion to actors especially at local level.
- (vii) Different understandings, interpretations and application of gender concepts
- (viii) Issues on upward and downward feedback on the implementation of the STP not clearly organized/known.
- (ix) The role of the SADC coordinator at member state level not well known among most actors at macro and micro including activities and reporting system.
- (x) Information on which institutions are responsible for coordinating the indemnification of gender issues related to trade within the region not well known
- (xi) Limited public awareness on the STP measures and its gendered implications among actors at all levels
- (xii) Sensitization and awareness on STP at member state level is minimal both at macro and micro levels
- (xiii) Lack of gender sensitive monitoring and evaluation indicators for tracking and measuring various things related to STP including inputs, processes, outcomes and impacts on regular/periodic basis
- (xiv) Majority of Chairpersons of Business Associations and women traders have not seen the STP document.

3.3 Entry points for exploring gendered impacts of STPs

3.3.1 Existence of an enabling environment

Prior to establishing how STPs are affecting men and women involved directly or indirectly in intra regional trade within the countries visited, seven important variables that were considered as entry points for successful gender mainstreaming were analysed. The main interest was to examine the degree to which key informants at macro, meso and micro levels are knowledgeable on each of these variables and how relate to STP both in general and specific terms. Some of these key variables included an assessment of:

- (i) Institutional frameworks in place for implementing gender related issues in the respective country including STP
- (ii) Knowledge and awareness on the STPs including contents and implementation framework
- (iii) Capacity for handling gender specific issues in STPs, WTOs, etc.
- (iv) Commitment to implement the SADC Gender equality protocol
- (v) Commitment to implement regional and global gender equality principles
- (vi) The adoption of a national gender policy
- (vii) Availability and collection of gender statistics

3.3.2 Awareness on STPs

Many governments' officials at macro level including government Ministers and Permanent Secretaries in all countries indicated that they are well informed about the STPs. Indeed, some indicated that they were directly involved during the formulation of the STP. On the other hand, some directors in all countries visited including those responsible with gender and women affairs in all the study sites confessed that they have heard about the STP but they have not read the original document to get to know in details its contents. Indeed, most Directors of Gender and Women's affairs indicated that they are responsible for coordinating and overseeing gender matters at national level and not sector specific issues. Some complained that that they have a very thin staff and hence they are fully occupied with national gender issues. Further, it became evident respondents in all countries were of the opinion that it is the responsibility of key ministries directly involved with SADC matters including Ministry of Foreign Affairs and International Cooperation and or Ministry of Trade and Commerce in particular to follow up the implementation of the STP.

Interestingly, some respondents at micro level indicated that they are not aware of the STP because they are working more closely with COMESA. As one Chair women of women only NGO in Zambia put it, 'We are not invited to attend regional or national meetings. How do we get to know what they discuss in relation to trade? Similar sentiments were echoed by one Acting Director in the Planning and Information Department in the Ministry of Commerce and Trade in Zambia who said 'It is mostly our boss who attends SADC meetings and we do not get feedback on what transpires from such meetings when they come back. At the same time, there are so many meetings discussing gender issues but I have not been involved because it is not directly related to my work'

3.3.3 Institutional mechanisms for addressing gender issues in the STPs.

Many governments in Southern African countries are committed to implement both international and regional conventions for promoting gender equality including the 1995 Beijing Platform for Action (BPfA) which advocate for mainstreaming of gender in policies and programmes implemented by all actors at all levels. Further, all four countries have ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and other regional conventions mentioned earlier under chapter one. Study findings from all the countries visited, indicated that there are clear institutional frameworks for dealing with gender related issues some of which were already in place well before the BPfA.

However, respondents from all four countries including policy makers had some reservations as to whether there were specific institutions responsible for coordinating gender specific issues related to

the implementation of the STPs. In Mozambique, Mauritius and Namibia, respective governments have created national gender machineries responsible for coordinating the implementation of all gender issues both within and outside their countries. On the contrary, In Zambia, the governments has established a Gender in Development (GIDD) department in the President's Office to coordinate gender related issues. Likewise, in all countries gender /women focal desks have created in all ministries to handle gender related matters related to their respective work mandates.

Likewise , in all countries visited, , many of the gender focal points indicated that they lacked gender expertise themselves and cannot advise their colleagues on the subject. This implies a universal demand for more training across the SADC Member States as reflected in the following comments “absence of expertise on gender”; “no human resource committed to gender issues”; “officer's overworked and “more training needed on gender analysis, gender planning and gender budgeting in general.” In addressing this problem, some countries are using local gender experts available within their respective countries but in some countries such as Namibia, it was indicated there are not many qualified and experienced gender experts. However, the number of gender experts in the SADC and African region has increased significantly since 1995, and this provides an opportunity for resource sharing in terms of gender experts.

3.3.4 Commitment to integrate gender in the STP

Implementation of successful gender mainstreaming strategies (both in policies and programs) requires strong commitments of all actors involved directly or indirectly at different levels including in the design, implementation, monitoring and evaluation. In all the four countries visited, it became clear that the commitment to implement the trade protocol was endorsed by respective Ministers from these countries when they signed the STP in year 2000. Most respondent knew that the coordination of the STP is done by the Focal Persons in the Ministry of Foreign Affairs and Regional Cooperation. So they wanted to find out why such national SADC-FPs have not given them t clear directives from on how to track and follow up the implementation of STP both in general or gender perspective. Some respondent's from Mauritius and Mozambique wanted to know the role of the SADC Focal Persons in the Ministry of Foreign Affairs and International Cooperation as well as capacity to do their roles. In fact to most respondent the FP were considered to be the most appropriate for.

3.3.5 National gender policy and trade related concerns

Respondents were asked to indicate whether issues of trade were explicitly or implicitly stated in their respective national gender policies. During the country visits, it became evident that all four countries have explicit national gender policies with detailed information on priority gender issues to be addressed by different actors at macro (national), meso (institutional and micro (local) levels. Since most of these policies were formulated after the introduction of the SADC Trade Protocol, the interest was to find out whether trade issues have been addressed as well as type of gender specific actions that were put in place for various actors dealing with trade issues. Interestingly, study findings from all countries revealed that respective national gender policies were written in broad terms and were not sector specific. For instance, in Mozambique, the Gender Policy and Implementation Strategy aims at addressing existing gender inequalities between men and women in all financial systems. No specific mention is made on issues related to trade directly and in particular regional/cross border trade where majority of women are crowded.

In Mauritius, there was no explicit national gender policy, but they had national gender machinery, which was led by the gender secretariat unit, within the social development department of the Ministry of Health and Social Development (MHSWD) which is the ministry holding portfolio for gender issues. The main task of this unit is to promote gender equality and equity for a just and sustainable society. The goal of the secretariat is to facilitate gender mainstreaming in all policies, programmes and activities of the government, the private sector and civil society. It is also stated explicitly that, among its tasks is to implement priorities off regional instruments such as CEDAW, BPfA, and Commonwealth Plan of Action, social, economic, political and cultural sectors. Specifically, under economic issues (where trade issues are located) the government is to committed gender equality by promoting equal access to and control of resources such as inheritance, land and property rights. In addition, under socio-cultural issues, the government of Mauritius has guaranteed equal access to health education and training, information as well as contribute to the social advancement of women.

In the case of Zambia, the government adopted a National Gender Policy in 2000 with the aim of promoting equal participation of men and women in development process. A Gender in Development Decision (GIDD) at the cabinet office was given the mandate to coordinate the implementation of the national gender policy as well as facilitate research and resource mobilization for implementing gender and development programmes. The GIDD is also responsible with liaising and networking with actors at national, regional and international levels working on gender related issues. In addition, it is supposed to monitor and evaluate the implementation of policies and programmes to ensure gender responsiveness, establish information management systems (IMS) and a materials resource centre for gender and development.

Overall, the GIDD has implemented various activities to promote gender equality ranging from capacity building of its staff and GFP in the line ministries and other primary stakeholders at micro levels. The GIDD has also translated the Gender policy into seven local languages and its dissemination and facilitated development of action plans for implementing the national gender policy. The GIDD has also prepared guidelines and checklist on gender mainstreaming as well as executes research on various issues. The GIDD also prepares annual reports for CEDAW and facilitates review of laws, policies and programs to align them with the national gender policy and other regional and international conventions.

For the case of Namibia, we found that they have a national gender policy which was formulated way back in 1997. At the time of the study it was reported that plans are underway to revise it in order to update by including newly emerging issues at regional and international level/ global which has implications for the promotion of gender equality in Namibia. Some of these include international economic development, globalization, and environmental issues including climate change. Such revisions that are coordinated by the Ministry of Gender Equality and Child Welfare (MGECW) will enable Namibia's gender policy to be aligned with regional instruments such as BPfA, UN-MDG, CEDAW, and Protocol to the ACHPR on the rights of women in Africa.

3.3.6 Actions to implement the SADC Trade protocols

The study found that in all four countries, there are well established directorates of gender that are responsible for coordinating gender issues in the respective countries. Some of the major tasks

performed by these gender units include providing advice on request to country offices, organizing capacity building and training on gender issues, distributing communiqués to country offices and producing manuals and handbooks. But since the SADC Gender Unit do not have direct authority over the country office. This is why they have left the implementation of its regional policies including the STP to the national gender machineries. Instead the SADC Gender Unit has been organizing meetings to macro and micro level officials as well as issuing several documents to provide guidance on gender mainstreaming, such as the Guidance Note on Gender Mainstreaming (2000), and the Gender Equality Practice Note (2002). However, most of the Directors of the Directorates of Gender in all four countries acknowledged receipt of such documents but also expressed the need for capacity building in gender analysis and gender and trade issues in particular

3.3.7 Availability and utilization of gender statistics

Collection and utilization of up to date gender disaggregated data on various issues related to trade and development is necessary for unveiling the gendered impacts of STPs at macro, meso and micro levels. Respondents were given a scale with five options to rate the availability and effective utilization of gender statistics by respective departments dealing with trade including very effective, good, average, poor and ineffective. Respondents were asked to indicate whether respective institutions regularly collect and maintains gender disaggregated data on men and women involved in intra/inter regional trade. Further they were asked whether data is analyse in terms of gender by type of trade, economic issues (types of trade, earning and employment), time use and resource allocation, social and environmental aspects related to trade. Further they were asked whether they identify main gender issues affecting traders, with regard to their sectors (agriculture, industry, commerce, etc) and on health related issues and social service delivery.

Overall findings from all the four country visits suggest that collection and management of gender statistics on all specific variables mentioned above is average. In Mozambique, for instance it was reported that no attempt has been done to disaggregate data on traders by type of products. In fact, most of respondents confessed that the collection and dissemination of gender statistics related to trade is not satisfactory at all. Several problems and challenges were cited showing why most organizations do not collect and utilize gender statistics. Some of these include:

- (i) Inadequate knowledge on the importance of collecting gender statistics
- (ii) Lack of enforcement from the government to collect and use gender statistics for policy and programming purposes.
- (iii) Lack of tools showing how to collect and analyse data from a gender perspective
- (iv) Lack of capacity for handling and analysing data in terms of gender
- (v) It is the responsibility of the national statistics institute so more details can be obtained there (Ministry of Labour, Mozambique)
- (vi) Prefer to keep statistics on topical issues women in leadership

Further, it was evident from discussions with selected business associations in Mozambique that most organizations collect general statistics about members of their respective organization but they do not always disaggregate it in terms of gender (qualitative aspects). For instance, one member indicated that his organization has 9000 members, out of whom 75-80 percent is women. About 650 are active

members with membership cards including all men. They have not bothered to know the qualities of those women members neither that not active in the organization

Likewise, in Mauritius for instance, it was reported that collection and utilization of gender statistics is rather limited to individual organizations. They argue that that collection and utilization of data whether gender disaggregated is purpose oriented. The normal practice for most organizations is to collect data which is necessary for influencing policy and programming within the respective organization. In this respect it was expressed that it is the responsibility of institutions responsible with coordinating gender issues to demand that data and submit it to the National Bureau of Statistics (NBS). The NBS then could use such data to when preparing its quarterly reports on various economic variables such as exporters and importers as well as types of products in terms of gender. At the moment such reports are not available. Similar comments were echoed by the Executive Director of the Mauritius Chamber of Commerce who confessed that gender issue related to trade is not part of their our responsibility.

3.4 Assessment of the gendered outcomes of the STP

3.4.1 Introduction

The purpose of this section is to present study findings on the so called gender impacts of STPs (see TOR). To unveil the gender impact of STPs, respondents were asked to mention:

- (i) Types of actions taken that were taken by various actors to implement each of the STP measures and its gender sensitivity.
- (ii) Impacts of each respective measure to men and women
- (iii) Emerging policy or gender issues during the implementation
- (iv) Gender outcomes of implementing STPs

3.4.2 Gender sensitivity of actions to implement STP measures

Respondents were given a list of STP measures that were approved by the SADC and they were asked to indicate concrete actions that were taken by different actors at country level to publicise them using a Yes/No code. In addition, respondents were asked to comment on gender sensitivity and outcome of each action. Each of the STP measures is discussed hereunder as follows:

(a) Trade in Goods

Under this item, respondents were required to mention actions that were introduced at Member State level to educate the public and in particular men and women involved with trade on the elimination of tariff and non tariff barriers that limit men and women involvement in trade related activities, import duties, types of quantitative import and export restrictions referred to in the STP and general exceptions.

Surprisingly, none of respondents at macro level from all four countries responded to this question. As one respondent in Mozambique put it,

“Issues of gender analysis in our country are quite new. We do not have adequate capacity (skilled manpower) to handle gender specific issues for each sector. In some ministries, e.g. the ministry of Agriculture they seem to be doing well but for the rest it is a problem. So what is needed is promotion of collaborative work in dealing with gender related issues in the country.”

However, during a Focused Group Discussion with a group of 20 chairpersons of women and men business association in Mozambique who are involved with trade within the SADC, it became evident that they have not been involved in any of the activities listed above. In fact, most of them confessed that they have not seen the STP document although they knew of its existence. For instance, the President of Informal Cross Border Trade Association (MUCCER) indicated that he was representing an association with 9000 members out of whom 75%-80% are women and only a few (650) had membership cards. During the discussions, respondents raised trade related specific concerns on trade in goods including lack of clarity on quantitative import and export restrictions. Most respondents indicated that most traders would like to import large amounts of agricultural products from South Africa such as potatoes, onions, cabbage because they are relatively cheaper than from neighbouring countries. However due to quantitative import restrictions they cannot do so. This did not make much sense to them and they thought these products were restricted in order to protect local production.

Moreover, most respondents indicated that they were aware of the SADC commitment to eliminate tariff and non tariff barriers that limit effective participation of men and women in trade matters but confessed that they were not aware of the specific measures that were supposed to be implemented to raise their awareness and hence their active involvement. They felt that, perhaps the government has done something but they were worried that they may have focused on certain groups (mostly those who are literate and well informed). “Mostly traders at the grass root (micro) levels are not aware of these strategies neither actions taken to implement them”.

Another female respondent in the FGD indicated that, “We know each Ministry has a Gender Focal Person responsible for handling gender matters. We also know that there is a SADC coordinator in the Ministry of Foreign Affairs. However, we are surprised that these this institution is not working with District Officials to disseminate information about the above STP strategies so that we too can inform the people at grass root level As a result of not having a clear institutional framework, we do not know which goods to declare or not, or which one are exempted from taxes and which ones are not (One female respondent FGD)).

Finally, most respondents including men and women in FGD raised concern on the lack of knowledge on what constitute certificate of origin. As the chairperson of MUCCER put it, “This is not a problem to traders from Mozambique only but even traders from the neighbouring region seem not to be well informed about this! This has affected women as some do not know how to read or write or understand English.

Another female respondent from the Institute of Promotion of Small and Medium Enterprises (IPME) in the Mozambique indicated that they organize frequent courses for training men and women who are interested in establishing SMEs at national or regional trade but they have not included courses on gender and trade due to lack of knowledge on its importance in SMEs and trade in particular. For them, the main focus is on training participants on the basic facts of becoming an entrepreneur,

opportunities available within the region as well as how to get registered. She also reported that during the trainings they do not focus on specific policy instruments including STPs.

(b) Custom procedures

Under part 3 of the SADC Trade Protocol, information on common custom procedures to be followed by respective member states is presented. These include among other things, the classification, valuation and origin of goods to allow member states to apply appropriate tariffs and rates. In order to ensure effective implementation, respective member states were required to take appropriate measures to ensure that different actors are well informed about what was expected from them. In this respect, respondents were asked to comment on type of actions that were introduced in each member state, gender sensitivity of such measures as well as the gender outcomes. Interestingly, most respondents at macro and meso levels indicated that, it was difficult for them to comment on this question because it is not within their mandates. There was a general concern that “those matters were supposed to be discussed with the SADC coordinator, in the Ministry of foreign affairs or the ministry of trade and industry.

For instance, one respondent indicated that “although the trade protocol was established with good intentions of liberalizing regional trade in goods and services, many traders (including women) are not aware of the specific custom regulations as well custom requirements”, A female respondent from Mozambique. In supporting the above comment, another one female representative of business association in Mozambique commented that, “Due to lack of clear understanding on custom procedures, most women are experiencing a lot of difficulties including corruption and harassment from custom officials. The introduction of high taxes is beyond what most women can afford to pay. Some have been forced to look for alternative activities in order to get money pay back loans from banks.”

From the above quotation, it is clear that there are some women who have failed to continue trading after losing their products after failing to produce certificate of origin. Some of those include young graduates, who after failing to secure jobs in the formal sector, they join regional cross border trade as a coping strategy but get stranded due to lack of information on custom procedures.

Participants in a FGD in Mozambique and Mauritius raised concern on the complications of processes and procedures of acquiring a certificate of origin from South Africa in particular. They reported that South Africa has too many restrictions which make it difficult for traders to obtain the certificate of origin. For example, rules of exporting certain products to the European Union (EU) are relatively simple compared to those of SADC; Only a single transaction is required”, one male respondent from Mauritius.

In addition, some respondents indicated that the issue of certificate of origin is not clear to traders from participating countries including men and women. Some indicated that they did not know where to get it, neither procedures nor processes involved. As a result, most trades including men and women face problems from immigration offices including loss of goods. For instance, one woman confessed that she lost goods worth 8 million shillings in Mozambican currency. However, as a way of coping with this shock she went back to her original business of selling second hand clothes in order to maintain her family. Thus, it is evident that lack of clear knowledge on custom procedures has resulted into disempowerment of some women traders.

On the contrary, the CEO of Mauritius Trading House (MTH) responsible with buying and selling of products indicated that they have no problems with most of the custom procedures including certificate of origin and most companies in Mauritius are benefiting fully from the STP. This is mainly due to the fact that their country has long experience in regional trade.

However, she reiterated that the question of tracking gender issues in trade is somehow tricky and difficult to measure. For instance, she said that although most of the registered owners of the organization are men but most of the production is done mostly by women (i.e. operating behind the curtains). In 2008, she did a study on SMEs in Seychelles and found that 75% were registered under men's names but when she phoned to ask for information on issues related to production, it was mostly women who were responding to her calls. Such women were fully aware of what was happening in their respective companies. So she concluded that there is a lot of shared responsibility in the trade industry and both men and women are equally involved.

Further, she indicated that, it becomes more complicated to apply gender in certain activities such trade orders from organizations outside the country. In this context our interested to work with clients (men or women) who can promptly respond to business order on timely and most efficient manner. In this context, it is important to analyze patterns and trends of those who are promptly responding to such trade orders in order to establish the main emerging gender issues

(c) Trade laws

This particular question aimed at establishing type of actions taken by respective member states to educate different actors involved with the implementation of STP on international and regional agreements/ laws on (i) application of sanitary and phyto-sanitary measures and (ii) standards and technical regulations on trade.

In all countries, no comments were echoed by actors at all levels. In most countries, respondents indicated that they have not read the STP in details to get to know all these specific issues.

(d) Anti-dumping measures

This item requires respondents to indicate types of actions/measures that have been taken by various actors to provide education on anti-dumping measures to be used in line with WTO provisions. As was the case with the previous item, no respondent commented on this item including those at micro level.

Others

Respondents were also required to mention type of gender sensitivity of such action as well as gendered outcomes, actions have been taken by their respective government and or other Non State Actors (NSA) to educate people on issues such as subsidies and counter veiling issues/ competition, safe guard measures to protect their trade from foreign competition, trade relations both within and outside SADC countries, coordination of implementation strategies, coordination of different actors settlement of disputes and what is involved in the Free Trade Area (FTA) plan.

As was the case from the previous section, none of the respondents filled this section from all countries visited. Disturbingly, none of respondents at micro level seemed to be aware of the list of the safe guard measures and other documents available from the SADC Gender Unit including men and women.

However, during interview with individual respondents, it was suggested that these matters were supposed to be answered by the SADC coordinator in the Ministry of Foreign Affairs and International Cooperation (MFAIC) Unfortunately, because of the nature of the study, we wanted to get views from actors involved directly with the implementation of the STP, as indicated in the list of persons/ organization who were involved in the study. Given the tight schedules that were arranged for each country, it was not practical to add fresh interviews.

Further, respondents were asked to indicate whether they were aware of other important guiding documents from SADC that were useful for mainstreaming gender in trade and other related issues by using a Yes/No code. In addition, they were supposed to indicate what actions have been taken to make use of such documents and outcomes of such actions on men and women. Some of these documents include: Regional Indicative Strategic Development Plan (RISDP), Strategic Implementation Framework (SIF) on Gender and Development (2006-10), SADC Gender and Development Business Plan, Protocol on Finance and Investment, SADC Gender Work Place, SADC Gender Monitor, SADC Gender Mainstreaming Resource Kit.

Interestingly, as I was going through the list, some respondents indicated that, the problem with SADC Gender Unit (SDU) is that they are good at designing these many useful documents but they do not create space to follow up how they are been used by actors at member state level. In supporting this, another female respondent added that, “We at member state level we also have our own enough responsibilities which sometimes are beyond our ability to accomplish them.”

3.5 Synthesis and analysis of gender concerns, outcomes, problems and challenges

3.5.1 Synthesis on study findings

Indeed, the STP has been hailed for explicitly opening up trade and other related opportunities for men and women in the SADC region. However, the architectures of STP have been criticized for not providing clear and transparency information on the type of opportunities available to small scale operators the majority of whom who happen to be women. Further no clear framework was given to different actors to provide guidance to immediate actors responsible with STP implementation on what key gender issues to emphasize. Some respondents indicated that during the design stage, the negative effects of elimination of tariffs or introduction of quotas restrictions on certain sectors should have been articulated before advancing them. For instance, for sectors dominated by women such as agriculture, textile, service delivery, and industry needed special consideration as these have been severely affected by trade liberalization. In this respect, the STP would have come up with some protectionist measures to rescue women as who constitute the majority (60% of Female Headed Households) in the SADC region. The implications of such women’s loss of jobs, has far reaching implications on SADC efforts to reduce poverty in the region by 2015.

3.5.2 Main gender concerns/outcomes of STP

Overall, respondents indicated that the introduction of some strategies such as visa removal and elimination on non-tariff barriers has enabled more women and men who are interested in trade related activities to participate in intra regional trade. However, there were no statistics given to show the patterns and trends of men and women involvement in regional trade before and after the introduction of the STP. Most respondents felt that such data would be available from the ministries of trade and commerce or the chambers of commerce. However, as already indicated when I asked for such data from the ministry of trade and commerce, they referred me to the National Bureau of Statistics (which were not among the list of institutions to be interviewed).

Second, respondents from all study sites also indicated that the actual number of men and women involved in inter/intra regional trade has gone up after the introduction of the STP. For instance, during the FGD with chairperson of business women and men associations in Mozambique, Mauritius, Namibia and Zambia, it was indicated that the number of men and women has been rising and falling from time to time and place to place depending on a number of factors, such as type of trade, size of capital and level of technology as sharpness to cope with changing market demands. For instance, in Mauritius, due to the location of their country, most trade have long experience in regional trade. In this respect, to most trader's, issues like rules of origin and protection of local industries from foreign competition was not a big issue of concern.

Third for countries with less experience in regional trade such as Mozambique, application of various STP such as custom duties and rules of origin was a major issue of concern to both male and female traders. In addition, for respondents in Zambia/Mauritius the main concern was not on the sex of importers or exporters but the ability to cope with changing demands and tastes from the market. For instance, as the chairperson of Mauritius House of Trade put it, "the main challenge is to get traders (including men and women) who can respond quickly to orders that we get e.g. producing small amounts of textile of products of certain colours within short periods of time", female respondent from MHT.

Fourth, that the STP has also created non-trade opportunities to women. For instance, the Chairperson of a National Women Council of Entrepreneurship (NWCE) in Namibia reported that she has been to establish an agency to advocate for women's rights, children development and family welfare as a strategy to respond to the immediate needs of women entrepreneur and traders respectively. She reported that, in addition to assisting women to establish and register their businesses with formal organizations, her NGO also provides business counselling and business economic skills to existing and potential traders with regard to market survey and credits. She mentioned that at least 100 women have directly benefited from her agency and over 2200 women involved in different types of activities such as agro business, handicraft, textile and service provision (hair salons and stationery) have benefited from her agency. Most of those women have been empowered to participate in SADC trade as well trade exhibitions held periodically both within and outside Namibia. In addition, she indicated that, given the prominence of gender issues in trade, her agency has contracted a gender expert to educate her members on gender issues related to business.

Finally, from Mauritius we obtained information on the contents of a three day mentoring programme, offered by the Women Entrepreneurship Development Programme (WEDP) to potential women

entrepreneurs and business women. On the first day, participants are introduced to the concept of entrepreneurship and facilities offered by the NWEL, permits and licences, facilities provided by AREU, SEHDA and opportunities available in the Handicraft sector, legal aspects of setting up enterprises and business registration. On the second day, participants are introduced to issues related to marketing and management, accounting and finance, product costing and pricing, preparation of business plans, facilities available from Mauritius Enterprises, DBM, MPCB and Trust Fund for the social integration of vulnerable groups. Thus, it is evident that emphasis is on local issue and not regional issues and gender in particular. It appears that these are the priority issues affecting traders/entrepreneurs in Mauritius. It was explicitly stated that awareness on regional trade issues was outside their areas of focus.

Similarly, the introduction and implementation of the STP and other gender related policies have had a lot of impacts on women in Mozambique. The National Director of Budget in Mozambique argues that, "In the past women could not compete with men in almost all social economic spheres due to prevalence of oppressive cultural and traditional norms. Women were not allowed to go to school as well as participate in public activities. However, to date, with the implementation of gender equality policies and provision of incentives and capacity building of women, a lot of changes have occurred at macro level such women involvement in public activities including economic and political. The number of women competing with men in various leadership positions has increased as well including members of parliament. The chairperson of the Parliament is a woman and over one third of parliamentarians are women.

However in all countries visited no empirical study has been conducted at micro level to establish the gendered outcomes of the SADC Trade Protocol although the introduction of trade liberalization has opened up various opportunities for men and women involved in cross border trade as well as regional trade. Those women have been successful have been able to contribute to improved family welfare and national development. Likewise, traders involved in regional trade use foreign currency but the frequent currency depreciation has somehow negatively affected traders profit accumulation. This has been bad for those with small capital and in particular women because they have been thrown out of markets.

3.5.3 Problems and Challenges of Mainstreaming Gender in STP

The study revealed several types of challenges and problems that were encountered by actors both at macro and micro levels at various stages of implementation of the STP including the formulation, implementation and monitoring and evaluation. Interestingly, this is one of the popular questions that attracted the attention of respondents from all the four countries visited. Surprisingly, both general and specific comments were given including on issues that were not directly part of the study including decentralization of SADC activities.

Macro level issues

- **Lack of guidance from SADC gender unit**

Most respondents complained that they were given some guidance from the SADC gender unit on what gender issues to be addressed during the implementation of the STP, neither specific training on how to track gender issues emerging from the implementation of the STP.

- **Limited knowledge on the STP as well as its key contents**

The study findings reveals that most actors at the macro level are aware of the existence of the STP because they were directly involved. However, most actors at meso level including men and women especially those not directly involved in meetings confessed that they have not read the document neither were they aware of the proposed measures for implementing the STP

- **Limited skills and knowledge on gender analysis**

Most respondents from all the four countries include Directors of Gender Units within the ministry of Gender and Women's Affairs complained that they have no adequate knowledge and skills in gender analysis. Gender analysis is a tool that is used systematically at all stages of programme or policy cycle to establish effects of men and women in their diversity. In fact, one respondent from Mozambique commented that, gender needs interest and priorities of traders are so diverse and at times contradictory such that it is not easy to please all of them. For instance, most women traders especially those who are heading families (FHH), get involved in trade as the main source of livelihood for their families. This group complained about the impact of high taxes charged by custom officials. To most of these women, they have not benefitted from the elimination of non-tariff barriers. This happened because no specific measures were put in place to protect women traders in particular.

- **Limited advocacy on STP**

Most gender focal points desk officers and other officials at macro levels indicated there were no specific advocacy activities on the STP and most said they had "scanty knowledge which they got when they were invited to meetings or representing their bosses".

- **Inadequate knowledge on the coordination framework of the STP**

The implementation of the STP requires the involvement of diverse actors both within macro, meso and micro institutions. The STP clearly stated that it is the national women's machinery are responsible for coordinating the integration of gender issues in all policies and programs in each member state including trade but this information is not known to most actors.

- **Lack of clear follow up plan**

Most members felt that there was no need to undertake periodic follow up in depth country specific studies on the gender on impacts of the STP, possibly an annual or bi-annual terms rather than waiting to do this after ten years. Such follow up report would have illuminated more detailed insights on the gendered implications of the STP either by sector or type of trade including import and export and gender.

- **Difficulties in addressing gender issues in certain types of activities**

“In handling applications for import licenses for plants, which require scientific evidence we don't need to know the sex of the applicant. We need to know the ability of the customer to import the amount he has applied. Therefore, if there are any gender issues involved in this, let the Gender Focal person deal with them”. (One senior male respondent dealing with agribusiness in Zambia)

Micro level issues

Below are some of the constraints that were raised by Non-State Actors (NSA) and chairperson of selected NGO which were included in the selected samples. As already mentioned, these included the chambers of commerce; national agencies involved with trade and women NGOs (as shown in Appendix II).

- **Inadequate knowledge on the STP**

Majority of respondents at the micro levels save for those who are directly involved in STP such as the Chamber of Commerce, Industry and Agriculture it was evident that they were not familiar with the STP. In confirming this, the Chairman of Small Scale Industries of Zambia (SIAZ) reported that “we are more involved with COMESA and we know very little about the STP including its gendered impacts to our men and women because we have not done any study on that. SADC is very quiet; we don't know even where the SADC Focal Person in Zambia is. SIAZ is an NGO that was established in the 1980s to promote local production of industrial products. Its membership includes men, women and youths from both rural and urban areas, and the majority (60%) are women.

In supporting the above claims, another female respondent, Chairperson of Zambia Federation of Association of Women in Business (ZFAWB) reported that her organization has not benefited much from STP neither interacted much with SADC. Most members in her organization comprising of 41 organizations with more than 500 members are not aware of the STP. Further, she reported that it was only in early November 2010 when she was invited to attend a regional meeting that was organized by SADC to discuss cross border trade issues. She further complained that there was another consultant from SADC who visited her office to find out what they are doing in relation to STP in general. In fact she insisted that if “SADC is our organization and it should have a plan of engaging with its key stakeholders at local level in a more regular and consistent manner. This is because although we were not directly involved during its formulation but we are directly involved in the implementation of the SPL.

- **Dual membership**

The fact that SADC member states belonged to multiple regional bodies was raised as a challenge to traders at local level. For instance, in Zambia respondents raised concern on the issue of tariff arrangements, “SADC is talking about removal of tariff and non-tariff barrier and so is COMESA. Why do they not harmonize this and make life easy for local traders.”

- **Limited sensitization on STP**

Some few sensitization programs have been done by women NGOs and government institutions such as the NCWD in Mauritius, but these have been ad hoc and involved few people at the grass root.

- **Dominance of informal cross border**

The dominance of informal cross border trade has made it difficult to produce or even to quantify the amount of goods and services offered to the region neither patterns and trends of traders with regard to sex and age. However, available records suggest that the majority of cross border traders (70%) are women. Although these women are able to earn some income for their daily livelihood but they are facing a lot of difficulties including lack of access to resources such as demand and supply of information, limited access to credit from formal financial institutions and lack of adequate knowledge on regional trade.

Further, young girls of 18 years and fresh graduates rushing to informal cross border trade as a coping strategy due to difficulties of accessing jobs in the formal sector face a lot of problems and challenges that have not been thoroughly investigated. Some of the girls have been subjected to physical and emotional abuses from custom officials, sexual harassment, rape, trafficking. Other women traders face different forms of sexual harassment such as verbal abuse, imprisonment, confiscation of goods, corruption and stigmatization.

- **Inadequate capacity for gender analysis and gender audit**

Most respondents at all levels confessed that they lacked skills for gender analysis and gender audit. For instance, the chairpersons of ZIFA said that although Zambian women have been involved in cross border trade for a long time and have vast experience on how to do trade but she has not bothered to document their experiences and establish the main gender issues and or lessons (gender audit). This happens because of little systematic efforts to use available resources including time to update staff knowledge on gender analysis. Training on gender has been delegated to GFP. This is an anomaly that needs to be addressed to allow for systematic approaches to gender mainstreaming in respective member states. Several backstopping services could be provided to staff including short one hour lectures during lunch breaks, electronic notes on gender analysis and gender auditing in trade.

- **Inadequate linkages between macro and micro level institutions**

It became evident that there was no systematic collaboration between actors at macro level and those at micro. One NGO respondent in Zambia commented that “Government officials know that we exist when researchers want information from us. We need to be fully engaged all the time as we are partners in development.

- **Difficult working environment for women**

In addition, women involved in informal cross border trade face other challenges such as difficult working environment without access to banking services relevant for their needs, currency exchange bureaus, storage and decent affordable accommodation, adequate transport and shipping facilities. These are some of gender specific issues that ought to be addressed during the implementation of the STP although it concerns women in informal sector.

3.6 Main lessons emerging from implementing the STP

Respondents were asked to indicate what they consider to be the main lessons emerging from the implementation of the STP. Below is a list of issues that were raised by some few respondents:

- (i) Products from the region are becoming cheaper and readily available
- (ii) Gender issues have not been sufficiently addressed at different stages of the imp.
- (iii) Compilation and utilization of gender statistics by different actors is still a challenge both at micro and macro levels.
- (iv) No country specific studies on the impacts of trade policies have been done by any SADC member state to date.
- (v) No systematic gender trainings on various aspects related to STP protocol including have been organized by different actors to educate the trades on the STP. Only a few adhoc sensitization activities were given to association of traders in Mozambique by the tax authority on tax legislation.
- (vi) The question of having gender plans and sensitive monitoring and evaluation framework for use by different actors involved in the implementation of the STP is imperative but it is absent.
- (vii) Development and strengthening of various actors involved in the STP in terms of gender analysis, gender budgeting and gender mainstreaming should be counted as a priority issue at all levels.
- (viii) Upward and downward feedback mechanisms on various STP issues are of vital for attaining the desired outcomes.
- (ix) The role and contribution of the private sector is crucial for the successful mainstreaming of gender in trade related activities.
- (x) Due to low levels of literacy among women, they do not benefit much from opportunities brought up by the STP and WTO.
- (xi) Women's and men's involvement in STP is severely handicapped by both structural and institutional barriers.
- (xii) Informal cross border women traders across the region do not use available formal systems and structures for most of their transactions and this makes it difficult to establish the ideal gender impacts of STP.
- (xiii) Most actors at meso and micro showed little evidence of undertaking various STP strategies and actions that have been taken at member state level to implement STP measures and this makes it difficult to assess their gender sensitivity and outcomes.
- (xiv) Need to do away with the dual categorization of trade between formal and informal trade. Formal and informal traders should be seen as a continuum from small traders to large traders and the two co-exist. Actors at micro, meso and macro levels including SADC, Ministries responsible with trade and commerce and women affairs should see them as two partners operating along the same trade rules and regulations.

Chapter Four: Conclusions and Recommendations

4.1 Overall conclusions

This study was undertaken to establish the impacts of the SADC Trade Protocols focusing on experiences of four countries with different levels of social and economic development. First, the study findings established that all SADC members have established clear enabling environment and institutional frameworks for implementing national, regional and international commitments for promoting gender equality, equity and women empowerment. Indeed, these countries were at different levels of implementing gender specific actions, including having national gender policies, national women's councils and establishment of Gender Focal points. Second, the study findings also revealed that although gender statistics are crucial for policy and programming purposes, most actors do not always collect, analyse and utilize such data on regular basis. The usual practice is to collect sex disaggregated data showing the number of men and women only.

Third, the study findings established that the STP is not gender neutral and it is affecting both men and women traders in different dimensions depending on various factors. Some of these include; location (macro, meso and micro), type of trade (formal or informal), level of awareness on STP participation (engagement in various activities) and level of education (literacy) and income and marital status and experience in trade related activities.

Fourth, the study findings also revealed that it is mostly key factors (100% at macro level, mostly ministers and directors) who are directly involved in STP process (including the formulation and implementation) who are well informed about the STP and its contents. In addition, a few representatives from the meso level, representing national umbrella NGOs such as National Women's Councils and Chambers of Commerce who are aware of the SPL and its implementation plan. On the contrary, the study findings revealed that the majority of actors (90%) at micro level including chairpersons of trade associations from all four countries visited reported that they have not seen the STP document

Fifth study findings suggest that it mostly immediate responsible officials at macro level who are fully aware of the STP. Interestingly, other officials not directly involved with STP including Directors of Gender, Trade and Agriculture, Labour and or their assistants reported that they were not adequately conversant with STP specific measures as well as actions taken by different actors to raise awareness and build capacity of traders involved in trade related activities. At micro level, very few activities have been undertaken by NGOs to raise awareness on the STP and its proposed strategies. Interestingly, respondents to this question included both men and women.

Sixthly, the study findings also found that women traders involved in informal trade within the SADC has been severely affected by the STP compared to those from the formal registered organization. Most of these women operate with low capital and have limited to different forms of resources including banking due to their low levels of income and literacy. Available secondary sources also revealed that female heads of households are more hurt relative to married women traders.

Seventhly, the study findings also established that no single country has undertaken any gender specific studies to document the impact of various STP measures both at macro and micro levels. Nevertheless, given the short duration of the country visits, it was not possible to gather quantitative evidence to ascertain the so called gender outcomes of implementing STP measures by sector or category of business.

Eighthly, the study findings identified both gender and policy specific problems and challenges that limited the identification of the gender outcomes of STP, including lack of gender disaggregated data. However, it became clear that there are more men than women who are involved in informal trading activities within the SADC.

Ninthly, the study findings also revealed that most actors involved with the implementation of STP at all levels do not have adequate capacities/resources (including human and non human) for designing and implementing gender sensitive specific measures actions related to the STP. In particular, most actors do not have adequate skills in gender analysis, gender planning and or gender budgeting. Tenthly, study findings also revealed that there have not been guidelines to actors at macro, meso and micro levels on how to go about assessing the gender impacts of STP measures both in general and specific terms. In addition, the study findings noted that there were no specific timelines that were set aside for respective member states to undertake studies on the gender outcomes neither reporting structure neither gender sensitive indicator to monitor STP processes, inputs, outcomes, risks and outcomes.

Eleventh, the study findings also identified lack of clear coordination framework connecting actors involved in trade issues at macro, meso and micro levels. In view of this, there were problems of upward and downward feedback or dissemination of information.

4.2 Recommendations

Respondents acknowledged that the STP is an important instrument for opening markets in the region. They indicated that if gender is adequately mainstreamed in the STP, it will result in positive incomes in terms of improving respective member states economies both at macro and micro levels and poverty reduction in particular. In view of this, they came up with various recommendations for various actors involved with the implementation of STP respectively.

SADC gender unit

- Urge individual SADC member states to organize in depth country specific studies on periodic basis to establish the gender impacts of STP using both quantitative and qualitative gender specific research methods. Such studies should specifically document the experiences of male and female traders in relation to each of the specific measures highlighted in the STP as well as implications of opening regional trade at macro and micro level. SADC to synthesis these country report to establish the magnitude of the gender impacts at regional level. Such evidence based data can be used to advocate for the mainstreaming of Gender in STP in the future.

- Encourage SADC member states to organize study visit to other regional networks to learn from their experiences in mainstreaming gender in trade policies. Such networks include those based within and outside Africa region including Europe, America, Canada and Asia.
- Establish a regional Gender Mainstreaming Action for member states to strictly adhere to in undertaking specific country gender studies with clear gendered objectives, deliverables and monitoring and evaluation frameworks.
- Establish mechanisms for periodic evaluation of the implementation of the STP with regard to gender.
- Organize periodic capacity building in gender analysis, gender planning and gender budgeting to key actors within SADC countries.
- Consider ways of addressing the improving the coordination of STP implementation of STP at country level.
- Develop capacities of key stakeholders at macro level in terms of gender analysis and gender sensitive monitoring and evaluation.

Member states

Build and strengthen capacities in gender analysis to various stakeholders who are involved directly or indirectly in the implementation of STP including the design, implementation, monitoring and evaluation. More specifically, this involves strengthening:

- Key actors knowledge at macro level to understand how neglect of gender issues can limit the realization of STP overall objective.
- Key actors knowledge to understand the gender implications of the proposed STP strategies including trade liberalization, introduction of tariff measures and removal of NTB, custom procedures, etc.
- Assisting men and women traders at all levels to identify and utilize opportunities available in the STP as well as how to access them.
- Strengthening collection and utilization of gender sensitive data by actors at all levels.
- Promoting gender focused research, analysis and utilization of findings for advocacy.
- Capacities of key actors at all levels to identify main gender issues related to the implementation of the STP including gaps, discrimination and how to design gender sensitive interventions.
- Identify gender sensitivity of legislations and institutional mechanisms available for protecting men and women rights.
- To ensure maximum support and cooperation from different actors involved with the STP, government are urged to involve a wide range of stakeholders including those from the NGO/CSO and the private sector.
- In addition, the government is urged to involve ministries responsible for gender and women's affairs, finance, foreign affairs and agriculture, labour and youth.
- Ensure participation of key stakeholders including women in stakeholders negotiation processes on various issues related to the STP to get their views such consultation meetings can be done on sites where traders operates such as border posts and trading markets.
- Develop mechanisms for identifying risks associated with engaging in regional trade and initiative gender sensitive action to address risks associated with loss of employment or changes in trade laws or loss of property and others such as health. For instance, clear education on

custom procedures can minimize loss of products. Likewise, reducing processing time at border crossings may reduce health risks and accommodation expenses.

- Develop mechanism to ensure access to and utilization of ICT in trade services within the region. Introduction of e-services such as e-banking, e-marketing, e-commerce and moving from paper to electronic process can improve custom clearance and reduce time and costs associated with trading. However, the shift to ICT should be carefully planned in order not to displace those who have no capacity to make use of this opportunity and small scale women traders in particular. The need for addressing this gender gap in ICT can be also looked into by actors involved with capacity building.

Micro level actors

Need to build and promote synergies between government institutions and NGO/NSA who are directly dealing with trade related issues within member states and SADC so in NSA/NGO to work closely with the government to feel gaps in terms of gender experts. For instance, most universities and NGO have qualified gender skilled personnel who can be used to build required capacities in gender.

- Organize campaigns to educate the people at the grass root about the STP including where it came from, where it is and where it is heading as well as its overall economic impacts at national and regional levels. Such campaigns to target schools as these are vehicles for change.
- Organize specific research to collect and document women's experiences in regional trade and use findings for advocacy purposes.
- Establish trade focal points unit in all key ministries involved directly with SADC and provide them with adequate resources (including human and non-human) to improve their effectiveness in reaching various actors both at macro and micro levels.
- Improve coordination and harmonize activities done by different actors on various aspects related to trade both in general and specific.

Chapter five: Action Plan for Mainstreaming Gender in STP

5.1 Introduction

During the country specific studies it became evident that much work is required for the successful mainstreaming of gender in the implementation of STPs at all levels. Therefore, this last chapter presents an action plan for engendering the SADC Trade Protocol (STP). It is based on study findings on the assessment of gendered outcomes of STP in four SADC countries and review of secondary sources on gender and trade at regional and international levels. However, it is important to note that the integration of gender aspects in trade is a relatively new approach which is still surrounded by methodological problems with regard to its implementation. While gender aspects (quantitative and qualitative) are clearly evident in trade, there are several practical issues that have to be in place to facilitate its smooth implementation. Some of these include adequate knowledge base on gender analysis, collection and utilization of gender statistics and clear institutional framework. The purpose of this last chapter is to present a Gender Mainstreaming Action Plan (GMAP) for incorporating gender aspects in STP.

The implementation of the GMAP is not expected to be uniform for every Member State but it will depend on the concrete trade situation of a country. The most important concern is that actors at all levels should possess the necessary capacities (human and non human) for integrating a gender perspective in trade related activities implemented throughout the programming cycle. Even where the content of the trade measures or actions appears to offer no evident points of reference for gender-related issues, attempts should be done to consider its implications on men and women in their diversity or emerging opportunities. In retrospect, the SADC pronounced its commitment to a strategy of gender mainstreaming in 1996, according to which all Member States are expected to contribute to the promotion of gender equality in all social economic and political spheres including trade.

5.2 Scope of the Gender Action Plan

The GMAP presents a summary on mainstreaming of a gender perspective in the STPs. Thus, the GAP:

- Defines priority areas for mainstreaming a gender equality perspective in STP protocols, programs, management processes and procedures, programs, staff roles and regulations as well as in culture, norms, values and attitudes of all actors involved at macro, meso and micro levels.
- Creates the platform with priority issues for integrating gender equality perspective in STP policies, measures, activities and the implementation process itself.
- Calls for allocation of additional resources for supporting the mainstreaming of gender in the STP.

5.3 Goals and Objectives

Overall Goals

The overall goal of GMAP is to provide a clear framework to guide the processes of mainstreaming gender in trade policies, activities, practices, processes and procedures implemented by all actors including SADC staff and other key stakeholders.

Specific Objectives

The GMAP aims at attaining the following seven specific objectives, namely to;

- (i) Presents the priority areas of mainstreaming a gender perspective in STP policies, programs, activities, processes and procedures as well as the culture, norms, values and attitudes of the organization both within the organization itself as well as among Member States
- (ii) Provides guidelines that will enable all key stakeholders working directly on STP to promote gender equality and equity on the basis of gender and diversity with regard to access to and control of resources, opportunities and benefits at all levels.
- (iii) Proposes the review of institutional bottlenecks (including, values and practices) that limit the implementation of gender mainstreaming in trade at all levels.
- (iv) Provide guidelines that will enable SADC Gender Unit and respective national gender machineries to demand accountability from key stakeholders with regard to mainstreaming gender practices in trade related activities.
- (v) Provide guidelines that will enable actors at all levels to institute gender specific measures that will end gender discriminative practices and procedures
- (vi) Provide guidelines on the roles and responsibilities of key primary stakeholders with regard to STP implementation.

5.4 Major issues, action statement and strategies addressed by the GMAP

5.4.1 Macro level issues

Situation Analysis and Policy Issues

Initially, when STP was established a decade ago, gender specific considerations were implicit in the organization programmes. Generally, the main focus was on promoting regional trade with the ultimate aim of reducing poverty in general without specific considerations on gender and diversity issues. For SADC to mainstream gender in its STP, it has to ensure that gender is mainstreamed in

its trade policy and measures , functions , processes , procedures as well as in budgets, implemented at all levels.

Issue

- Lack of Gender Mainstreaming Action Plan (GMAP) to guide the systematic mainstreaming gender in STP protocols and operations at Member State levels is limiting efforts towards gender sensitivity of its work at all levels

Policy Statement

SADC shall continue to review its STP protocol, measures , functions and processes and procedures implemented at all levels with the intention of making them Specific, Measurable , Adequate , Reliable, Time Bound (SMART) and gender sensitive.

Strategies

- i. To provide gender sensitive guidelines for reviewing STP as well as all key processes and procedures with a view of ensuring that they explicitly focus at promoting gender equality, equity and women empowerment.
- ii. To establish gender specific accountability mechanisms to ensure the integration of gender mainstreaming is not an optional task but it should be seen as part of new responsibility to actors involved directly in the implementation of the STP.
- iii. To institute clear institutional mechanisms that would facilitate the integration of gender in STP at Member State level in order to link actors at macro, meso and micro levels.

5.4.2 Capacity building on gender mainstreaming and leadership

Situation Analysis and Policy Issues

The findings from four country specific studies indicate that there is insufficient capacity (human and non human) for gender mainstreaming at macro and meso levels to design and implement effective gender mainstreaming. The study also established uneven practices on gender mainstreaming practices across member states which confirms lack of adequate capacities in gender analysis.

- **Issues**

Confusion among actors and partners at macro, meso and micro about what is gender analysis and gender mainstreaming means is an obstacle to assessing the gendered impacts of STP. Further, lack of consistent and systematic training on gender mainstreaming gender in STP protocols and operations at Member State levels is limiting efforts towards gender sensitivity of its STP at all levels

Policy Statement

SADC and member states shall continue to develop and strengthen capacities of actors at all levels on various gender issues in order to create commitment to mainstreaming gender issues in the implementation of STP.

Strategies

- (i) To develop key actors capacities to review and engender the negotiating mandates of trade officials, for example, by making sure negotiators to understand and appreciate the links between trade and gender equality.
- (ii) To establish capacities in gender analysis and collection and utilization of gender statistics
- (iii) To strengthen capacity of responsible actors at member state level to address identify and gender implications STP measures in different sectors by annually commissioning a small number of case studies
- (iv) To improve capacity for collection and analysis of sex-disaggregated data on trade and entrepreneurship to better understand local impacts of STP and globalization of trade on the wellbeing of men and women as well as evaluating how trade policies affect gender relations at micro level.
- (v) To clarify misconceptions on the responsibility and coordination mainstreaming gender in STP implementation at all levels. Emphasis to be placed on the individual role as well as heads of offices and bureaux and top management at all levels .

5.4.3 Mainstreaming gender in STP

Situation analysis

Over the past ten years, both SADC and respective Member States has missed many opportunities for establishing the main gendered impacts of implementing its STP as well as major lessons. The study finding could not establish the quantitative gendered impacts due to dearth of gender disaggregated data at all levels.

- **Issue**

Lack of guidelines on type of gender issues to be assessed as well as gender sensitive indicators to be assessed including inputs, outputs, outcomes and impacts as well as risks

Policy statement

To ensure the accountability of individuals and units involved with mainstreaming gender in the implementation of STP, there is need to facilitate the undertaking of country specific gender impact

studies across member states with regard to the gendered outcome of implementing various STP measures.

Strategies

- (i) To design trade review mechanisms and undertake gender impact assessments studies at Members and use findings as entry points for analysing mainstreaming gendered impacts of STP per sector or level.
- (ii) To promote women's access to opportunities available from the SPL and other regional networks
- (iii) To promote advocacy, training, information sharing and awareness raising programme involving women and men traders , private sector , NGOs , gender focused research training institutions, and government organizations so that all can be prepared to be accountable on gender mainstreaming in trade related activities in a transparent way.