



Government of Botswana



European Union

PRIVATE SECTOR DEVELOPMENT PROGRAMME BOTSWANA

A Government of Botswana initiative supported by the European Union and the Centre for the Development of Enterprise

Action Plan for Capacity Building of both the Trade Facilitation Advisory Group National Committee on Trade Policy and Negotiations

Final Report

10 August 2014



ACKNOWLEDGEMENTS

This report was written by Paul Baker, International Economics Ltd (Mauritius) and consultant to the CDE (Botswana). The author worked under the direct supervision of Mr Sid Boubeker, Head of CDE and Mr Roger N'Guessan, PSDP Coordinator at CDE. Ms Candy Tladi, Business Environment & Trade Expert, supervised the project's implementation. Mr Elijah Munuyki acted as logistics expert.

The author would like to thank the assistance from a number of individuals in compiling this report. The facilities provided and technical inputs from MTI is gratefully acknowledged. A list of all persons consulted is provided at the end of the report. Their input was crucial in steering the direction of the report.

Any views expressed, and all errors and inaccuracies remaining in the report are the authors' own, and should not be attributed to the individuals listed above, nor to the European Delegation.

Project Synopsis

Project Title	Development of an Action Plan for Capacity Building of the Trade Facilitation Advisory Group and the National Committee on Trade Policy and Negotiations
Project Reference	BWP/1314/01
Country	Botswana
Funding	European Development Fund (EDF 10)

	Contracting Authority	Consultant
Name	Centre de Development de l'Entreprise	Paul Baker
Address	Plot 54351, Exponential Building Central Business District (CBD) Gaborone, Botswana	International Economics Ltd 34 Cybercity, 4th Floor Ebene, Mauritius
Tel. Number	Tel. 267 3191230	+230 403 44 21
Fax number	Fax. 267 3191271	+230 403 43 00
E-mail	info@cde.int	info@tradeeconomics.com
Contact persons	Ms Candy Tladi, Business Environment & Trade Expert	Ms Alicja Stec-Nicpon Project Coordinator

Project Objective :

- Strengthen the capacity of the National Committee on Trade Policy and Negotiations (NCTPN) and its subcommittees, the Technical Committee on Trade Facilitation (TCTF) and improve the negotiation capacity of key stakeholders.

Project Activities

- Undertake desk research and consultative meetings to design a trade and negotiation capacity building action plan focusing on human, institutional and organisational capacity
- Develop terms of reference for the implementation of the action plan
- Organise a validation workshop with key stakeholders and prepare a final report incorporating relevant comments

Abbreviations

BEMA	Botswana Exporters and Manufacturers Association
BITC	Botswana Investment and Trade Centre
BOCCIM	Botswana Confederation of Commerce Industry and Manpower
CFTA	Continental Free Trade Area
CDE	Centre de Developpement de l'Entreprise/Centre for the Development of Enterprise
CET	Common External Tariff
CIP	Country Implementation Plan
COMESA	Common Market for Eastern and Southern Africa
DFID	Department for International Development
DIT	Department for International Trade (MTI)
FTA	Free Trade Area
GDP	Gross Domestic Product
EC	European Commission
EDD	Economic Diversification Drive
EPA	Economic Partnership Agreements
EU	European Union
FDI	Foreign Direct Investment
FSU	Facility Support Unit
FTA	Free Trade Agreement
GDP	Gross Domestic Product
i-EPA	Interim Economic Partnership Agreement
IMF	International Monetary Fund
IPR	Intellectual Property Rights
MSTA	Monitoring System of Trade Agreements
MTI	Ministry of Trade and Industry
NTB	Non-Tariff Barriers
MoU	Memorandum of Understanding
MS	Member State
NAO	National Authorizing Officer
NDP	National Development Plan
NFP	National Focal Point
PSDP	Private Sector Development Programme
REIS	Regional Economic Integration Support Programme
REI	Regional Economic Integration
SACU	Southern African Customs Union

SADC	Southern African Development Community
SPS	Sanitary and Phytosanitary Standards
STP	SADC Trade Protocol
TRF	Trade Related Facility
UNDP	United Nations Development Programme
WB	World Bank
WCO	World Customs Organisation
WEF	World Economic Forum
WTO	World Trade Organisation

Table of Contents

Abbreviations	3
Executive Summary.....	6
I. Introduction to the Trade Policy and Negotiations Agenda of Botswana.....	10
II. Framework for Trade Policy and Negotiations	15
III. Identified Trade Related Capacity Building Needs.....	21
III.1. Horizontal Needs	24
III.2. Sector Specific Needs	26
IV. Trade Related Capacity Building Support.....	28
IV.1 Negotiation Skills	28
IV.2 Analytical Capacity.....	33
IV.3 Implementation of Agreements	36
V. Action Plan for Capacity Building.....	38
V.I. Assumptions and Risks.....	38
V.II. Budget and potential sources of financing	39
V.III. Timeline for Activities	41
Conclusions	45
References.....	47
Annex I: Terms of Reference	48
Annex II: NCTPN Organs and Terms of Reference	52
Annex III: Persons Consulted	63

List of Figures

Figure 1. Trade to GDP in SADC Member States, 2012.....	10
Figure 2. Botswana GDP and trade trends 1980-2017	11
Figure 3. Exports, Imports and Trade Balance, 2007-2012	11
Figure 4. Revealed Comparative Advantage of Botswana's Export Basket, 2012	12
Figure 5 Trade Enabling Environment, 2013	13
Figure 6. Cost of transporting a container, 2006-2013.....	14
Figure 7 Botswanan Plans & Strategies related to Trade.....	16
Figure 8 Key Milestones in Botswana's Trade Obligations.....	18
Figure 9. NCTPN Structure	20
Figure 10. Recommended Structure for NCTPN.....	23
Figure 11. Budget for Activities	40
Figure 12. Distribution of costs by key activity areas	40
Figure 13. Potential sources of financing of the Capacity Building Programme	41

List of Tables

Table 1. Perceived Risks in Implementing the Action Plan	44
Table 2. Workplan for the delivery of Trade Related Capacity Building Assistance to the NCTPN	42

Executive Summary

Botswana is a highly outward oriented economy, with a trade to GDP ratio of close to 100%. In spite of four decades of rapid economic growth, the economy of Botswana continues to be driven by primary products of diamonds, copper/nickel and beef, with relatively little diversification. Botswana's export basket also remains narrowly concentrated on just a few commodities, especially diamonds, gold and copper/nickel and to a lesser extent meat and meat products, textiles and clothing. The direction of its exports is also concentrated on a few markets: the Europe Union absorbs around two-thirds of its exports. On the import side, Botswana relies on South Africa for 65% of its imports, followed by the EU (13%) and China (11%). In view of this, in 2010 the Government directed Ministries and their stakeholders to intensify efforts to diversify the economy through the Economic Diversification Drive (EDD) Medium to Long-Term Strategy (2011 to 2016). This strategy envisages the diversification of the economy through the development of globally competitive enterprises that need little or no Government protection and support

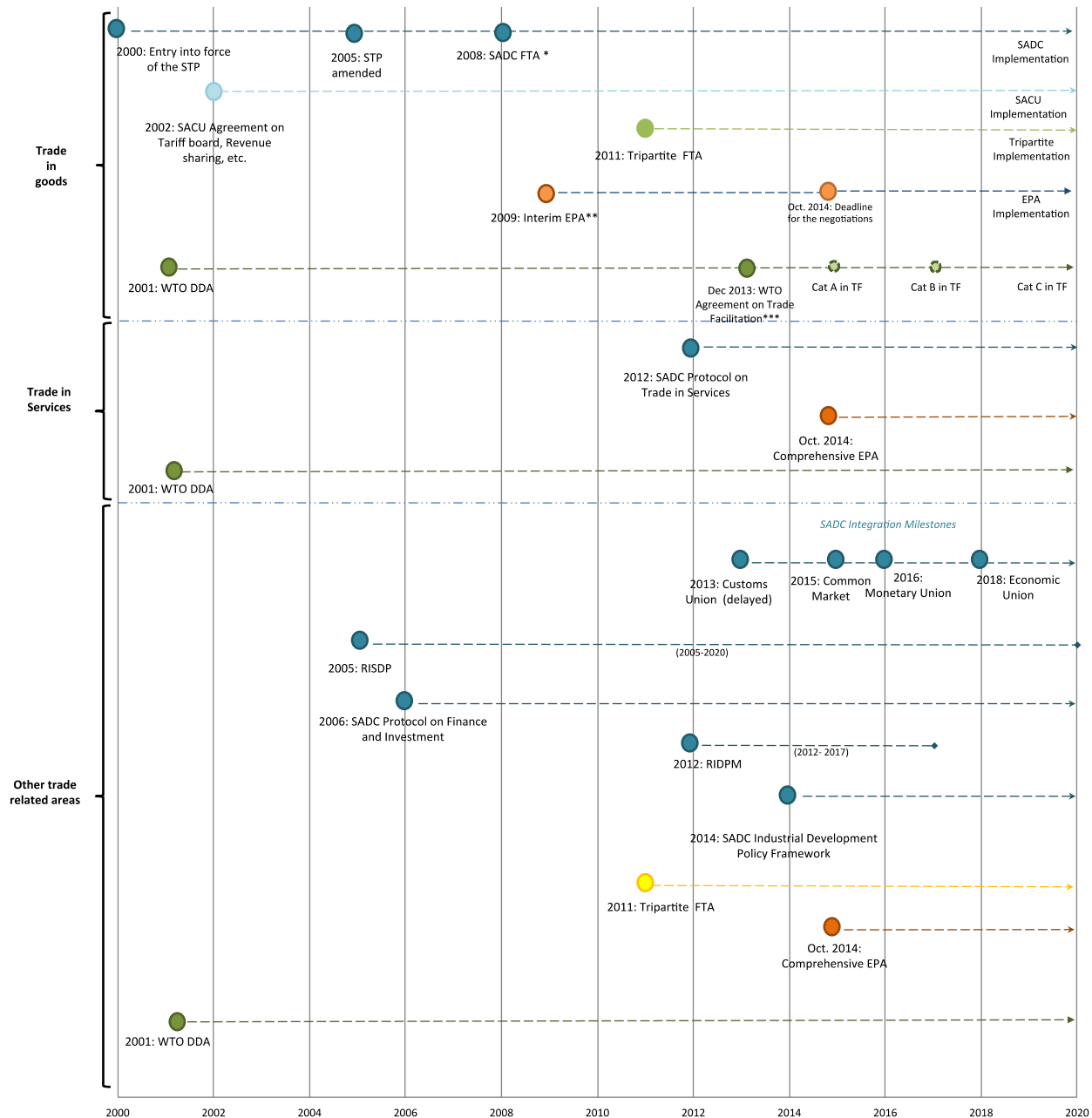
In spite of its heavy reliance on international trade, it is only recently that Botswana has developed mainstreamed trade policy into the Government's long-term development plans. Instead, trade policy and related strategies were written in various government policy papers, including the various National Development Plans (NDPs).

In 2005, the Ministry of Trade and Industry (MTI) initiated "The National Trade Policy for Botswana". Thereafter, MTI commenced development of the Botswana Investment Strategy, the Botswana National Export Strategy, a revision of the Botswana Industrial Development Policy, and the Botswana Private Sector Development Strategy in collaboration with the Botswana Confederation of Commerce, Industry and Manpower (BOCCIM) and the Botswana Exporters and Manufacturers Association (BEMA). The formulation of trade policy and the negotiation of agreements are undertaken by the Ministry of Trade and Industry in close consultation with line ministries and specialised agencies. The National Committee on Trade Policy negotiations (NCTPN) was established in 2004 with the public and private sectors and parastatal organisations. It has 12 technical committees.

Botswana has been active in regional and multilateral trade negotiations, having successfully concluded a number of trade agreements (from SACU and SADC to the interim-EPA with the EU) and is engaged in a number of negotiations regionally (Tripartite EAC-COMESA-SADC, Continental Free Trade Area), bi-regionally (SADC-EU EPA) and multilaterally (World Trade Organisation-WTO). A timeline of negotiations is presented in the Figure overleaf.

One consequence of the signing of preferential trade agreements for Botswana is the additional costs arising from undertaking all the necessary legal and administrative requirements to fully implement the agreements. Botswana has not always been able to implement all the commitment, as a result in particular of a limited technical capacity related to the commitments which it signed up for, insufficient human resources to administer the rules or change existing legislation, weak coordination systems between ministries which would be involved in the implementation of agreements, a non-existent monitoring mechanism for reviewing existing commitments and their application, a weak response rate from stakeholders for reporting non-compliance and almost no statistical data analysis of trends to invoke

appropriate trade defence measures when required, as opposed to instruments which are inconsistent with Botswana's obligations undertaken at the WTO and in other trade agreements. Botswana's use of trade defence instruments, namely anti-dumping, safeguards and countervailing measures, must be coordinated and agreed to at the SACU level, thereby limiting its flexibilities to apply such measures.

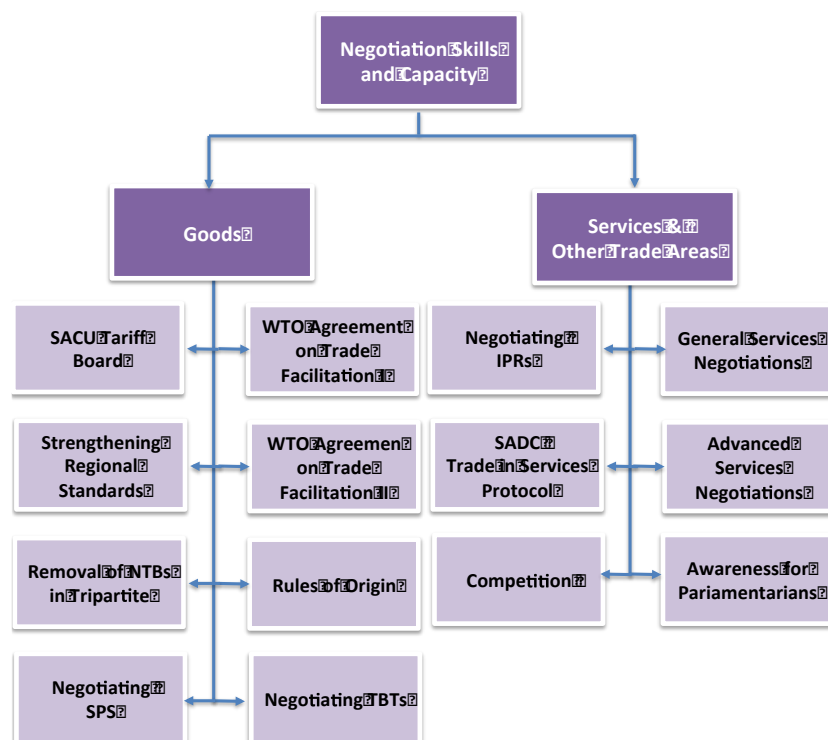


In light of the increasing complex nature of the various negotiations, the demands for implementing commitments in various negotiated agreements, and the need for better consultation to shape Botswana's national position, the Private Sector Development Programme (PSDP) requested assistance from the CDE to assist in building a capacity building programme to support the NCTPN to better prepare for negotiations.

The identification of gaps and capacity building programme was prepared through a series of consultations which took place in the form of face to face interviews and a validation workshop.

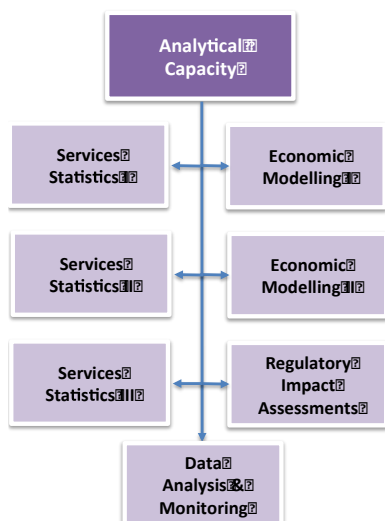
Four modules are proposed (goods, services, negotiation capacity and implementation of agreements), which contain a total of 25 activities, focused on addressing the prioritised needs for capacity building. Negotiation skills training seems to be particularly required for the members of the NCTPN, due to the

relative complexity of some of the negotiation areas, such as services, intellectual property rights and non-tariff measures. These are all areas, which represent a high degree of priority to be covered in the various negotiations over the next two years, within the context of the tripartite, SADC and EPAs. Two activities on services would focus on gaining knowledge on the general and advanced principles, with simulation of negotiations. A third activity will be aimed at parliamentarians to ensure that the politicians who will ultimately push through legislation are fully aware of the multidimensional nature of trade in services and so that they



can appreciate the benefits, as well as risks, associated with any final negotiated agreement. Other negotiation skills workshops will take place in areas being negotiated in the EPAs and in the tripartite: intellectual property rights, competition policies, Sanitary and Phytosanitary Standards (SPS), and Technical Barriers to Trade (TBT).

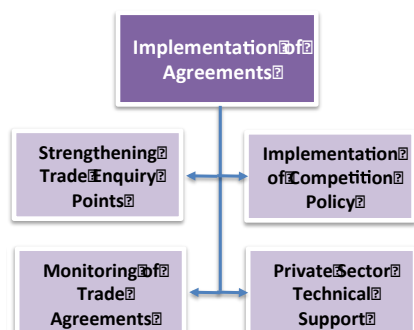
Training in analytical skills will cover a wide range of stakeholders and topics. These activities are geared



towards policy makers and think tanks. It will aim to ensure that services statistics are prepared in a more reliable and comprehensive way than is currently the case, so as to have better information on which to base negotiating positions. The activity for services includes activities to improve intra-SADC cooperation for services statistics. There is also one activity for training in data analysis, computations and interpretation. There are then two activities on economic modelling for trade policies. Partial equilibrium and computable general equilibrium models will be introduced with practical examples to test the impact that negotiations or policy changes can have on Botswana's economy. The final activity will focus on regulatory impact assessments. Currently, the impact of new policies on existing legislation and regulations is not systematically assessed, which then limits the implementation of such agreements.

Such ex ante preparations are necessary to ensure of the coherence of developing policies in line with existing domestic regulations. The modules are presented in greater depth below.

The focus of the module on the implementation of trade agreements is to lend institutional support at the



meso level to ensure that the implementation of agreements are achieved, and to further facilitate a more significant outcome from the agreements. The first activity will aim at strengthening WTO enquiry points for TBT and SPS and improve the notification process of Botswana in multilateral but also bilateral fora. The second activity will focus on the monitoring of trade flows, practices of different partner countries and identify constraints to trade across countries belonging to different negotiated agreements. The purpose of this activity is to generate a pro-active trade policy for Botswana and ensure that

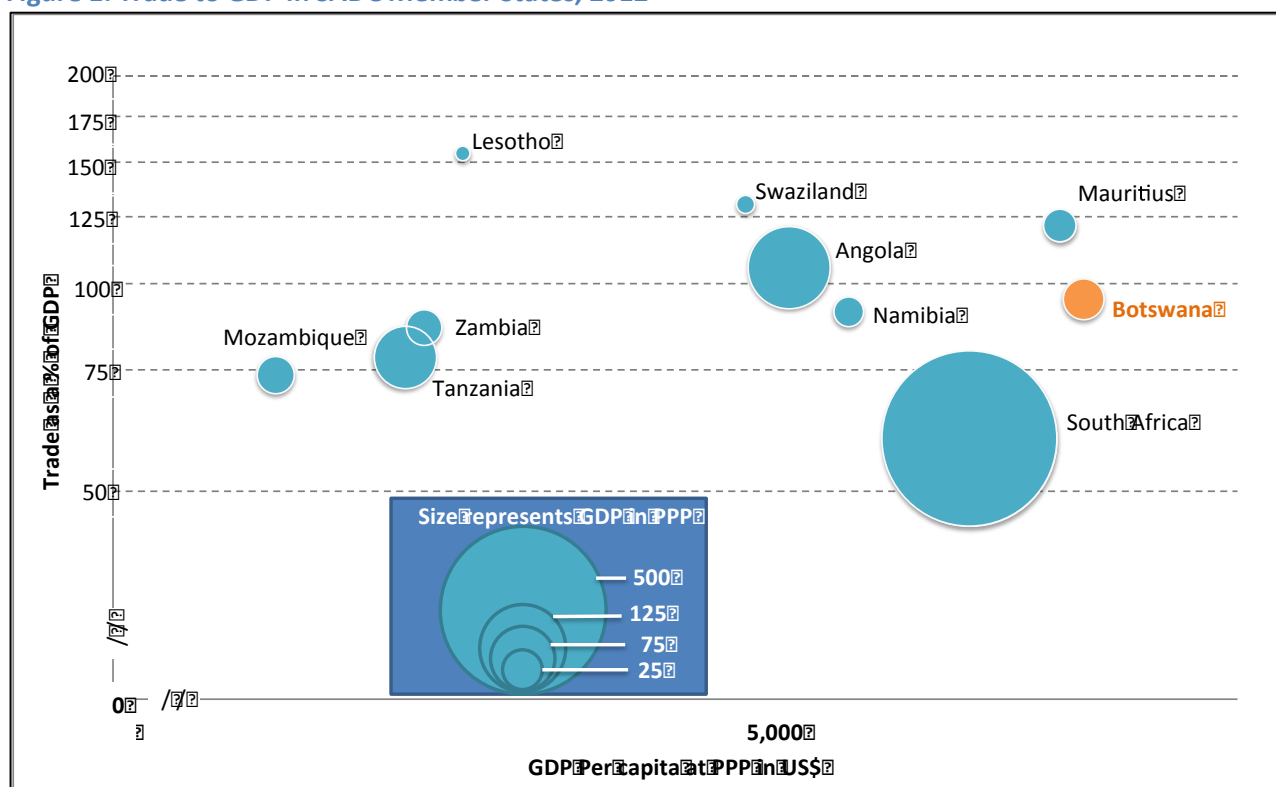
agreements may benefit Botswana. A third activity will focus on implementing competition policy, in accordance with the SADC agreement. The focus of this activity will be to provide guidance on methodological aspects and provide external assistance on investigations, as well as communications campaigns. The final activity will focus on lending support to the private sector to better understand the advantages of the agreements, their rules and procedures and to build up expertise to better participate in the elaboration of future agreements.

The modules would take place over two years and represented according to the areas they fall under, together with their estimated budget. It is assumed that the activities could start from the last quarter of 2014 and would end at the end of 2016. The implementation of the action plan is expected to build significant momentum to Botswana's participation in negotiations and ensure that stakeholders are better able to articulate their needs in order to build an inclusive national position and contribute to a better performance of the outcome of agreements.

I. Introduction to the Trade Policy and Negotiations Agenda of Botswana

Botswana is a highly outward oriented economy, with a trade to GDP ratio of just under 100%. This is in line with other countries of the region, though significantly lower than South Africa owing to the relatively low levels of manufacturing outside of a few economic branches (Figure 1). Botswana, whose GDP per capita is the highest in the region, remains a small economy which relies heavily on external sources of imports to satisfy its demand.

Figure 1. Trade to GDP in SADC Member States, 2012



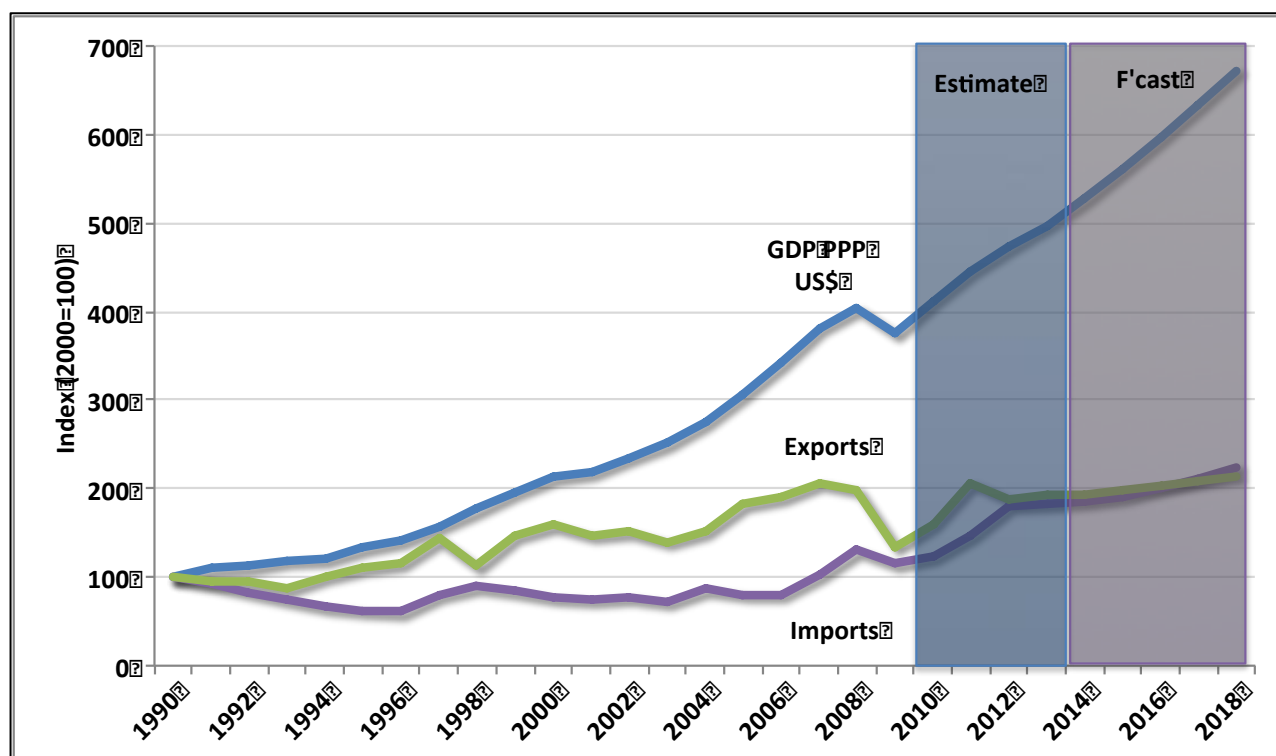
Source: IMF (2014) WEO; World Bank (2014) WDI.

In spite of four decades of rapid economic growth, the economy of Botswana continues to be driven by primary products of diamonds, copper/nickel and beef, with relatively little diversification¹. The impressive levels of GDP growth in terms of per capita purchasing power parity (PPP), have far exceeded those of exports and imports.

Exports have risen faster than imports over the last 3 decades, although the levels of trade have stayed stagnant since the global financial crisis of 2007/8. Trade is expected to start growing from 2014 according to IMF predictions (Figure 2).

¹ MTI (2011) Economic Diversification Drive: Medium to Long-Term Strategy, 2011 – 2016, Republic of Botswana, July

Figure 2. Botswana GDP and trade trends 1980-2017

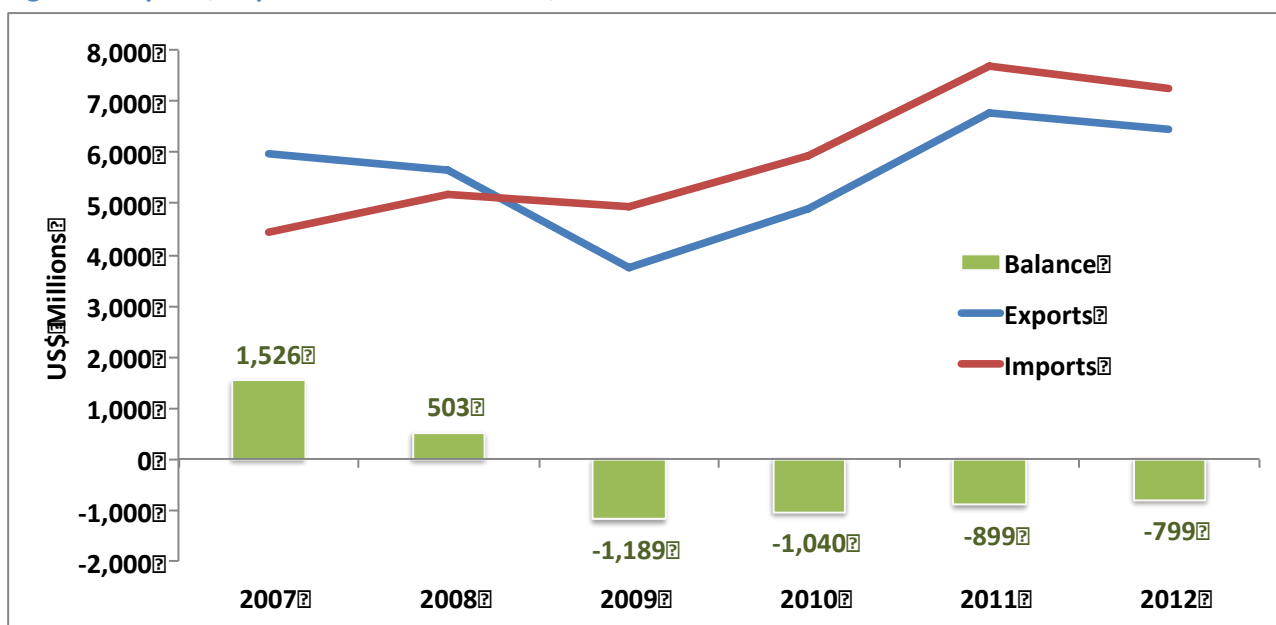


Note: Index of values with base year 1980=100; X: exports; M: Imports

Source: Authors based on IMF (2012) World Economic Outlook Database, October

Since 2008, the trade surplus has turned into a deficit, recorded at around US\$1 billion a year since 2009 (Figure 3). The deficit is estimated to have narrowed since and the trade balance will remain neutral in the medium term.

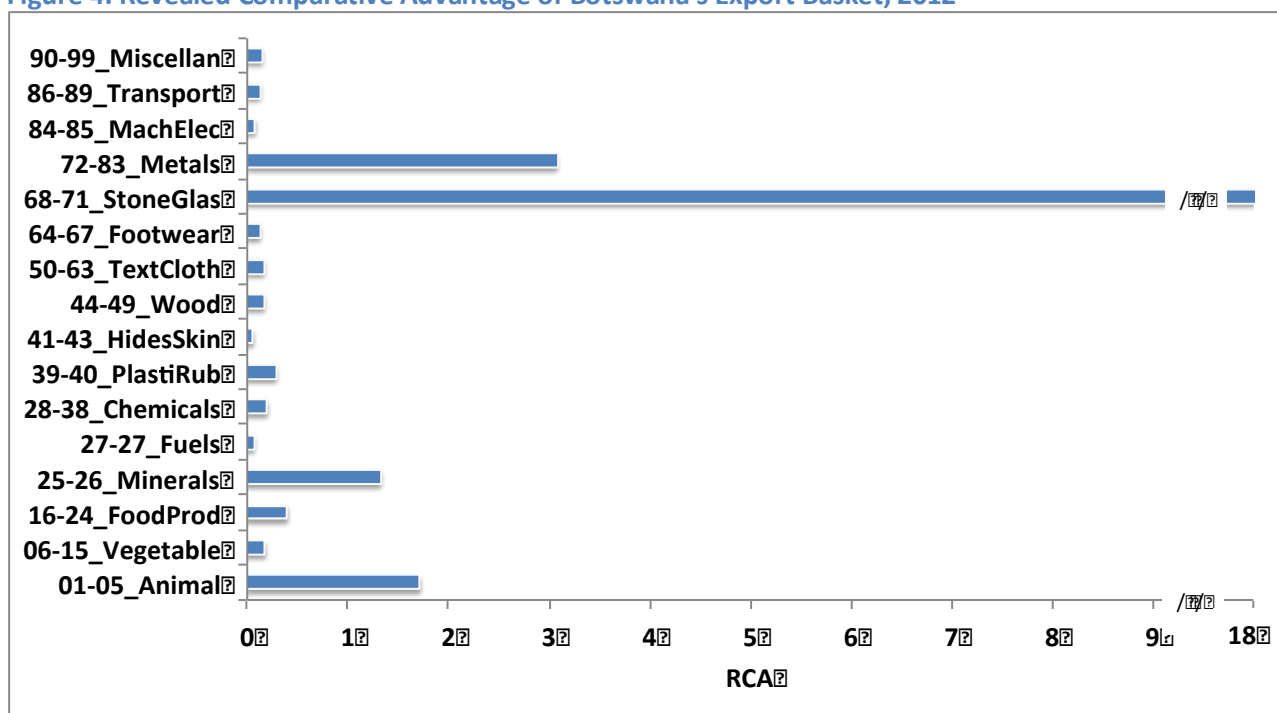
Figure 3. Exports, Imports and Trade Balance, 2007-2012



Source: World Bank World Integrated Data Solutions

Botswana's exports are highly concentrated on primary products, especially diamonds, gold and copper/nickel and to a lesser extent meat and meat products, textiles and clothing. Botswana's enjoys a very narrow range of products which have a comparative advantage (RCA) (Figure 4). Stones (diamonds) have the highest degree of RCA, followed by metals (copper ores and nickel), minerals (coal, petroleum oils) and animal products (meat).

Figure 4. Revealed Comparative Advantage of Botswana's Export Basket, 2012



Source: World Bank *World Integrated Trade Solutions*

The direction of exports is mainly towards the Europe Union, which absorbed 65% of its exports in 2011. Its other major export markets in 2011 were SADC, absorbing less than 15% of exports (of which South Africa accounted for most of this). On the import side, Botswana relies on South Africa for 65% of its imports, followed by the EU (13%) and China (11%). This asymmetric trading relationship with South Africa led to negative trade balance for Botswana.

Added to this, between 2005 and 2011, exports grew by 5% annually while imports grew by 15%, with the trade balance reaching a deficit of US\$1.4 billion (representing -8% of GDP)². Some particularly vulnerable sectors have been shielded from competition through the adoption of measures, which occasionally may contravene the spirit of the SADC Trade Protocol.

The trade-enabling environment in general for Botswana matches quite closely the average for SADC, except for access to markets where Botswana ranks negatively (Figure 5). According to the World Economic Forum (WEF), the five most significant problems raised by the private sector in its ability to engage in exports relate to:

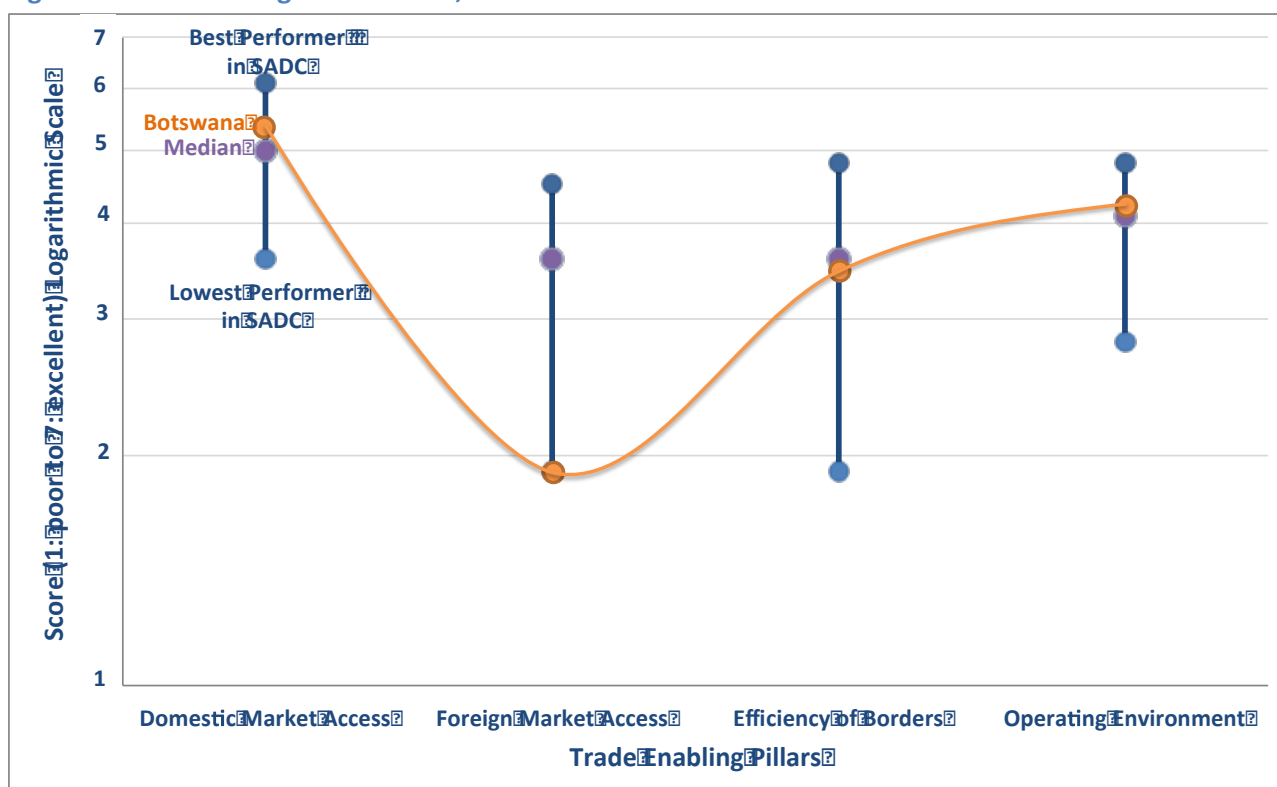
² Statistics from WTO (2012) Trade Profiles 2012, Geneva

- i) identifying potential markets and buyers,
- ii) inadequate technology and skills,
- iii) access to imported inputs at reasonable prices,
- iv) access to trade finance, and
- v) technical requirements and standards.

The most problematic issues raised on the import side are:

- i) burdensome import procedures,
- ii) high costs and delays caused by international transportation,
- iii) tariffs,
- iv) costs and delays in local transportation, and
- v) domestic technical requirements and standards

Figure 5 Trade Enabling Environment, 2013



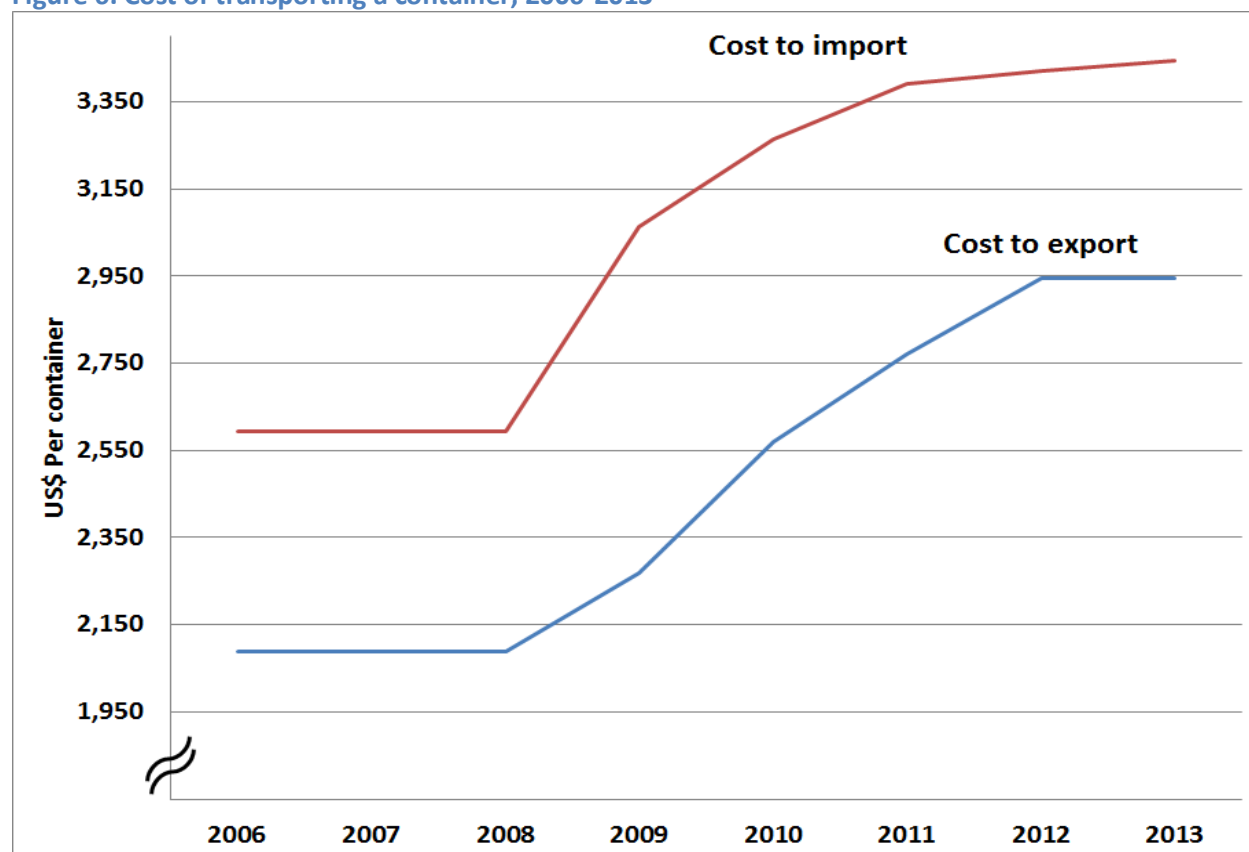
Source: WEF (2014) TEI

Botswana registers a deficit in trade in services, especially for transportation services. It has performed well in travel services, though net tourism receipts seem to have reached a plateau. Meanwhile, net imports of other business services have registered a sharp increase in the last decade, resulting in growing imbalances.

A major constraint for Botswana remains its landlocked status, which makes it reliant on the policies of its neighbouring countries to import and export goods across its borders. In light of this, Botswana is very dependent on the effective implementation of the SADC Trade Protocol and SACU Agreements. The cost of

transacting across borders remains very high and has been rising in recent years. The cost of importing a container of goods averages US\$ 3,445, while the cost of exporting reached US\$ 2,945 on average, far higher than the averages for Sub-Saharan. These costs have been rising, and the time to import and export remains very high, at 37 days and 27 days respectively. Such costs are associated with the demanding administrative procedures, duplication of documents and forms, and unpredictability of the customs procedures. The provisions relating to customs, transit and trade facilitation in both the EPA and SADC Trade Protocol aim to reduce such transaction times and costs (Figure 6).

Figure 6. Cost of transporting a container, 2006-2013



Source: World Bank (2013) Doing Business Surveys Databases

II. Framework for Trade Policy and Negotiations

Until recently, Botswana did not have a coherent trade policy mainstreamed into the Government's long-term development plans. Instead, trade policy and related strategies were written in various government policy papers, including the various National Development Plans (NDPs).

In 2005, the Ministry of Trade and Industry (MTI) initiated "The National Trade Policy for Botswana". Thereafter, MTI commenced development of the Botswana Investment Strategy, the Botswana National Export Strategy, a revision of the Botswana Industrial Development Policy, and the Botswana Private Sector Development Strategy in collaboration with the Botswana Confederation of Commerce, Industry and Manpower (BOCCIM) and the Botswana Exporters and Manufacturers Association (BEMA). The formulation of trade policy and the negotiation of agreements are undertaken by the Ministry of Trade and Industry in close consultation with line ministries and specialised agencies. The National Committee on Trade Policy negotiations (NCTPN) was established in 2004 with the public and private sectors and parastatal organisations. It has 12 technical committees, which include agriculture, industrial products, services, IPRs, Investment, Competition Policy etc. (see Annex II). The Botswana Institute for Development Policy Analysis (BIDPA) was created in 1995 to conduct public policy research for the government, monitor economic performance and conduct research for other sectors³.

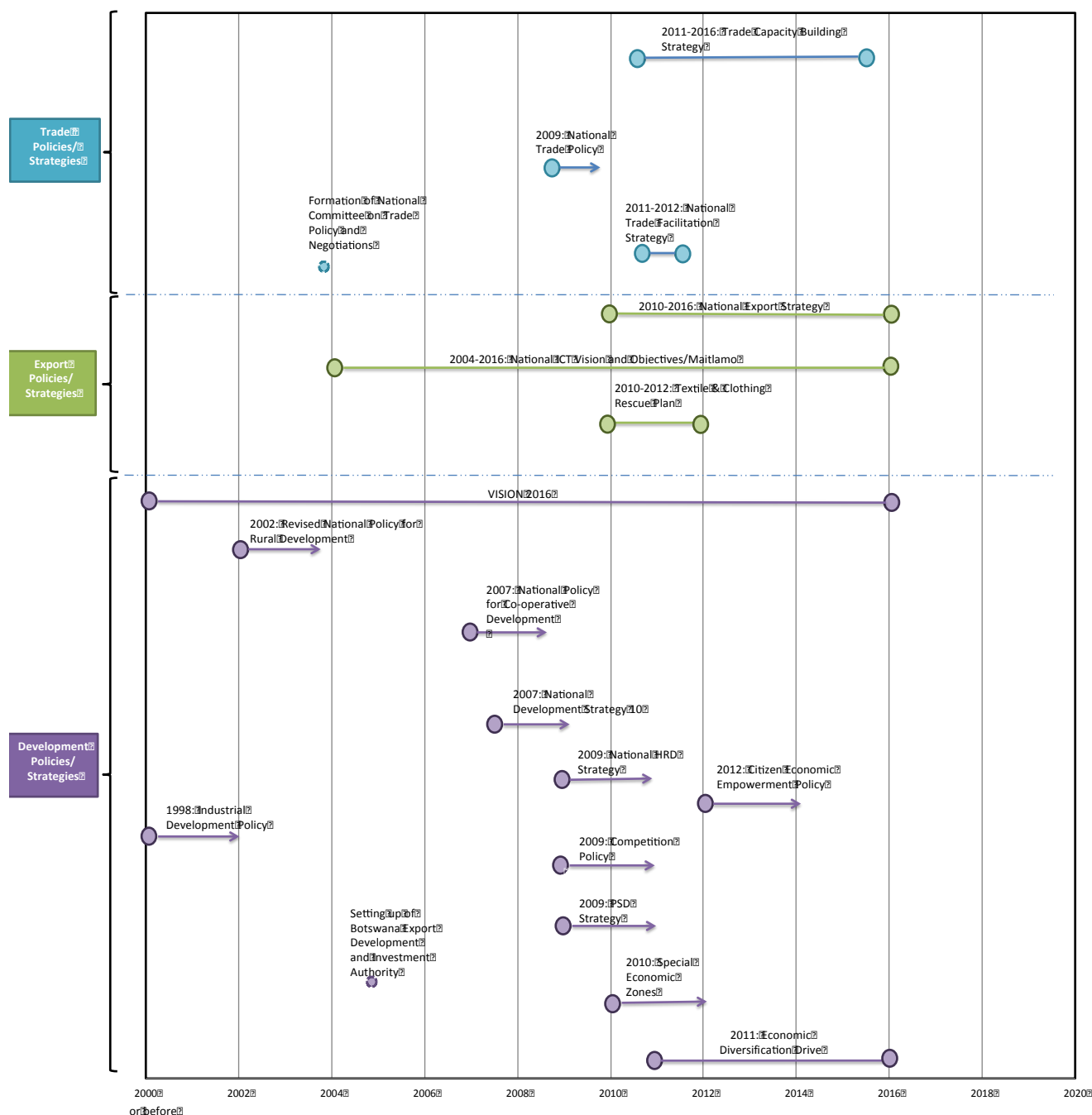
In view of this, in 2010, the Government directed Ministries and their stakeholders to intensify efforts to diversify the economy through the Economic Diversification Drive (EDD) Medium to Long-Term Strategy (2011 to 2016). This strategy envisages the diversification of the economy through the development of globally competitive enterprises that need little or no Government protection and support. Its specific objectives are to develop globally competitive sectors; diversify exports and export markets through a vibrant and globally competitive private sector; develop goods and services that comply with local and international standards; and develop an entrepreneurship culture for business growth and enhanced citizen participation in the economy. A range of policies and strategies are being implemented primarily centred on promoting Botswana's global competitiveness and economic diversification, and based mainly on the public-private sector partnership. The key trade-supportive policies and strategies include:

- i. *National Development Plan (NDP 10) and Vision 2016* which envisage Botswana having achieved economic prosperity in which trade plays a dominant role in the realization of economic diversification and poverty reduction;
- ii. *Economic Diversification Drive Medium to Long-Term Strategy*. The Strategy envisages diversification of the economy through the development of globally competitive enterprises that need little or no Government protection and support;
- iii. *National Trade Policy*. The Policy provides for a complete framework of laws, regulations, international agreements and negotiating positions as well as Government's guidelines and pronouncements on trade which define how the country will conduct its trade with bilateral, regional and multilateral trading partners;

³ WTO (2009) Botswana Trade Policy Review, Geneva

- iv. *Botswana Trade Capacity Building Strategy*. Strategy to systemically address the trade and trade-related capacity gaps with a view to effectively participate in the multilateral trading system and implement international obligations and thus reap the benefits accruing from trade liberalisation and globalisation;

Figure 7 Botswanan Plans & Strategies related to Trade



- v. *Industrial Development Policy and Competition Policy* which aim at creating a conducive environment for the private sector to develop and flourish under conditions of free and fair trade;

- vi. *Botswana's National Export Strategy (NES)* which aims at assisting Botswana firms to develop export competencies, access financial resources and market information, and thus achieve competitiveness that allows them to penetrate global markets;
- vii. *Investment Strategy for Botswana* which aims at creating a conducive environment for both domestic and foreign firms to invest and flourish in Botswana; and
- viii. *Private Sector Development Strategy (PSDP 2009-2013)* which aims at developing a vibrant and globally competitive private sector that is capable of taking advantage of the market access opportunities opened by the Trade Policy.

Botswana has been active in regional and international trade negotiations, having successfully concluded a number of trade agreements (from SACU and SADC to the interim-EPA with the EU) and is engaged in a number of negotiations regionally (tripartite EAC-COMESA-SADC), bi-regionally (SADC-EU EPA) and multilaterally (WTO). A timeline of negotiations is presented in Figure 8.

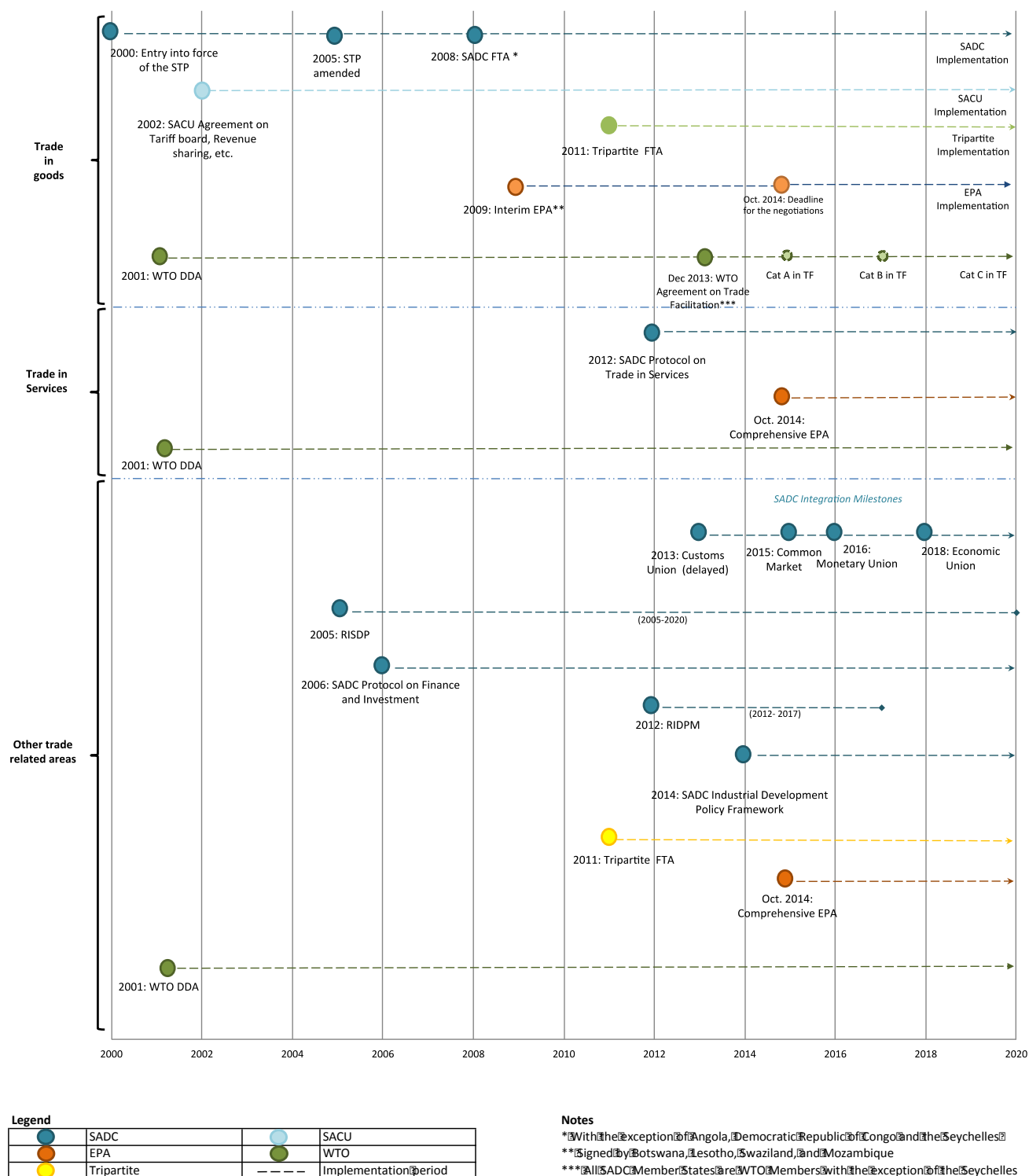
Botswana has been a member of SACU since its inception, and has as a result implemented fully the tariff-phase downs of SACU (and by default of SADC). Botswana is also a member of the SADC and has committed fully to the SADC Trade Protocol. In September 2012, it signed the SADC Trade in Services protocol. Botswana has also signed a number of bilateral agreements, including with Zimbabwe (last reviewed and signed in 2010) and Malawi (1956). SACU Member States also signed a free trade agreement with EFTA countries (2006), MERCOSUR is going through an advanced stage of ratification and USA (2008). Botswana has signed an interim EPA with the European Union, which covers trade in goods, and is currently negotiating with the EU in trade in services and some other trade-related areas. It benefits from the US African Growth and Opportunity Act (AGOA) and enjoys MFN treatment from Australia, Canada, Japan, and New Zealand. Botswana does not export significantly under these bilateral trade agreements and preferential treatment arrangements owing to limited productive capacity.

One consequence of the signing of preferential trade agreements for Botswana is the additional costs arising from undertaking all the necessary legal and administrative requirements to fully implement the agreements. Botswana has not always been able to implement all the commitment, as a result in particular of a limited technical capacity related to the commitments which it signed up for, insufficient human resources to administer the rules or change existing legislation, weak coordination systems between ministries which would be involved in the implementation of agreements⁴, a non-existent monitoring mechanism for reviewing existing commitments and their application, a weak response rate from stakeholders for reporting non-compliance⁵ and almost no statistical data analysis of trends to invoke appropriate trade defence measures when required, as opposed to instruments which are inconsistent with Botswana's obligations undertaken at the WTO and in other trade agreements. Botswana's use of trade defence instruments, namely anti-dumping, safeguards and countervailing measures, must be coordinated and agreed to at the SACU level, thereby limiting its flexibilities to apply such measures.

⁴ This issue goes beyond the implementation of commitments but to the time of negotiations when some commitments taken will contravene the policies of other line ministries

⁵ This issue has been to some extent addressed through the reporting of non-tariff barriers to a tripartite COMESA, SADC and EAC database

Figure 8 Key Milestones in Botswana's Trade Obligations



Among the most significant implementation issues related to the SADC Trade Protocol (STP) are the non-compliance of certain WTO agreements which are inscribed in the STP, such as quantitative restrictions and the notification of SPS measures. There is non-compliance of the STP in a number of areas, including through the application of quotas and restrictions in some sensitive agricultural sectors, the effective application of rules of origin, particularly in the textile and garments sector, and the dismantling of anti-

competitive market behaviour in certain sectors. On the other side, industry is not always well informed of the export conditions for applying origin status and exporting to SADC, and non-tariff barriers remain sufficiently high to explain, beyond the poor infrastructure in place, why trade with SADC remains so low. In fact SADC suffers from one of the lowest levels of intra-regional trade in the world.

The interim Economic Partnership Agreement (i-EPA) signed between some SADC members and the European Union is in its current form a free trade agreement in goods. Subsequent negotiation rounds on trade in services, investment, IPRs and competition policy are envisaged to achieve a comprehensive free trade agreement. Some of the difficulties for Botswana linked to the i-EPA will relate the adjustment costs arising from tariff liberalisation – for both the competition faced by industry and the public revenue stream arising out of the decline in customs revenues; implementing rules of origin requirements which are relatively complex; outreach to the private sector on the new agreements; customs cooperation matters; cooperation on mutual recognition of standards; application of contingency trade remedies (even if these resemble those of the WTO); and resolving non-tariff barriers to trade. The formidable challenges will be introduced gradually in accordance with the tariff phase-down and implementation phases of the various articles incorporated into the Agreement.

The complex nature of topics covered and the breadth of the negotiations make it very difficult for Botswana to prepare adequately for the negotiations, let alone implement the commitments undertaken.

In a report of the WTO dating back to 2001, the following remarks were made⁶:

“The Department of International Trade is not considered very effective because it has a limited number of staff to deal with, among others, WTO matters, the EU, the Cotonou Agreement, SADC, SACU [...] and bilateral agreement matters. The majority of the staff does not have a good understanding of trade issues, especially the WTO. [...]”

The report from 2001 also states a number of recurring themes still existing today⁷.

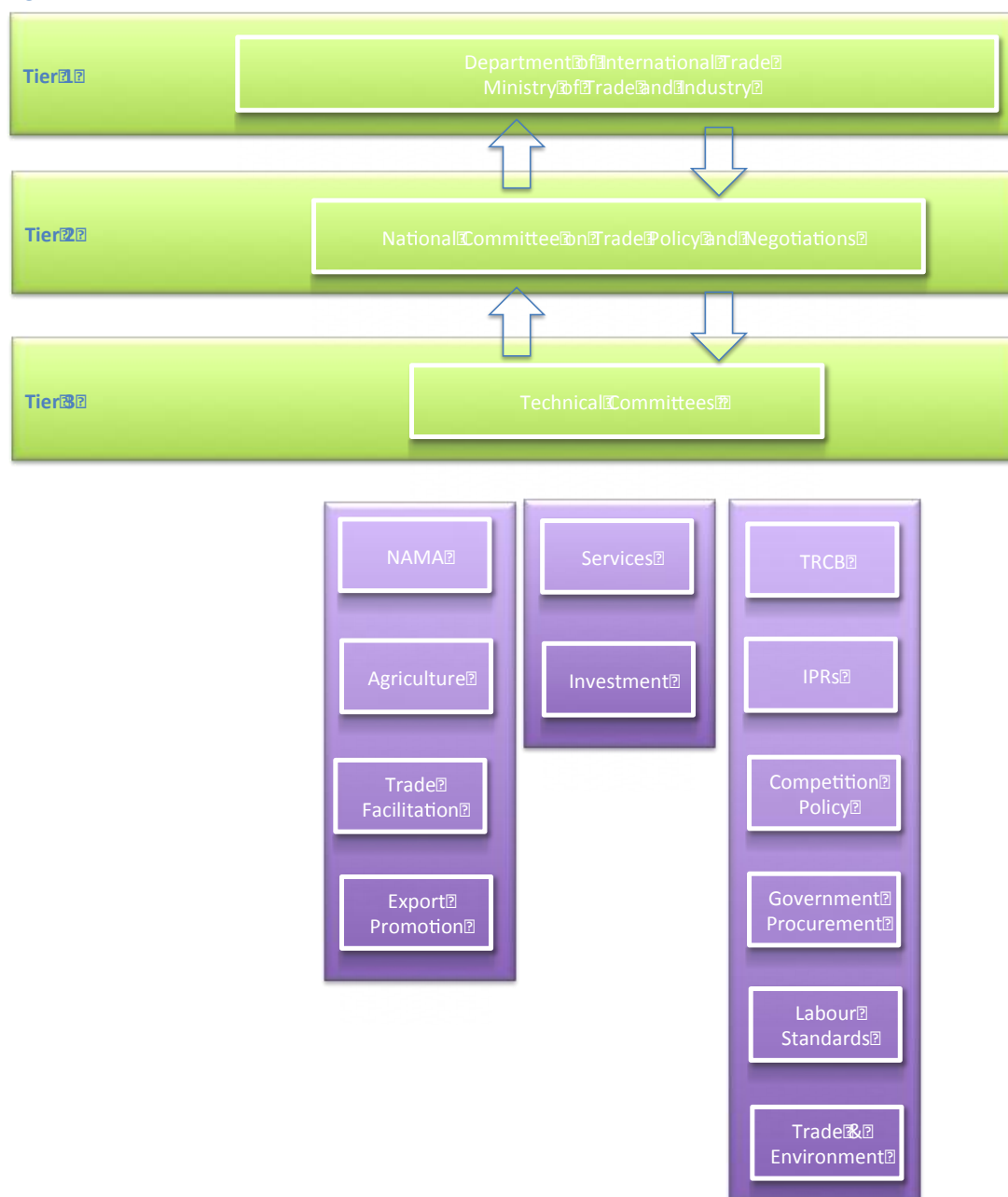
[...] The mechanisms for intra-government co-ordination and consultation with domestic stakeholders are weak. The country's positions in the WTO are formulated through ad hoc consultative processes, which include a selected number of government departments and the business society. [...]

The National Committee on Trade Policy and Negotiations (NCTPN) was set up in 2004 with a view to improving stakeholder consultation and inter-ministerial coordination by regularly bringing together ministries, the private sector and other non-state actors. The NCTPN is an umbrella organisation, which is supported by 11 sub-committees, which focus on specific areas of the negotiations (such as market access, trade facilitation or intellectual property rights) (Figure 9).

⁶Mbekeani, K. K. (2001) Inter-Agency Policy Co-ordination in Botswana, in Managing the challenges of WTO participation, Case Study, 6, WTO: Geneva

⁷Mbekeani, *ibid*

Figure 9. NCTPN Structure



The NCTPN is well attended but participation is often weak from stakeholders. A review by TRALAC summarises the NCTPN as follows⁸:

[..] those who attend the meetings may not have been adequately briefed or may lack the necessary knowledge, skill or mandate to speak on behalf of their organisation.

⁸TRALAC (2010) Needs Assessment for Trade Related Training and Technical Assistance for Botswana, July

III. Identified Trade Related Capacity Building Needs

III.1. Baseline Situation

It is in light of the increasing complex nature of the various negotiations, the demands for implementing commitments in various negotiated agreements, and the need for better consultation to shape Botswana's national position, that the Private Sector Development Programme (PSDP) requested assistance from the CDE to assist in building a capacity building programme to support the NCTPN to better prepare for negotiations (See Annex I for the terms of reference of the assignment). In order to prepare the gap analysis and subsequently propose activities to strengthen the capacity of trade support institutions and stakeholders, a series of consultations took place in the form of face to face interviews and a validation workshop (see persons consulted in Annex III).

Botswana implements the SACU Common external tariff, which is in line with the SADC Protocol on Trade. It also applies uniformly any tariff exemptions and concessions, rebates, duty drawbacks⁹ and contingency trade remedies, valuation methods, non-preferential rules of origin in accordance with its SACU obligations¹⁰. Botswana nevertheless applies certain exceptions to the SADC Protocol on Trade. Botswana imposes additional duties on the imports of UHT milk on an MFN basis, and levies duties on wheat flour which Botswana considers to be unfairly competing with local milling facilities. Botswana also applies seasonal and temporary restrictions on imports of dairy products, poultry products, grains and vegetables¹¹. Exports of cattle are taxed, in order to favour value added processes of meat cuts, in order to promote exports to the non-SACU market. Exports of rough diamonds have been subjected to the terms of commercial agreements governing the sale of diamonds of the formerly London-based Diamond Trading Company¹². Technical regulations, norms and standards are based on international standards¹³. Botswana has the right to protect infant industries under specific conditions, through the levy of additional duties, for a duration of up to 8 years. The dairy industry has benefitted from this provision.

Botswana's import licensing system is not always automatic and at times discriminatory, due to reasons related to seasonality, infant industry protection or other issues. The importation of industrial products from markets outside of SACU, Malawi and Zimbabwe requires permits from the Ministry of Trade and Industry¹⁴. Imports of agricultural products, plants, soil and livestock require SPS certificates and licences from the Ministry of Agriculture. The Ministry acts as the WTO enquiry point on SPS measures, although it has not submitted any notification to the WTO since 1997 (something which is also required under the STP).

⁹ The importation of goods under exemption or concession schemes is taken directly at the port of entry to customs bonded warehouse.

¹⁰ Botswana has never had any actual recourse to contingent trade defence measures, despite these being considered necessary at times, owing in part to the need to coordinate such instruments at the SACU level.

¹¹ All these products are subject to import permits on food security grounds

¹² The company is expected to complete its relocation to Botswana in 2013 in line with the Government's objectives to add value to the diamond mining industry by bringing critical technical skills into the country.

¹³ Policies reported in WTO (2009) Botswana Trade Policy Review, Geneva

¹⁴ Botswana Trade Act (2003)

The Member States of SADC signed up to commitments to adopt a competition policy which will ensure that unfair business practices are prohibited and a competitive business environment is enabled in the SADC region (Art 25 of the STP). In 2009, a competition bill was passed by parliament and in 2011, the Competition Commission of Botswana (CC) was established. At the same time, a Competition Act (CA) came into force and required the establishment of a Competition Commission (CC), which was established one year later. The Commission Authority investigates matters and brings its conclusions to the Competition Commission, which adjudicates on the matter. There are outreach programmes to disseminate information on the CA and CC to the business community and the CC engages in informal consultations with other Commissions in neighbouring countries¹⁵. Despite the great strides made in adopting a policy framework, passing a competition law and setting up both the Competition Authority and Competition Commission, these organisations are relatively new and as such, have not yet operationalized the implementation of Article 25 since no investigations have taken place.

All agreements signed by Botswana must be fully implemented in line with the provisions of the agreements. Nevertheless, because of resource limitations, Botswana must prioritise its implementation agenda, and prepare a series of milestones, which it must reach, as well as introduce a mechanism for monitoring progress.

III.2. Prioritised Areas in Trade & Recommended Actions

In terms of the recommended priority actions to take in the next two years with respect to Botswana's engagement in international trade negotiations and agreements, these will be:

- Implement the WTO Agreement on Trade Facilitation (preparing the categorisation of action and the TRTA needs for Botswana)
- Continue to participate in the negotiations of the Doha Round
- Establishing the Botswana National Body in accordance with Article 14 of the 2002 SACU Agreement
- Negotiating and implementing the SADC Protocol for Trade in Services
- Continue making progress with respect to eliminating Non-Tariff Measures in the SADC region and within the tripartite FTA.
- Finalising the EU-SADC EPA negotiations including the Services chapter of the Agreement
- Add momentum to the negotiations for the tripartite process.

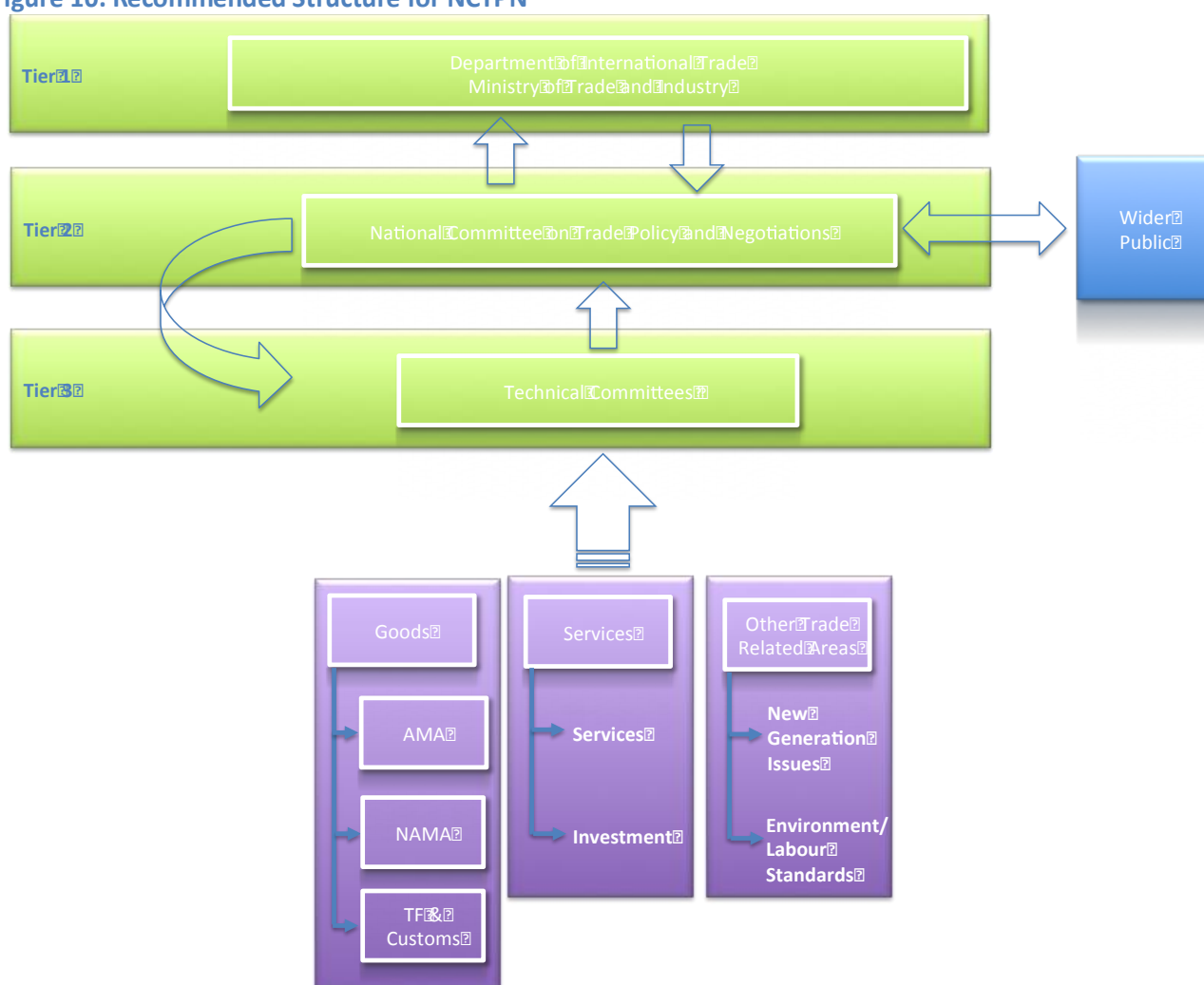
Owing to the limited resources available, a restructuring of the NCTPN and related structures is also proposed, with a core group of professionals limited to 40 persons for the NCTPN (equally divided from non state actors and the public sector) and 20 persons for the Technical Committees (also equally divided between public and private sector). The conclusions of the NCTPN should however be circulated and distributed to the public in order to elicit reactions – should there be any, from a larger group of constituents.

¹⁵ Botswana Competition Authority and USAID (2012) Technical Report: 2012 Audit of the Implementation of the SADC Protocol on Trade, August

The technical committees are recommended to be streamlined (Figure 10). In this structure the NCTPN is reduced to 40 members but undertakes a public dissemination of its results and uses a secretariat to use the feedback to discuss raised issues internally. A core group of 20 persons will be in each of the technical committees and when specialised areas are discussed (for example, such as rules of origin, TBT or SPS issues), then additional participants are requested to attend. This would eliminate group meetings when there is little to discuss and ensure better participation. Owing to the significance and differences in the different groups related to non-agriculture, agriculture and trade facilitation, these have been presented separately.

The feedback from the NCTPN to the technical committees should be systematically done at each technical committee meeting and such a feedback from the NCTPN should be presented by an NCTPN member.

Figure 10. Recommended Structure for NCTPN



III.3. Horizontal and Sector Specific Needs

III.1. Horizontal Needs

(i) Consultation Mechanisms

Although the NCTPN acts as an umbrella organisation to deliberate on positions of national interests, and while it encompasses a wide range of stakeholders, feedback has been disparaging as to its effectiveness. The technical committees which feed into the NCTPN are reported to have little direction given to their activities, and workplans are produced with minimal details. Three technical committees (labour standards, government procurement and trade and the environment) have never been functional. Two other technical committees (investment and export promotion have been merged). Retention of staff and institutional memory is weak in the different committees and the committees appear to be more of a channel for disseminating information as opposed to carrying out consultations. Some Technical Committees have stated that their mandates appear unclear and sometimes their discussions do not appear to be focused on building negotiation positions but rather discussing non-trade related matters. In fact, it was reported that discussions focus more on domestic matters rather than international trade matters.

Another comment on the NCTPN is its size. It includes 100 persons, of which it is reported that the great majority do not contribute to the discussions. While it is laudable to consult widely, this dilutes the discussions at times and lowers the level of debate. There is also the view by some that there are too many committees, which should be better rationalized. Another issue is the low level of staff seconded to the committees – which results in the inability of Committees to make decisions and take action. Finally, the private sector's involvement is weak, in part because results are not visible from the NCTPN and its committees. It is therefore recommended that the NCTPN be streamlined from the original 11 sectors to 3 sectors (goods, services and other trade related areas), and 3 subsectors (AMA, NAMA and Trade Facilitation).

(ii) Trade Negotiation Skills Training

Stakeholders voiced concern over the lack of negotiations skills and the need for training in many of the technical areas of negotiations. The training course should benefit the different members of the NCTPN. Some more specialised courses could be given to a select group of the NCTPN (particularly for areas like rules of origin, CGE modelling, scheduling services), but general and technical courses should be cross-cutting public and private sector stakeholders, as well as civil society.

In order to ensure that agreements are effectively implemented, it is necessary to consult with parliament and inform parliament of progress made in negotiations, the issues raised by the negotiations and the requirements for implementation. There are numerous examples of the difficulties faced by countries in implementing agreements when these do not have the backing of a majority of parliamentarians. A short overview course should therefore be given to parliamentarians.

(iii) Monitoring its Trading Arrangements

A major shortcoming in the application of agreements in general, and of the STP in particular, is the fact that Botswana does not currently have a national monitoring system in place to verify the state of implementation of its obligations, to monitor trade flows and trends, to identify possible anomalies in trading patterns, and to have a consultative process with the private sector to report on either conceptual or operational flaws and weaknesses in the current agreements or in the administration of the agreements. The monitoring would enable the identification of remedies in case the development objectives are not met and would also optimize the use of the flexibilities contained in the agreements, for the direct benefit of economic operators. It would also provide exporters and the public administration with the tools to identify barriers to trade and take the necessary action, in the context of a proactive market access strategy. It would also highlight the difficulties and constraints that may arise in implementation and provide recommendations for their removal. This can facilitate the identification of relevant technical assistance activities and sources of development assistance. Such a monitoring reporting system would be necessary, not only to ensure that Botswana is able to enjoy the benefits of the agreements but also to ensure that it does not face any retaliatory measures in third countries for not implementing its obligations.

(iv) Improving Analytical Research in Trade Related Areas

BIDPA produces a number of studies of relevance to the negotiations, although a greater number of studies are required and need to be fitting more closely with the negotiations currently underway by Botswana. The MTI is currently not able to undertake all the necessary economic, social and legal assessments ex ante and ex post of the agreements. Therefore a comprehensive support is needed to assist the MTI in this task, through capacity building activities to the MTI and other relevant organisations.

(v) Improve International Trade Statistics

Information based trade policy formulation is limited owing to the unavailability of reliable and timely statistics, as well as a lack of analytical studies in trade statistics. The set of actions required under this activity area is demand-driven, responding to the requests for support from the Ministry of Trade and Industry and Botswana Statistics, as well as concerns voiced by a range of donor and civil society stakeholders. The lack of reliable statistics, particularly in the area of trade in services, undermines the ability of Government to prepare negotiation positions but also execute the implementation of agreements and monitor their impact. It should be noted that the EU funded REIS programme is currently supporting capacity building initiatives to enhance trade in services statistics (starting in February 2014). Any support will therefore be carefully coordinated with other EU and other donor supported projects in this area. The programme will seek to address these systemic weaknesses that may undermine progress towards implementation by increasing planning capacities and statistical skills. The focus of activities would focus on improving the production, compilation, dissemination and use of better quality statistical data on international merchandise trade (IMTS), international trade in services (SITS), foreign direct investment (FDIS) and in the production of a statistical report on trade. In order to be fully effective, some regional statistical programme would be required and this could be envisaged as a follow-up to the expected results from the current programme.

(vii) Implementing the SADC Trade Protocols Articles 25 on Competition Policy

As part of Botswana's desire to promote its implementation of competition commitments, as well as its desire to overcome some non-tariff barriers (in the form of quantitative restrictions), the Competition Authority is seeking technical assistance to remove anti-competitive practices in the market and advocate for the adoption of competition principles in the development of policies and laws. This will be the overriding objective of the support. The support would assist with technical capacity and resources in order to investigate the current situation prevailing in certain markets, evaluate the impact that this situation is causing on consumers and producers, as well as third party competitors, and provide concrete policy recommendations, which will include alternative policy measures which are STP consistent instruments.

The support would be provided in a first case for the research on competition issues in the poultry sector in Botswana. This is an issue that has not only affected Botswana but also other SADC Member States. It has been the subject of complaints, from both consumers and from SADC exporters. The investigation of the value chain of the poultry sector would be undertaken and build on some initial work carried out by the Botswana Institute for Development Policy Analysis (BIDPA)¹⁶.

Other highlighted gaps but without significant evidence included, requirements to promote agricultural exports to the EU; application and utilisation of rules of origin; export promotion support (including market intelligence services); and assistance for the application of trade remedies.

III.2. Sector Specific Needs

(i) National Strategy for the elimination of Non-Tariff Barriers

Botswana has no coherent and coordinated strategy in place to tackle the issue of non-tariff barriers. Non-Tariff Barriers to Trade (NTBs) refer to restrictions that result from any type of quantitative restriction, or specific market requirements that make importation or exportation of products difficult and/or costly. NTBs also include Non-Tariff Measures (NTMs) such as Sanitary and Phyto-Sanitary (SPS) measures and other Technical Barriers to Trade (TBT), which are applied in a discriminatory manner and which have no scientific evidence supporting their application. Under the tripartite agreements, it has been recommended that the SADC, EAC and COMESA Regional Economic Communities (RECs) harmonise the various regional programmes for the removal of NTBs. This has led to the online NTBs reporting and monitoring system. The legal instruments of the three RECs namely; Article 49 and 50 of the COMESA Treaty, Article 75 (5) of the EAC Treaty and Article 6 of the SADC Protocol on Trade provide for the elimination of NTBs, and further prohibit the introduction of new ones.

Building on the existing databases that exist regionally, at the national level, Botswana should ideally implement a comprehensive strategy to deal with NTBs. It is worth noting that Botswana is currently developing a comprehensive NTB elimination strategy. The aforementioned activities to build an

¹⁶ Grynberg, R. (2012) The case of the Botswana poultry industry, BIDPA

implementation monitoring system and improve trade statistics will facilitate this role and strengthen the benefits arising from Botswana's drive for regional integration.

(ii) Rules of origin

Utilisation of preferences in the SADC remain low principally because of the cost of compliance and the administrative costs are too high. The experience of other regional groupings (in ASEAN for example or the in EU agreements with third parties) should be leveraged to create rules which better balance concerns of circumvention of value addition in the region with realistic expectation of medium-term production capability. Rules of origin analysis and consultations will cut across a range of negotiations, from EPA, to SADC to the tripartite process. Active involvement of the private sector is indispensable.

(iii) Trade Facilitation

Botswana has carried out an initial categorisation of its schedules of commitment for the Agreement on Trade Facilitation. It will need to ensure that it adheres to the timetable of implementation of activities for category A and B. Within Trade Facilitation it will also be necessary to make progress and better prepare for the tripartite negotiations, and the implementation and monitoring of trade facilitation indicators in the SADC, SACU and COMESA members.

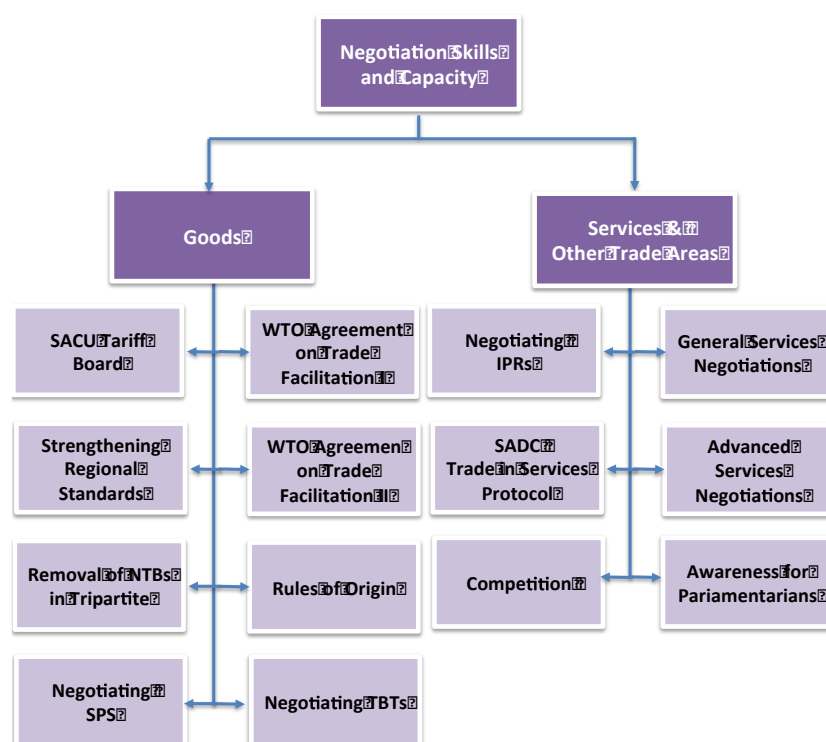
IV. Trade Related Capacity Building Support

The modules being proposed over a two-year time span will aim to raise the capacity of all stakeholders involved in trade policy formulation, trade negotiations and implementation of commitments. The modules are divided into specific areas where technical expertise is required, and building knowledge of horizontal and cross-cutting issues, which will support policy making and negotiations.

The activities under the modules have been designed to cover key areas, namely strengthening negotiation skills, strengthening the analytical capacity of Botswana's stakeholders, improving the implementation of trade agreements, and strengthening the institutional capacity.

IV.1 Negotiation Skills

Negotiation skills training seems to be particularly required for the members of the NCTPN, due to the



relative complexity of some of the negotiation areas, such as services, intellectual property rights and non-tariff measures. These are all areas, which represent a high degree of priority to be covered in the various negotiations over the next two years, within the context of the tripartite, SADC and EPAs. Owing to the importance of trade in services, as well as the scope and breadth of such negotiations, three activities are proposed. Two of the activities would focus on gaining knowledge on the general and advanced principles and the basis under which negotiation of trade in services takes place, with simulation of negotiations. A third

activity will be aimed at parliamentarians to ensure that the politicians who will ultimately push through legislation are fully aware of the multidimensional nature of trade in services and so that they can appreciate the benefits, as well as risks, associated with any final negotiated agreement. A further three negotiation skills workshops will take place in areas being negotiated in the EPAs and in the tripartite: intellectual property rights, SPS, and TBT.

Module Title:	Service Negotiations: General
Activity Area:	Negotiation Capacity
Activity Code:	Serv.01
Objectives:	Review of GATS scheduling; Horizontal Approaches: Domestic Regulation; Competition Policy; E-commerce; Subsidies Safeguard rules; etc.
Lead Agency	MTI

Private Sector Development Programme Botswana
Action Plan for Capacity Building in Trade Facilitation, Negotiations & Implementation

Beneficiaries:	NCTPN on Services (15 persons)
Resources:	1 Senior Expert on Trade in Services Statistics (15 wd)
Activities:	Training in GATS & modes of Supply; Regulatory and legislative issues; Approaches and Simulations; Training Manual produced
Duration:	5 days
Timeframe:	2014 Q4

Module Title:	Service Negotiations: Sector Specific
Activity Area:	Negotiation Capacity
Activity Code:	Serv.02
Objectives:	Raise awareness on sector specific Issues; Tourism; Cultural; Financial; ICT
Lead Agency	MTI
Beneficiaries:	NCTPN on Services (15 persons)
Resources:	3 Senior Expert on Trade in Services Statistics (15 wd TL; 12 wd each)
Activities:	Taking SADC schedules prepared so far, finalising national positions in services agreement for EPA
Duration:	4 days; 2 days x 3; 2 days x 3
Timeframe:	2014 Q4

Module Title:	Service Negotiations for Parliamentarians
Activity Area:	Negotiation Capacity
Activity Code:	Serv.03
Objectives:	To inform parliamentarians and legislators about trade in services negotiations with the EU
Lead Agency	MTI
Beneficiaries:	Parliamentarians
Resources:	1 Senior Expert on Trade in Services Statistics (3 wd)
Activities:	Preparation of "Policy brief of 2 pages" and delivery of 1/2 day workshop.
Duration:	0.5 days
Timeframe:	2014 Q4

Module Title:	Negotiating IPRs
Activity Area:	Negotiation Capacity
Activity Code:	Other.02
Objectives:	To inform on IPR issues, GIs and EPA provisions related to IPRs
Lead Agency	MTI
Beneficiaries:	BIPO, MTI, Law Office
Resources:	1 Senior Expert (15 wd)
Activities:	2 day workshop on IPRs and provisions contained in SADC, EPA, WTO TRIPS; implementation issues and action plan in 1 day workshop
Duration:	2 days & 1 day
Timeframe:	2016 Q1

Module Title:	Negotiating TBTs
Activity Area:	Negotiation Capacity
Activity Code:	Goods.07
Objectives:	To inform on TBT agreements and provisions in the EPA, SADC and WTO and promote a negotiation approach for new measures
Lead Agency	MTI
Beneficiaries:	MTI, BOBS, MFDP (15 persons)
Resources:	1 Senior Expert (15 wd)
Activities:	2 day workshop on TBT Agreements and provisions contained in SADC, EPA, WTO; implementation issues and action plan in 1 day workshop
Duration:	2 days & 1 day
Timeframe:	2016 Q2

Objectives:	Negotiating SPS
Activity Area:	Negotiation Capacity
Activity Code:	Goods.08
Objectives:	To inform on SPS agreements and provisions in the EPA, SADC and WTO and promote a negotiation approach for new measures
Lead Agency	MTI
Beneficiaries:	MTI, BOBS, MoA, MFDP (15 persons)
Resources:	1 Senior Expert (15 wd)
Activities:	2 day workshop on SPS and provisions contained in SADC, EPA, WTO; implementation issues and action plan in 1 day workshop
Duration:	2 days & 1 day
Timeframe:	2016 Q3

Module Title:	Removal of NTBs in Tripartite Area
Activity Area:	Implementation
Activity Code:	Goods.01
Objectives:	Improve monitoring of Botswana private sector complaints on NTBs
Lead Agency	MTI
Beneficiaries:	NCTPN on Goods (15 persons)
Resources:	1 Senior Trade Expert (45 wd)
Activities:	Publish reports communicate to parties (region/domestic) and establish milestones for elimination; monitoring of progress; Workshop once a year
Duration:	2 days per month for 2 years
Timeframe:	2014 Q4-2016 Q4

Module Title:	WTO Agreement on Trade Facilitation
Activity Area:	Implementation
Activity Code:	Goods.02

Objectives:	Raise awareness on WTO ATF; Establishment of key milestones in implementation ensure monitoring of KPIs
Lead Agency	MTI/Customs
Beneficiaries:	NCTPN on Trade Facilitation (15 persons)
Resources:	1 Senior Trade Expert (50 wd)
Activities:	Build an action plan around categories agreed in the ATF; Monitor on progress of milestones; Preparation of yearly balanced scorecard of progress; 1 workshop a year
Duration:	2 days per month for 2 years
Timeframe:	2014 Q4-2016 Q4

Module Title:	WTO Agreement on Trade Facilitation
Activity Area:	Implementation
Activity Code:	Goods.03
Objectives:	Raise awareness on WTO ATF; Establishment of key milestones in implementation ensure monitoring of KPIs
Lead Agency	MTI
Beneficiaries:	Parliamentarians
Resources:	1 Senior Trade Expert (2 wd)
Activities:	Preparation of "Policy brief of 2 pages" and delivery of 1/2 day workshop.
Duration:	.5 wd
Timeframe:	2014 Q4

Module Title:	Strengthening Regional Standards
Activity Area:	Implementation
Activity Code:	Goods.09
Objectives:	The objective of the project is therefore to train management and staff of laboratories operating under SADC SQAM
Lead Agency	BOBS
Beneficiaries:	BOBS, Laboratories
Resources:	1 Standards expert (30 days)
Activities:	<ul style="list-style-type: none"> • one day awareness training courses on ISO/IEC 17025, ISO/IEC 17020 and ISO/IEC 17021 • 5 days' courses on ISO/IEC 17025, ISO/IEC 17020 and ISO/IEC 17021 • five days' course on method validation and measurement uncertainty • Pre-assessments undertaken
Duration:	1+5+5 workshops + assessment
Timeframe:	2015 Q1-2016Q4

Module Title:	SADC Trade in Services Protocol
Activity Area:	Implementation
Activity Code:	Serv.04
Objectives:	Setting action plan with milestones for implementing the STPS and monitoring

Private Sector Development Programme Botswana
Action Plan for Capacity Building in Trade Facilitation, Negotiations & Implementation

	of progress of agreement.
Lead Agency	MTI
Beneficiaries:	NCTPN on Services (15 persons)
Resources:	1 Trade Policy Expert (50 wd)
Activities:	Build an action plan around protocol in trade in services & monitor on progress of milestones; Preparation of yearly balanced scorecard of progress;1 workshop a year
Duration:	2 days a month for 2 years
Timeframe:	2014 Q4-2016 Q4

Module Title:	Competition Negotiations
Activity Area:	Negotiation Capacity
Activity Code:	Other
Objectives:	Training on how to develop competition negotiation position
Lead Agency	MTI,
Beneficiaries:	MTI, BCA, Law office, NCTPN and technical committee on Competition Policy
Resources:	1 Senior Expert on Competition Issues (12 wd)
Activities:	2day Workshop on Competition Issues and provisions contained in SADC, SACU, EPA, WTO, implementation issues on Cross Border competition policies
Duration:	5 days
Timeframe:	2014, Q4

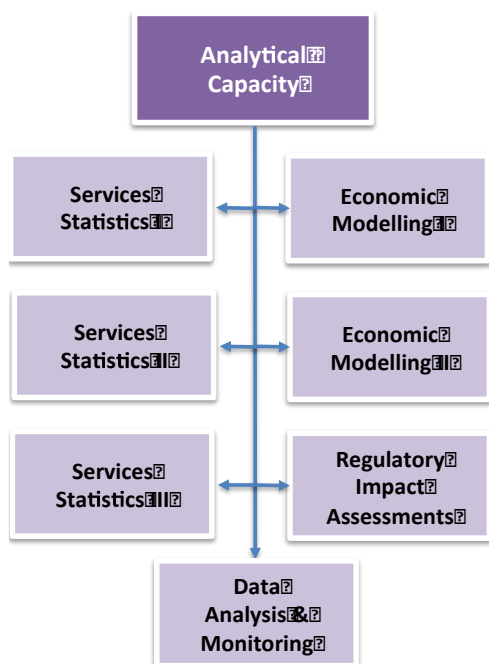
Module Title:	SACU Tariff Board
Activity Area:	Implementation
Activity Code:	Goods.04
Objectives:	Establishing the Tariff Board as agreed in the SACU Agreement; build awareness on Safeguards, AD and countervailing measures
Lead Agency	MTI
Beneficiaries:	NCTPN Goods (15 persons) Competition Commission, Customs, MTI, MoA, MFDP, BOCCIM, Other Associations (20 persons)
Resources:	1 Trade Policy Expert (25 wd) 1 Trade Defense Expert (16 wd)
Activities:	Awareness workshop on the domestication required; Tariff bodies functions and structure; and monitoring and supporting implementation 2 Awareness workshops for trade defense measures under WTO, SADC and EPA; manual of implementation of the measures
Duration:	2 days a month for 1 year & 2 workshops of 2 days each
Timeframe:	2015 Q1-2016 Q4

Module Title:	Rules of Origin
Activity Area:	Implementation
Activity Code:	Goods.05
Objectives:	Awareness workshop for EPA and STP on rules of origin; training private sector on documentation; strengthening the chamber and customs capacity
Lead Agency	MTI

Beneficiaries:	Customs, MTI, BOCCIM, Other Associations (20 persons)
Resources:	1 Trade Policy Expert (25 wd)
Activities:	Awareness workshop for EPA and STP on rules of origin; training private sector on documentation required; strengthening the chamber and customs capacity
Duration:	6 workshops of 2 days each
Timeframe:	2015 Q1-2016 Q4

IV.2 Analytical Capacity

Training in analytical skills will cover a wide range of stakeholders and topics. These modules are geared towards policy makers and think tanks. It will aim to ensure that services statistics are prepared in a more reliable and comprehensive way than is currently the case, so as to have better information on which to base negotiating positions. The module for services includes activities to improve intra-SADC cooperation for services statistics. There is also one module for training in data analysis, computations and interpretation. There are then two modules on economic modelling for trade policies. Partial equilibrium and computable general equilibrium models will be introduced with practical examples to test the impact that negotiations or policy changes can have on Botswana's economy. The final module will focus on regulatory impact assessments. Currently, the impact of new policies on existing legislation and regulations is not systematically assessed, which then limits the implementation of such agreements. Such ex ante preparations are necessary to ensure of the coherence of developing policies in line with existing domestic regulations. The modules are presented in greater depth below.



Module Title:	Service Statistics I
Activity Area:	Analytical Capacity
Activity Code:	HOR.01
Objectives:	Review key trade in services principles Improve data collection Utilise IMF BOP classification
Lead Agency	CSO
Beneficiaries:	CSO (Lead), MTI, BIDPA (10 persons)
Resources:	1 Senior Expert on Trade in Services Statistics (10 wd)
Activities:	Training in GATS & modes of Supply; EBOPS 2010; Statistics between residents and non residents; Foreign affiliates statistics; Training Manual produced
Duration:	3 days

Timeframe:	2014 Q4
-------------------	---------

Module Title:	Service Statistics II
Activity Area:	Analytical Capacity
Activity Code:	HOR.02
Objectives:	<ul style="list-style-type: none"> Improving recording trade in services data Disseminating data and collecting user feedback
Lead Agency	CSO
Beneficiaries:	CSO (Lead), MTI, BIDPA (10 persons)
Resources:	1 Senior Expert on Trade in Services Statistics (10 wd)
Activities:	Training in natural persons (mode 4); Data dissemination and reporting standards; action plan
Duration:	3 days
Timeframe:	2015 Q1

Module Title:	Service Statistics III
Activity Area:	Analytical Capacity
Activity Code:	HOR.03
Objectives:	Workshop on enhancing Intra-SADC and other regional cooperation for trade in services
Lead Agency	CSO
Beneficiaries:	CSO (Lead), MTI, BIDPA (10 persons)
Resources:	1 Senior Expert on Trade in Services Statistics (7 wd) & 1 Trade Policy Expert (20 wd)
Activities:	Build an action plan around regional cooperation (built on REIS)
Duration:	2 days + 2 days a month for 1 year
Timeframe:	2015 Q1-Q4

Module Title:	Data Analysis
Activity Area:	Analytical Capacity
Activity Code:	HOR.04
Objectives:	Improving trade analysis to monitor performance and prepare negotiations
Lead Agency	MTI and BIDPA
Beneficiaries:	MTI, University of Botswana, BIDPA, CSO
Resources:	1 Senior Expert on Trade Tools (15 wd)
Activities:	Training in data, computations and interpretation; preparation of a manual
Duration:	2.5 days
Timeframe:	2015 Q1

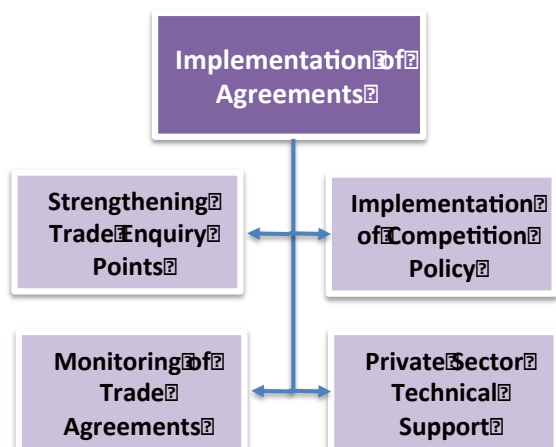
Module Title:	Data Modelling I
Activity Area:	Analytical Capacity
Activity Code:	HOR.05
Objectives:	Improve economic impact analysis using partial equilibrium models
Lead Agency	MTI and BIDPA
Beneficiaries:	MTI, University of Botswana, BIDPA, CSO
Resources:	1 Senior Expert on Trade Tools (20 wd)
Activities:	Training in data modelling (SMART, ATPSM, or IFPRI) & preparation of a manual; After 6-12 months, review methodology applied for Botswana and discuss issues and improvements
Duration:	3 days (Y1); 2 days (Y2)
Timeframe:	2015 Q2

Module Title:	Data Modelling II
Activity Area:	Analytical Capacity
Activity Code:	HOR.06
Objectives:	Improve economic impact analysis using general equilibrium models
Lead Agency	MTI and BIDPA
Beneficiaries:	MTI, University of Botswana, BIDPA, CSO
Resources:	1 Senior Expert on Trade Tools (25 wd)
Activities:	Training in data modelling (GTAP, MIRAGE or other) & preparation of a manual; After 6-12 months, review methodology applied for Botswana and discuss problems & improvements
Duration:	4 days (Y1); 3 days (Y2)
Timeframe:	2015 Q4; 2016 Q3

Module Title:	Regulatory Impact Assessment
Activity Area:	Analytical Capacity
Activity Code:	HOR.07
Objectives:	Improve regulatory impact analysis
Lead Agency	MTI
Beneficiaries:	MTI, University of Botswana, BIDPA, law
Resources:	1 Senior Expert on Trade Tools (18 wd)
Activities:	Provide training in RIA methodologies, practical applications, case studies and best practice; After 6-12 months, review methodology for Botswana with stakeholders and discuss hurdles
Duration:	3 days (Y1) & 2 days (Y2)
Timeframe:	2015 Q3 & 2016 Q2

IV.3 Implementation of Agreements

The focus of activities for the implementation of trade agreements is to lend institutional support



at the meso level to ensure that the implementation of agreements are achieved, and to further facilitate a more significant outcome from the agreements. The first module will aim at strengthening WTO enquiry points for TBT and SPS and improve the notification process of Botswana in multilateral but also bilateral fora. The second module will focus on the monitoring of trade flows, practices of different partner countries and identify constraints to trade across countries belonging to different negotiated agreements. The purpose of this module is to generate a pro-active

trade policy for Botswana and ensure that agreements may benefit Botswana. A third module will focus on implementing competition policy, in accordance with the SADC agreement. The focus of this module will be to provide guidance on methodological aspects and provide external assistance on investigations, as well as communications campaigns. The final module will focus on lending support to the private sector to better understand the advantages of the agreements, their rules and procedures and to build up expertise to better participate in the elaboration of future agreements.

Module Title:	Strengthening Trade Enquiry Points
Activity Area:	Institutional Capacity Building
Activity Code:	Inst.01
Objectives:	Strengthen WTO Enquiry Point to report changes in SPS (MoA) and TBT (BOBS) Measures; Strengthen Market Access information awareness and notification to private sector (joint MTI, BITC through BOCCIM, BEMA, LEA, etc.)
Lead Agency	MTI
Beneficiaries:	MoA, BOBS, BOCCIM, BEMA, LEA, other associations
Resources:	1 expert on Trade Policy (25 wd)
Activities:	Provide training to key personnel in beneficiary institutions on best practices for notification and awareness; Action plan with KPI implemented and MTI empowered to monitor and report on progress
Duration:	10 wd + 24 days a month on the job training
Timeframe:	2015 Q1-Q4

Module Title:	Strengthening Monitoring of Trade Agreements
Activity Area:	Institutional Capacity Building
Activity Code:	Inst.02
Objectives:	Strengthen MTI's ability to monitor the implementation and progress of trade agreements

Private Sector Development Programme Botswana
Action Plan for Capacity Building in Trade Facilitation, Negotiations & Implementation

Lead Agency	MTI
Beneficiaries:	MoA, BOBS, BOCCIM, BEMA, LEA, other associations
Resources:	1 expert on Trade Policy (40 wd)
Activities:	Provide training to key personnel in beneficiary institutions on best practices for notification and awareness; Action plan with KPI implemented and MTI empowered to monitor and report on progress. Prepare an annual audit of implementation with recommendations, published in PDF on MTI website
Duration:	10 wd situational analysis + 24 days on the job training + 6 assisting with the audit & report writing

Module Title:	SADC Competition Rules
Activity Area:	Implementation
Activity Code:	Inst.03
Objectives:	Strengthening implementation of Competition Policy
Lead Agency	BCA
Beneficiaries:	BCA; BIDPA; MTI
Resources:	1 Senior Trade Expert (40 wd)
Activities:	Assist BCA with best practices methodologies and management aspects of implementing a Competition Policy (from monitoring to stakeholder awareness, to data collection) methods
Duration:	2 days of workshops + on the job training 20 days
Timeframe:	2015 Q2
Timeframe:	2015 Q1-Q4

Module Title:	Private Sector Technical Support
Activity Area:	Implementation
Activity Code:	Inst.04
Objectives:	Fostering greater intra-regional trade through a better awareness of the rules
Lead Agency	BOCCIM
Beneficiaries:	BOCCIM; BEMA; BITC
Resources:	1 Senior Trade Expert (180 wd)
Activities:	Assist BOCCIM in fostering awareness (through workshops, dissemination via web platforms and newsletters) on the rules as they apply to key industries of interest to Botswana (services and goods). Provide ad-hoc advice to incoming queries
Duration:	90 days a year; ad hoc responses and formal training and awareness raising
Timeframe:	2015Q1-2016Q4

V. Action Plan for Capacity Building

V.1. Proposed List of Activities

A total of 25 activities are proposed to be delivered over the course of 24 months, which could be financed through the PSDP or through SADC facilities. Each activity area and activities, as well as their objectives are listed below:

Area 1: Analytical Capacity

- Activity 1.1.** Trade in Services Statistics I: Review key trade in services principles; data collection; BOP classification
- Activity 1.2.** Trade in Services Statistics II: Improving recording trade in services data; disseminating data and collecting user feedback
- Activity 1.3.** Trade in Services Statistics III: Workshop on enhancing Intra-SADC and other regional cooperation for trade in services
- Activity 1.4.** Data Analysis: Improving trade analysis to monitor performance and prepare negotiations
- Activity 1.5.** Data modelling I: Improve economic impact analysis using partial equilibrium models
- Activity 1.6.** Data Modelling II: Improve economic impact analysis using general equilibrium models
- Activity 1.7.** Regulatory Impact Analysis: Improve regulatory impact analysis

Area 2: Negotiations Skills

- Activity 2.1.** Trade in Services: Review of GATS scheduling; Horizontal Approaches: Domestic Regulation; Competition Policy; E-commerce; Subsidies Safeguard rules; etc.
- Activity 2.2.** Trade in Services for Specific Sectors: Raise awareness on sector specific Issues; Tourism; Cultural; Financial; ICT
- Activity 2.3.** Trade in Services for parliamentarians: To inform parliamentarians and legislators about trade in services negotiations with the EU
- Activity 2.4.** Negotiating IPRs: To inform on IPR issues, GIs and EPA provisions related to IPRs
- Activity 2.5.** Negotiating TBTs: To inform on TBT agreements and provisions in the EPA, SADC and WTO and promote a negotiation approach for new measures
- Activity 2.6.** Negotiating SPS: To inform on SPS agreements and provisions in the EPA, SADC and WTO and promote a negotiation approach for new measures
- Activity 2.7.** Competition rules training on how to develop a common competition negotiation position and how to implement cross-border agreements

Area 3: Implementation of Agreements

- Activity 3.1.** Removal of NTBs: Improve monitoring of Botswana private sector complaints on NTBs
- Activity 3.2.** WTO Agreement on Trade Facilitation: Raise awareness on WTO ATF; Establishment of key milestones in implementation ensure monitoring of KPIs
- Activity 3.3.** WTO Agreement on Trade Facilitation for parliamentarians: Raise awareness on WTO ATF
- Activity 3.4.** Strengthening regional standards: Train management and staff of laboratories operating under SADC SQAM
- Activity 3.5.** SDC protocol of trade in Services: Setting action plan with milestones for implementing the STPS and monitoring of progress of agreement.
- Activity 3.6.** SACU Tariff board & Trade Defence: Establishing the Tariff Board as agreed in the SACU Agreement & Awareness workshop on Safeguards, AD and countervailing measures

Activity 3.7. Rules of origin: Awareness workshop for EPA and STP on rules of origin; training private sector on documentation; strengthening the chamber and customs capacity

Activity 3.8. Strengthening implementation of Competition Policy

Activity 3.9. Technical trade policy and negotiation support to the private sector: Fostering greater intra-regional trade through a better awareness of the rules

Activity 3.10. Strengthening trade enquiry points: Strengthen WTO Enquiry Point to report changes in SPS (MoA) and TBT (BOBS) Measures; Strengthen Market Access information awareness and notification to private sector (joint MTI, BITC through BOCCIM, BEMA, LEA, etc.)

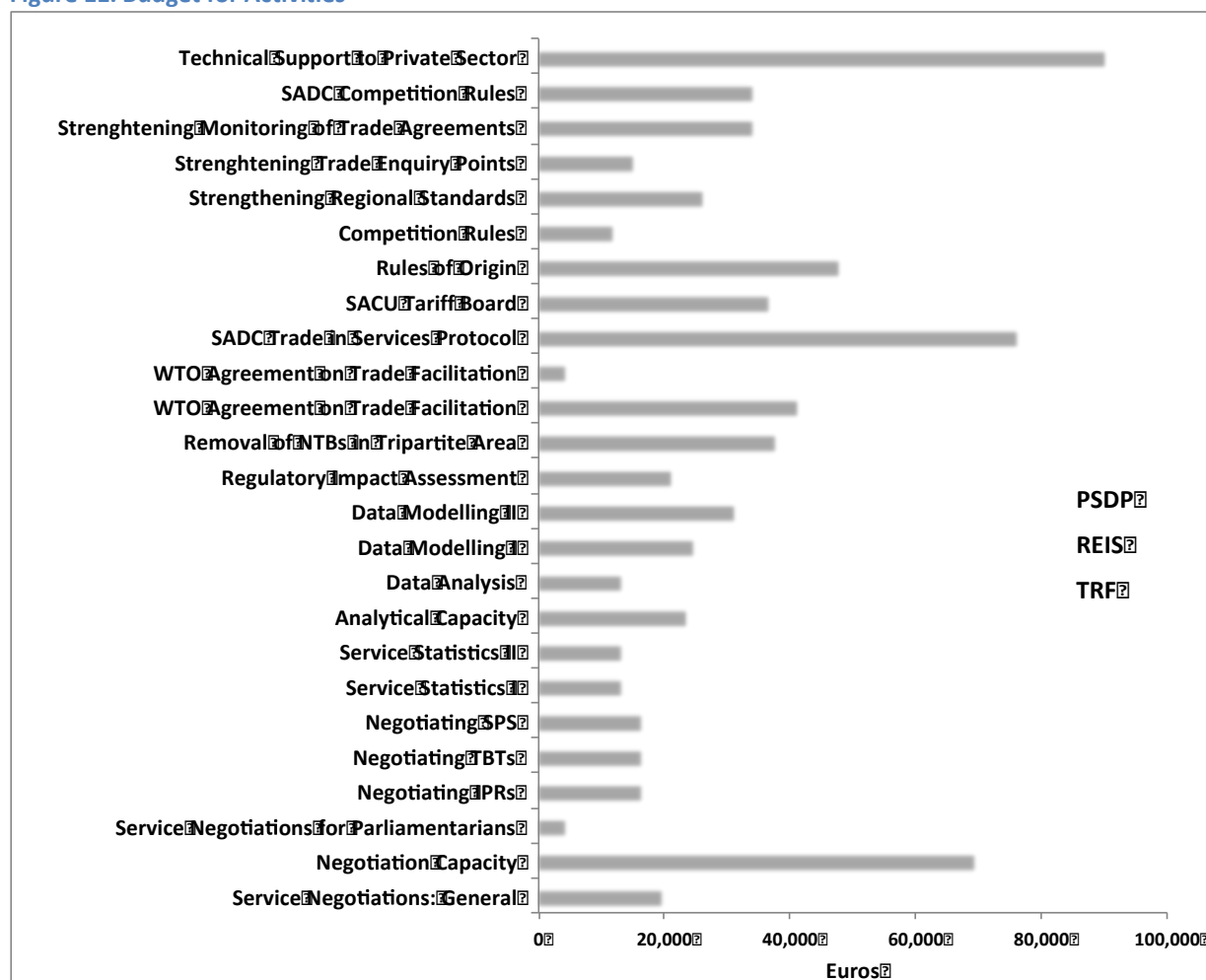
Activity 3.11. Strengthening the monitoring of trade agreements: Strengthen MTI's ability to monitor the implementation and progress of trade agreements

V.2. Budget and potential sources of financing

The budget for financing all activities required is estimated to reach €733,840. These activities would cover 24 months of capacity building activities across the entire group of stakeholders in the NCTPN. The activities could be financed from a variety of sources, such as from the PSDP itself, the REIS regional SADC programme (2013-2016), or even the TRF Regional SADC programme (2014-2019). The SADC regional programmes have sufficient resources to cover around half the amount of activities, and all activities fall within the scope of such facilities. Subsequent to the study having been conducted, it transpired that the Commonwealth Secretariat could undertake some activities related to training through the positioning of a long-term key expert in the MTI. The Key expert started in July 2014 but her exact work programme has not yet been identified (since it is the inception phase). The study continues to make proposals under the PSDP activities, even though they could be jointly implemented by the Commonwealth hubs and spokes programme and the PSDP.

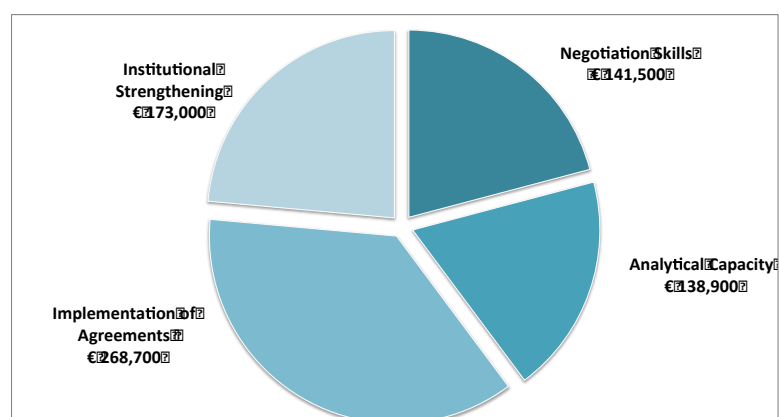
The range of activities and their costs, as well as their source of potential funding is presented in Figure 11. The single highest cost refers to capacity building support to the private sector (€90,000) over two years. The average cost of other activities to be financed under the PSDP is quite low, ranging from around €5,000 to €45,000.

Figure 11. Budget for Activities



In terms of the distribution of costs, the greatest allocation of funds will be dedicated to the implementation of agreements (€268,700 – Error! Reference source not found.). This is where the greatest

Figure 12. Distribution of costs by key activity areas

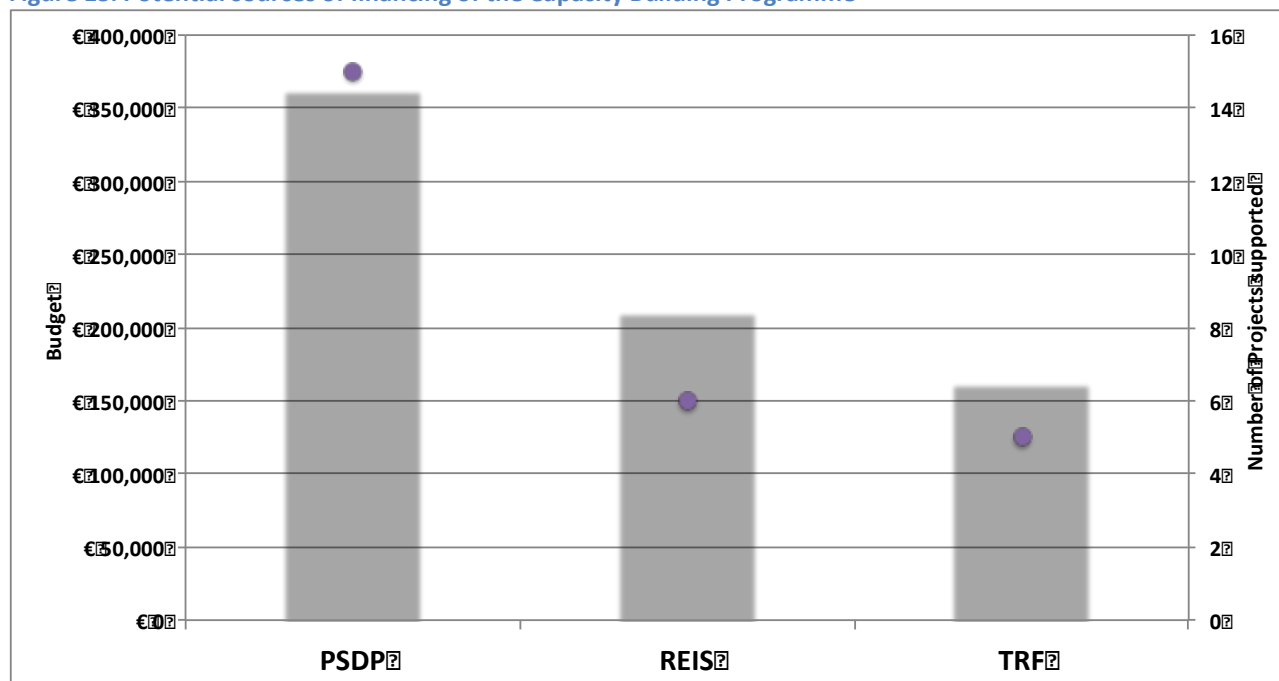


rriorities should lie in order to ensure that Botswana can benefit from the agreements it has already signed. Institutional strengthening is allocated around €173,000 for activities related to strengthening the monitoring and implementation activities of key institutions and supporting the private sector support. Negotiation skills building in areas of goods, trade facilitation, services and other trade related area will receive €141,500.

Finally, analytical capacity, which will improve quantitative based analysis and impact assessments will receive €138,900 in technical assistance.

The potential sources of finance have been divided into three facilities: the PSDP, REIS and TRF. The PSDP would support 14 activities with a value of €371,100 (Figure 13), while the REIS would support 6 activities with a value of €189,200. The TRF would support 5 activities with a value of €161,800. All 25 activities could theoretically be supported by a single programme such as the TRF, or as proposed, by a range of programmes within a coherent manner.

Figure 13. Potential sources of financing of the Capacity Building Programme



V.3. Timeline for Activities

The proposed timeline of activities is presented in Table 1. The activities would take place over two years and represented according to the areas they fall under, together with their estimated budget. It is assumed that the activities could start from the last quarter of 2014 and would end at the end of 2016.

Table 1. Workplan for the delivery of Trade Related Capacity Building Assistance to the NCTPN

Areas	Activity Code	Funds	Budget	2014			2015												2016											
				Q4			Q1			Q2			Q3			Q4			Q1			Q2			Q3			Q4		
				Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Negotiation Skills																														
Service Negotiations: General	Serv.01	REIS	€19,500																											
Negotiation Capacity	Serv.02	REIS	€9,300																											
Service Negotiations for Parliamentarians	Serv.03	PSDP	€1,100																											
Negotiating TPRs	Other.02	PSDP	€16,200																											
Negotiating TBTs	Goods.07	PSDP	€16,200																											
Negotiating SPS	Goods.08	PSDP	€16,200																											
Competition Rules	Other.03	PSDP	€11,740																											
Analytical Capacity																														
Service Statistics I	HOR.01	REIS	€13,000																											
Service Statistics II	HOR.02	REIS	€13,000																											
Analytical Capacity	HOR.03	PSDP	€23,400																											
Data Analysis	HOR.04	PSDP	€13,000																											
Data Modelling I	HOR.05	PSDP	€24,500																											
Data Modelling II	HOR.06	PSDP	€31,000																											
Regulatory Impact Assessment	HOR.07	REIS	€21,000																											
Implementation of Agreements																														
Removal of NTBs in Tripartite Area	Goods.01	PSDP	€37,500																											
WTO Agreement on Trade Facilitation	Goods.02	PSDP	€11,000																											
WTO Agreement on Trade Facilitation	Goods.03	PSDP	€1,100																											
SADC Trade in Services Protocol	Serv.04	TRF	€76,000																											
SACU Tariff Board	Goods.04	PSDP	€36,500																											
Rules of Origin	Goods.05	TRF	€7,600																											
Strengthening Regional Standards	Goods.09	REIS	€26,000																											
Institutional Strengthening																														
Strengthening Trade Enquiry Points	Inst.01	TRF	€15,000																											
Strengthening Monitoring of Trade Agreements	Inst.02	PSDP	€34,000																											
SADC Competition Rules	Inst.03	TRF	€34,000																											
Technical Support to Private Sector	Inst.04	PSDP	€90,000																											

V.4. Assumptions and Risks

The action plan for TRCB has been requested by the PSDP and has a high degree of ownership. The consultant has worked closely with the MTI in elaborating the action plan. Moreover, it embodies many elements which were already incorporated into earlier proposals for raising the capacity of stakeholders in Botswana. The capacity building programme was also presented and discussed with stakeholders and as such, it is viewed as relevant, realistic and expected to yield a sustainable change in the capacity of stakeholders.

A number of assumptions and risks are nevertheless inherent in any capacity building programme. We present the main assumptions and risks for this programme.

One of the principal assumptions is that the **political and economic situation remains stable** in Botswana. Given the current economic situation and the policies already in place, the risks of disrupting the capacity building programme owing to institutional changes is very low.

In order for capacity building activities to be effective, it is essential that the public sector can **retain** and motivate staff. While promotions and horizontal shifts of staff can be good in the medium to long-term, these need to be well planned and can result in the loss of institutional memory. The latter renders technical assistance activities redundant. It appears that these issues are a recurring problem in the administration of the Government of Botswana.

It is assumed that the **openness** of relevant ministries to working with technical assistance advisors and donor funded programmes will continue. This appears to be the case and there is no reason to assume it will change over the course of the programme.

The premise that the Agreement on Trade Facilitation (ATF) would be implemented is perhaps a large assumption, given that on 31 July, at the WTO Meeting with Ambassadors the Secretary General of the WTO conceded that the ATF was not reached. Training in this agreement will only make sense if there is a breakthrough in the WTO negotiations.

Finally, it is assumed that the Government of Botswana **remains committed** to the negotiation agenda and is currently engaged in and to continue its efforts in implementing the agreements to which it is party.

There are a significant number of risks inherent in delivering a programme of assistance in any country. The greatest perceived risk is **institutional risk**. There is a strong likelihood that the Ministry of Industry and Trade will undergo a structural change. In view of a recent review of its operations. Such an event would be highly disruptive to the Programme and could lead to it failing to meet all of its objectives.

There is a risk that the **Public Administration** is not sufficiently well organised and capable of absorbing the assistance provided under a EU Programme. The risk is relatively low given that Botswana receives very

limited assistance owing to its graduation status with regard to aid.

The most vocal requests have come from the private sector (BOCCIM particularly) and the MTI. The risk of low **ownership** is moderate.

There is a risk, as in many countries, that **donor coordination** will be weak. This risk is small given that few donors work with the MTI, although there is a small risk with regard to regional programmes, such as those managed by SADC and the WTO courses for example. Nevertheless, overall the risk of weak donor coordination is considered to be moderate.

Finally, there is a reasonably high risk of **not achieving the targets and ambitions** of the programme, for the simple reason that such action plans have been proposed before and have never been implemented. A difference from the past is that funds have been already allocated (and earmarked) for this action plan and there are regional programmes with sufficient funds to also support activities, thereby enabling the action plan to be implemented.

In table 2 are presented some of the perceived risks according to type for the implementation of the action plan.

Table 2. Perceived Risks in Implementing the Action Plan

	Degree of Perceived Risk		
	Low	Moderate	High
Political	□		
Institutional			□
Administrative			□
Ownership	□		
Donor Coordination			□
Not achieving targets		□	

Conclusions

Botswana is member of a number of international agreements, including SACU, SADC, COMESA-EAC-SADC Tripartite, Continental FTA (CFTA), EU-SADC EPA, and the WTO. As a result, Botswana's international trade negotiations agenda is extremely complex and wide in scope. In order to more effectively consult in preparation of negotiations, it has established a National Committee on Trade Policy and Negotiations (NCTPN), made up of a wide range of stakeholders to elaborate a national position. A number of technical committees are also convened to analyse more technical issues and reach national consensus. The performance of the NCTPN has been criticised for being ineffective and attendance has been low, and many of the technical committees no longer convene. As a result of the increasing complexities of negotiations and the ineffectiveness of the NCTPN, the PSDP requested a capacity building action plan to review the institutional framework and identify training needs for stakeholders, which is the purpose of this report.

They key weaknesses identified in the current institutional framework include

- Consultation mechanisms and the need to streamline the number committees and their individual functions
- Weak negotiation skills and understanding of some areas being negotiated, particularly outside of the MTI
- Weak monitoring of trade agreements and their impact on the economy, as well as no pro-active trade policy
- Analytical skills and data driven research in preparing trade negotiations, as well as for formulating policies remains insufficient
- Unreliable and out-dated statistics on trade in services which impairs the ability to make informed decisions with regard to negotiations on services
- Lack of implementation of SADC rules on competition policy
- Weak private sector awareness on agreements and ability to contribute to the formulation of negotiating positions.

Although all areas identified for support are important, the prioritised key technical areas identified as requiring immediate capacity building support include under the PSDP:

- Specific negotiation skills in goods, services and other trade related areas areas (around €60,000);
- WTO Trade Facilitation Agreement areas (around €41,000);
- Rules of origin analysis and support areas (around €47,600); and
- Elimination of NTBs (around €37,500).

Owing to the recent stalling of the WTO Trade Facilitation Agreement¹⁷, the support in this area could be postponed. Moreover, the EU has pledged support in this area, under separate funds, for those countries which require assistance. With this in mind an immediate programme of assistance could be delivered

¹⁷ EC (2014) *The Bali Decisions: Trade Facilitation, Development and Food Security - an Opportunity for all WTO Members*, Memorandum, Brussels, 11 August

around three key areas: negotiation skills, rules of origin and NTBs. The negotiations skills training could further be implemented collaboratively with the Commonwealth Secretariat.

A total of 25 activities are proposed to be delivered over the course of 24 months, which could be financed or delivered through the PSDP, Commonwealth Secretariat Hubs and Spokes, or through SADC facilities. The activities include workshops, training programmes, technical advisory services and studies and are aimed at a range of stakeholders from the NCTPN. The implementation of the action plan is expected to build significant momentum to Botswana's participation in negotiations and ensure that stakeholders are better able to articulate their needs in order to build an inclusive national position and contribute to a better performance of the outcome of agreements.

References

- Botswana Competition Authority and USAID (2012) Technical Report: 2012 Audit of the Implementation of the SADC Protocol on Trade, August
- Government of Botswana (2003) Botswana Trade Act, Republic of Botswana
- Grynberg, R. (2012) The case of the Botswana poultry industry, BIDPA
- IMF (2013b) Botswana: Selected Issues, IMF Country Report No. 13/297, September
- IMF (2013a) Botswana : Article IV Consultation, IMF Country Report No. 13/296, September
- Mbekeani, K. K. (2001) Inter-Agency Policy Co-ordination in Botswana, in Managing the challenges of WTO participation, Case Study, 6, WTO: Geneva
- Ministry of Trade and Industry (2011) Botswana Trade Capacity Building Strategy 2011-2016, Department of Trade and Industry
- Ministry of Trade and Industry (2011) Economic Diversification Drive: Medium to Long-Term Strategy, 2011 – 2016, Republic of Botswana, July
- TRALAC (2010) Needs Assessment for Trade Related Training and Technical Assistance for Botswana, July
- World Bank (2014) Doing Business Survey 2014, Washington DC
- WTO (2009) Botswana Trade Policy Review, Geneva
- WTO (2012) Trade Profiles 2012, Geneva

Annex I: Terms of Reference

1 INTRODUCTION

1. This assignment is undertaken in the framework of the Private Sector Development Programme (PSDP), an initiative of the Government of Botswana supported by the European Union (EU) and the Centre for the Development of Enterprise (CDE).

1.1 PRESENTATION OF THE PROGRAMME

2. Under the framework of the Private Sector Development Strategy (PSDS), the Ministry of Trade and Industry (MTI) and Botswana Confederation of Commerce, Industry and Manpower (BOCCIM) in partnership with the EU and the CDE, developed the PSDP which was launched on the 23 May 2013 in Gaborone, Botswana.
3. The PSDP is meant to address some key areas of the PSDS. The PSDP which will run for duration of 3 years has a budget of €2.3 million and aims to stimulate and sustain growth through diversification of the economy while building the capacities of institutions and human resources that support the private sector. Other funding partners promoting specifically Women Entrepreneurship provide additional complementary support. The EU is the contracting authority for the PSDP, the MTI is the supervising agency, CDE is the executing agency, and BOCCIM is responsible for monitoring and evaluation of PSDP.
4. Key private sector development partners which played a vital role during formulation of the PSDP and will be involved in the programme are BOCCIM, Botswana Investment and Trade centre (BITC), Local Enterprise Authority (LEA), Citizen Entrepreneurial Development Agency (CEDA), Botswana Exporters and Manufacturers Association (BEMA), Botswana Bureau of Standards (BOBS), Botswana National Productivity Centre (BNPC), Hospitality and Tourism Association of Botswana (HATAB), Botswana Tourism Organisation (BTO) and Botswana Innovation Hub (BIH).

1.2 RATIONALE FOR CAPACITY BUILDING IN TRADE AND TRADE-RELATED AREAS

5. The processes to domesticate international laws and adhering to international obligations have posed challenges to Botswana since the last decades. It is in this regard that the National Committee on Trade Policy and Negotiations (NCTPN) was established in December 2003, to coordinate trade policy formulation and national negotiating positions. While the NCTPN provides an institutional framework for trade policy decision making, there are specific capacity gaps that still exist and hamper its effectiveness. The existing gaps manifest in the lack of human and technical capacity in key trade and trade-related areas. This situation persists despite the fact that Botswana has, in the past, received technical assistance on capacity building from a number of donors. It is therefore important, under the supervision of DIT, to systematically coordinate the implementation of Trade Capacity Building Strategy in the main areas of focus in order to maximize the benefits from these initiatives. The *Capacity Building Action plan* in trade and trade-related areas should also take into account existing local expertise which can be engaged in sustainable capacity development as well as coordinate the existing efforts within the country for effective use of limited resources.
6. It is in this regard that CDE-PSDP intends to recruit a Consultant to assist with the development of a *Capacity Building Action plan*, with a view to (i) strengthen the capacity of the NCTPN members and the Trade Facilitation Advisory Group (TFAG) on trade related issues including Trade Facilitation Consultative Group and (ii) improve the negotiations skills of MTI departments.

2 SCOPE OF THE WORK

7. The overall objective of the assignment is ***to design the Trade Capacity Building Action plan*** which will contribute to enhance the TFAG and NCTPN's ability to effectively and efficiently coordinate trade policy formulation and national negotiating positions.
8. The assignment will be undertaken under the supervision of CDE-PSDP Coordinating Unit and will report to it. The Consultant is expected also to work closely with the MTI/DIT and consult further with the NCTPN members as well as relevant stakeholders in ascertaining the required information for developing the Capacity Building modules that should be tailored to the needs of the final beneficiaries.
9. In close collaboration with both private and public institutions supporting trade promotion in Botswana, the Consultant shall undertake the following:

- **Task 1: Desk Work**

- 1) Assess the policy and technical documentations on trade in particular (i) the study on "Needs Assessment for Trade Related Training and Technical Assistance, 2009" and (ii) "Botswana Trade Capacity Building Strategy 2011-2016" adopted by the Government in 2012 which shall be made available by the MTI/DIT.
- 2) Assess the NCTPN and the TFAG's mandates.

- **Task 2: Consultative Meetings**

- 1) Field visit to undertake consultative meetings with public and private sector stakeholders targeted by the Capacity Building Strategy, mainly the TFAG and NCTPN members;
- 2) Facilitate a consultative workshop with the support of MTI/DIT to validate the situational analysis related to Capacity Building Needs Assessment with the key stakeholders.

- **Task 3: Action Plan Design**

- 1) Design the Trade and Negotiation Capacity Building Action Plan with should contain but not limited:
 - The training modules/manuals for the following Areas of Focus¹⁸: (i) Human Capacity, (ii) Institutional Capacity and, (iii) Organizational Capacity;
 - The work plan for the implementation of the Capacity Building Action Plan and;
 - The list of potential beneficiaries of the Trade Capacity Building actions (Groups of 15 trainees per session);
 - The budget for a 2-year intervention.
- 2) Develop, as appropriate, the terms of reference for the implementation of the Action plan by a competent service provider.

- **Task 4: Validation Workshop**

- 1) Organise and hold a validation workshop with public and private sector stakeholders involved in trade and trade-related areas;
- 2) Prepare the final report following incorporation of comments from the Action plan validation workshop.

¹⁸ The detailed outline of the Capacity Building Strategy Implementation Matrix that the Consultant should use in formulating the capacity building modules will be provided during the Inception phase of the assignment

3 OUTPUTS

3.1 EXPECTED OUTPUTS

10. The assignment will result in the following outputs:

- 1) Documented report on review of the Trade Policy Documentations including Trade Capacity Building Strategy as well as “Needs assessment” Study for Trade Related Training and technical Assistance (*Level of effort (LEO): 4 w-days*);
- 2) Synthesized consultative meetings recommendations to be used for the design of the training modules (*LEO: 2 w-days*);
- 3) Detailed Capacity Building Action plan (including (i) training modules on relevant topics related to trade and negotiations as described above; (ii) 2-year work plan and budget for capacitating the TFAG and NCTPN group; (iii) terms of reference for the delivery of the Trade Capacity Building Action plan) (*LEO: 21 w-days*);
- 4) Synthesized validation workshop comments and the assignment Final report (*LEO: 3 w-days*).

3.2 PERFORMANCE INDICATORS

11. The following are some indicators to measure the performance of the Consultant work:

- Comprehensive training manuals/materials developed by the end of the assignment
- Detailed plan of actions for capacitating the group is developed
- Timely implementation of the activities;
- Accurate, timely and quality work plan and reports;
- Efficient utilisation of MTI/DTI manpower and resources;

4 DURATION OF THE ASSIGNMENT AND REPORTING

12. The consultancy will be undertaken over a period of Three (3) months as per the deliverables outlined below;

- ***Inception report (Deliverable no. 1):*** Presented 1 month after the start of the assignment and containing the following:
 - Review of trade policy documentations including Trade Capacity Building Strategy and “needs assessment for trade related training” reports;
 - Findings of the assessment of the mandates of the NCTPN and Trade Facilitation Advisory Group;
 - Recommendations of the consultative workshop to validate the situational analysis related to Capacity Building Needs Assessment with NCTPN members
- ***Trade Capacity Building Action Plan (Deliverable no. 2):*** Submitted 2 months after the approval of Inception report. This report will present a detailed Action plan including training materials developed by the Consultant based on the consultative workshop mentioned above, implementation plan, and the Terms of reference for its implementation.
- ***Final Report (Deliverable no. 3):*** This report will be submitted 1 month after the approval of Deliverable 2 and will include the comments and recommendations of a validation workshop to be organised, no later than 2 weeks before the end of the contract. The Final report will be considered by the CDE-PSDP Coordinating Unit for approval at the end of Month 3 following contract start.

5 REQUIREMENTS

5.1 PROFILE AND QUALIFICATION OF THE CONSULTANT

13. The Consultant should meet the following criteria:

- Hold minimum an advanced degree in trade, or any related discipline;
- Have at least 10 years experience including working with the private sector and trade policy institutions on trade policy and strategy development, design and implementation of capacity building Action Plan in trade and trade-related areas;
- Have perfect knowledge of Botswana economy;
- Have a track record of interventions on trade policy and negotiations as well as on regional integration matters;
- Demonstrate strong coordination/organization/networking skills and experience in working with both the public and private sector organisations in Botswana and the SADC region;
- Good communication and capacity building skills and good command of English will be an asset.

5.2 MONITORING AND EVALUATION

14. A Monitoring and Evaluation Committee composed of CDE-PSDP and as well as MTI/DIT representatives will oversee the implementation of this assignment.

6 BUDGET FOR THE INTERVENTION

6.1 FEE RATES AND OTHER COSTS

15. The amount for the fees for this assignment should be less than Euro 20,000 for a minimum of 30 working days.

6.2 REIMBURSABLE COSTS

16. The Consultant is requested to give an estimate of its expenses related to the assignment for the following items.

- 1 workshop package costs for the initial consultative meeting for 25 participants including conference room, catering, IT equipment and printing.
- 1 workshop package costs for the validation meeting for 25 participants including conference room, catering, IT equipment and printing.
- Transport and per diem based on CDE rates.

Annex II: NCTPN Organs and Terms of Reference

II.1. TERMS OF REFERENCE FOR THE NCTPN

- i) to bring together all relevant stakeholders to promote dialogue and identify trade negotiation objectives and principles;
- ii) to coordinate national trade policy and facilitate the development of appropriate policy options in the context of the multilateral and regional trading disciplines;
- iii) to promote the effective implementation and enforcement of WTO rules, including those on new systems;
- iv) to analyze in a more comprehensive way, trade issues and their impact on the economy, formulate appropriate positions for negotiations and submit recommendations to Cabinet for approval;
- v) to prepare and submit annual reports on specific trade matters and/or policy issues to Cabinet highlighting achievements and constraints;
- vi) to meet quarterly and at any time when there are urgent issues to be discussed; and
- viii) to establish sectoral subcommittees and co-opt other stakeholders into the committee as deemed appropriate.

MEMBERSHIP OF NCTPN

- ✓ Ministry of Trade and Industry
- ✓ Botswana Export Development and Investment Authority (BEDIA)
- ✓ Botswana Bureau of Standards (BOBS)
- ✓ Citizen Entrepreneurship Development Agency (CEDA)
- ✓ International Financial Services Centre (IFSC)
- ✓ Local Enterprise Authority (LEA)
- ✓ Ministry of Education and Skills Development (MOESD)
- ✓ Ministry of Foreign Affairs and International Cooperation (MOFAIC)
- ✓ Ministry of Infrastructure, Science and Technology (MIST)
- ✓ Ministry of Finance and Development Planning (MFDP)
- ✓ Bank of Botswana
- ✓ Botswana Institute for Development Policy Analysis (BIDPA)
- ✓ Botswana Development Corporation (BDC)
- ✓ Botswana Unified Revenue Service (BURS)
- ✓ Botswana Export Credit Insurance (BECI)
- ✓ Ministry of Mineral Energy and Water Resources (MMEWR)
- ✓ Attorney General's Chambers
- ✓ Ministry of Agriculture
- ✓ Ministry of Labour and Home Affairs (MLHA)
- ✓ Ministry of Environment, Wildlife and Tourism (MEWT)
- ✓ Ministry of Youth, Sports and Culture (MYSC)
- ✓ Ministry of Transport and Communications (MTC)
- ✓ Botswana Telecommunications Authority (BTA)

-
- ✓ Botswana Confederation of Commerce Industry and Manpower (BOCCIM)
 - ✓ Botswana Exporters and Manufacturers Association (BEMA)
 - ✓ Botswana Council of Non-Governmental Organisations (BOCONGO)
 - ✓ MISA Botswana
 - ✓ University of Botswana (UB)
 - ✓ Botswana Agriculture Union (BAU)
 - ✓ Botswana Federation of Trade Unions (BFTU)

II.2. TECHNICAL COMMITTEE ON MARKET ACCESS FOR INDUSTRIAL GOODS

This Technical Committee is chaired by the Department of International Trade that also serves as the Secretariat. Its terms of reference is :

- i) To support the implementation of bilateral, regional and multilateral agreements;
- ii) To coordinate the national positions for national, regional and multilateral fora;
- iii) To promote the effective implementation and enforcement of the rules embodied in the trade agreements;
- iv) To promote and encourage comprehensive analysis of national trade issues and the probable impact of the same on the economy;
- v) To facilitate the formulation and implementation of national policies and strategies for realizing regional and global integration;
- vi) To contribute to periodical inputs for Parliamentary briefing;
- vii) To make inputs as appropriate in the harmonization of national, regional and international standards and conformity assessments;
- viii) To support national efforts on trade and investment promotion;
- ix) To support national efforts in the promotion of industrial development, particularly SMEs;
- x) To contribute in the promotion of the development of selected industrial sectors;
- xi) To contribute to the promotion and harmonization of economic policies with gender development strategies and programmes and;
- xii) To work closely with other committees on cross-cutting issues to avoid duplication.

MEMBERSHIP OF TECHNICAL COMMITTEE ON MARKET ACCESS FOR INDUSTRIAL GOODS

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Foreign Affairs and International Cooperation
- ✓ Ministry of Finance and Development Planning
- ✓ Ministry of Works and Transport
- ✓ BOCCIM
- ✓ BEMA

- ✓ BOBS
- ✓ UB
- ✓ BEDIA
- ✓ BIDPA

II.3. TECHNICAL COMMITTEE ON EXPORT DEVELOPMENT AND INVESTMENT PROMOTION

This Technical Committee will be chaired by the BEDIA that will also serve as the Secretariat.

The terms of reference of the Export Development Sub-Committee are:

- i) To develop the National Export Development Strategy in consultation with international organization like the International Trade Centre and others.
- ii) To bring together the public sector and private sector
- iii) To encourage the Ministry to integrate the development of the export strategy into the National Development Plan
- iv) To identify commercial opportunity
- v) To provide in-market support for business
- vi) To promote investment and national image (branding)
- vii) To develop new competitive
- viii) To create new competencies
- ix) To increase awareness and understanding of International Trade issues.
- x) To address bottlenecks in the trade-related infrastructure (transport and handling problems, documentation and administrative)
- xi) To make the export strategy an integral part of the National Export Development Plan.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON EXPORT DEVELOPMENT AND INVESTMENT PROMOTION

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Foreign Affairs and International Cooperation
- ✓ Ministry of Finance and Development Planning
- ✓ Ministry of Works and Transport
- ✓ BOCCIM
- ✓ BEMA
- ✓ BOBS
- ✓ UB
- ✓ BEDIA
- ✓ BIDPA

II.4. TECHNICAL COMMITTEE ON TRADE IN SERVICES

This Technical Committee is chaired by the Ministry of Environment, Wildlife and Tourism and the Department of International Trade serves as the Secretariat. Its terms of reference is :

- i) To support the development of an umbrella services development policy
- ii) To support the implementation bilateral, regional and multilateral agreements that cover trade in services;
- iii) To coordinate the national positions for national, regional and multilateral fora on specific areas;
- iv) To promote the effective implementation and enforcement of the regulations for services trade;
- v) To promote and encourage comprehensive analysis of national trade issues and the probable impact of the same on the economy;
- vi) To facilitate the formulation and implementation of national policies and strategies for realizing regional integration and global integration;
- vii) To contribute to periodical inputs for Parliamentary briefing;
- viii) To make inputs as appropriate in the harmonization of national, regional and international standards and conformity assessments;
- ix) To support national efforts on trade and investment promotion;
- x) To contribute in the promotion of the development of selected services sectors;
- xi) To work closely with other committees on cross-cutting issues to avoid duplication.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON TRADE IN SERVICES

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Communications Science and technology
- ✓ Ministry of Finance and Development Planning
- ✓ Ministry of Transport and Communications
- ✓ Ministry of Labour and Home Affairs
- ✓ BOCCIM
- ✓ BEDIA
- ✓ BEMA
- ✓ BIDPA
- ✓ UB
- ✓ IFSC
- ✓ Bank of Botswana (BOB)

II.5. TECHNICAL COMMITTEE ON AGRICULTURE

This Technical Committee is chaired by the Ministry of Agriculture that also serves as the Secretariat. Its terms of reference is :

- i) To support the implementation bilateral, regional and multilateral agreements;
- ii) To coordinate the national positions for national, regional and multilateral fora;
- iii) To promote the effective implementation and enforcement of specific rules for agricultural embodied in the trade agreements;
- iv) To promote and encourage comprehensively analyze national agricultural trade issues and the probable impact of the same on the economy;
- v) To facilitate the formulation and implementation of national policies and strategies for realizing regional integration and global integration;
- vi) To contribute to periodical inputs for Parliamentary briefing;
- vii) To make inputs as appropriate in the harmonization of national regional and international SPS standards;
- viii) To support national efforts on trade and investment promotion.
- ix) To support national efforts in the promotion of industrial development, particularly SMEs;
- x) To contribute in the promotion of the development of selected industrial sectors;
- xi) To contribute to the promotion and harmonization of economic policies with gender development strategies and programmes and;
- xii) To work closely with other committees on cross-cutting issues to avoid duplication.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON AGRICULTURE

- ✓ Ministry of Agriculture
- ✓ Ministry of Trade and Industry
- ✓ Ministry of Foreign Affairs and International Cooperation
- ✓ Ministry of Finance and Development Planning
- ✓ Ministry of Transport and Communications
- ✓ Ministry of Health
- ✓ Attorney General's Chambers
- ✓ BEDIA
- ✓ BOCCIM
- ✓ CEDA
- ✓ BEMA
- ✓ BIDPA
- ✓ UB
- ✓ BOBS
- ✓ Botswana Agricultural Union (BAU)

II.6. TECHNICAL COMMITTEE ON TRADE CAPACITY BUILDING

This Technical Committee is chaired by the Department of International Trade that also serves as Secretariat. Its terms of reference is:

- i. Coordinating the timely implementation and effective trade capacity building interventions.
- ii. Assessing and determining the relevance and effectiveness of existing trade capacity building programmes.
- iii. Ensuring that there is no duplication of trade capacity building programmes provided by cooperating partners.
- iv. Channeling resources provided by the different technical assistance programmes to trade capacity building needs of Botswana.
- v. Facilitate the development of a national trade capacity building strategy for Botswana.
- vi. Reviewing the training programmes for trade capacity building.
- vii. Undertake bench marking exercises to familiarize itself with how other similar committees on the outside world operates

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON CAPACITY BUILDING

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Agriculture
- ✓ Ministry of Minerals Energy and Water Resources (MMEWR)
- ✓ Ministry of Transport and Communications
- ✓ Botswana Confederation of Commerce Industry and Manpower (BOCCIM)
- ✓ Botswana Council of Non – Governmental Organizations (BOCONGO)
- ✓ Botswana Export Development and Investment Authority (BEDIA)
- ✓ Botswana Exporters and Manufacturers Association (BEMA)
- ✓ Botswana Institute for Development Policy Analysis (BIDPA)
- ✓ University of Botswana (UB)
- ✓ Botswana Unified Revenue Service (BURS)
- ✓ Botswana Bureau of Standards (BOBs)
- ✓ Local Enterprise Authority (LEA)
- ✓ Attorney Generals Chambers (AGs)
- ✓ Botswana Federation of Trade Union (BFTU)
- ✓ Chairpersons and Secretaries of other Technical Committees.

II.7. TECHNICAL COMMITTEE ON INTELLECTUAL PROPERTY RIGHTS

This technical Committee is chaired by the office of the Register of Companies and Intellectual Property that also serves as its Secretariat. Its terms of reference is :

- i) Prepare Botswana's position on the area of Intellectual Property Rights for bilateral, regional and multilateral negotiations.
- ii) Promote implementation of IPR issues in bilateral, regional and multilateral agreements.
- iii) Develop a strategy for enforcement of Intellectual property rights legislation in Botswana including measures to curb importation of counterfeit products.

-
- iv) Promote understanding of intellectual property to enable Botswana to derive maximum benefits from them.
 - v) Review the Industrial Property Act to enable Botswana to benefit from the WTO solution for developing countries with respect to importation of generic anti-retroviral drugs and compulsory licensing.
 - vi) Analyse the impact of enforcement IPR regulations on the economy of Botswana.
 - vii) Promote the rights of inventors and performers through registration and protection of their inventions.
 - viii) Prepare briefs on IPR issues for National Committee on Trade as well the Parliamentary Committee Affairs, Trade and Security.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON INTELLECTUAL PROPERTY RIGHTS

- ✓ Registrar of Companies and Intellectual Property
- ✓ Department of International Trade
- ✓ Ministry of Agriculture
- ✓ Department of Culture and Youth
- ✓ Attorney Generals Chambers
- ✓ Department of Customs and Excise
- ✓ Botswana Police Service
- ✓ Music Industry
- ✓ University of Botswana
- ✓ Law Society of Botswana
- ✓ Botswana Technology Centre
- ✓ Ministry of Health
- ✓ Ministry of Environment and Wildlife
- ✓ Botswana Confederation of Commerce, Industry and Manpower (BOCCIM)
- ✓ Botswana Council of Non-Governmental Organisations (BOCONGO)
- ✓ Botswana Community Based Organization Network (BOCOBNET)
- ✓ Botswana Bureau of Standards (BOBS)
- ✓ Indigenous Knowledge Society
- ✓ Traditional Healers Association
- ✓ Botswana Telecommunications Authority
- ✓ Botswana Institute for Development Policy Analysis (BIDPA)
- ✓ Department of International Trade (DIA)
- ✓ Department of Trade and Consumer Affairs (DTCA)
- ✓ Botswana Exporters and Manufacturers Association (BEMA)

II.8. TECHNICAL COMMITTEE ON TRADE AND ENVIRONMENT

This Technical Committee is chaired by the Ministry of Environment, Wildlife and Tourism that also serves as the Secretariat. Its terms of reference is:

- i) To prepare national position for trade and environment negotiations.
- ii) To evaluate the implications environmental issues in international trade agreements.

-
- iii) To bring together the public sector and private sector.
 - iv) To encourage the Ministry to integrate trade and environment issues into the National Development Plan.
 - v) To increase awareness and understanding of trade and environment issues.
 - vi) To harmonise Botswana's position in various international forums where environmental issues are discussed.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON TRADE AND ENVIRONMENT

- ✓ Ministry of Environment, Wildlife and Tourism
- ✓ Ministry of Trade and Industry
- ✓ Ministry of Agriculture
- ✓ Ministry of Foreign Affairs and International Cooperation
- ✓ Ministry of Works and Transport
- ✓ BOCCIM
- ✓ BEMA
- ✓ Kalahari Conservation Society
- ✓ BOCONGO

II.9 TECHNICAL COMMITTEE ON COMPETITION POLICY

This Technical Committee is chaired by the Department of Trade and Consumer Affairs that also serves as the Secretariat. Its terms of reference is :

- i) Prepare national position for negotiations on Competition Policy.
- ii) Support the national efforts in the implementation of the Competition Policy.
- iii) To encourage a fair and competitive environment in the economy.
- iv) To input into the development and implementation of the Draft SACU Annex on Unfair Trade Practice.
- v) Contribution to the promotion and functioning of efficient competitive environment for the industries.
- vi) To work closely with other committees on cross-cutting issues to avoid duplication.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON COMPETITION POLICY

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Foreign Affairs and International
- ✓ Ministry of Finance and Development Planning
- ✓ Ministry of Works and Transport
- ✓ Ministry of Labour and Home Affairs
- ✓ BTA

-
- ✓ BOCCIM
 - ✓ BEMA
 - ✓ PEEPA

II.10. TECHNICAL COMMITTEE ON GOVERNMENT PROCUREMENT

This Technical Committee is chaired by the Ministry of Finance and Development Planning that also serves as the Secretariat. Its terms of reference is :

- i) To support the development of an umbrella services development policy.
- ii) To support the implementation bilateral, regional and multilateral agreements that cover trade in services.
- iii) To coordinate the national positions for national, regional and multilateral for on specific areas.
- iv) To promote the effective implementation and enforcement of the regulations for services trade.
- v) To promote and encourage comprehensively analyze national trade issues and the probable impact of the same on the economy.
- vi) To facilitate the formulation and implementation of national policies and strategies for realizing regional integration and global integration.
- vii) To contribute to periodical inputs for Parliamentary briefing.
- viii) To make inputs as appropriate in the harmonization of national, regional and international standards and conformity assessments.
- ix) To support national efforts on trade and investment promotion.
- x) To support national efforts in the promotion of industrial development, particularly SMEs.
- xi) To contribute in the promotion of the development of selected services sectors.
- xii) To work closely with other committees on cross-cutting issues to avoid duplication.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON GOVERNMENT PROCUREMENT

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Communications Science and Technology
- ✓ Ministry of Foreign Affairs and International Cooperation
- ✓ Ministry of Finance and Development Planning
- ✓ Ministry of Works and Transport
- ✓ Ministry of Labour and Home Affairs
- ✓ BOCCIM
- ✓ BEDIA
- ✓ BEMA
- ✓ BIDPA
- ✓ UB
- ✓ IFSC

- ✓ Bank of Botswana (BOB)
- ✓ NBFIRA

II.11. TECHNICAL COMMITTEE ON LABOUR STANDARDS

This Technical Committee is chaired by the Ministry of Labour and Home Affairs.

- i) Elaborate the national position on Trade and Labour Standards.
- ii) Brief the National Committee on Trade Policy and Negotiations on the status of ratification and implementation ILO's labour Standards in Botswana.
- iii) Elaborate how compliance with ILO's Labour Standards in trade agreements advice the NCTPN accordingly
- iv) Harmonise Botswana's position at the ILO with that in trade negotiations.

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON LABOUR STANDARDS

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Foreign Affairs and International Cooperation
- ✓ BOCCIM
- ✓ BEMA
- ✓ Ministry of Labour and Home Affairs (chair)
- ✓ Botswana Federation of Trade Unions
- ✓ BOCONGO
- ✓ AG's Chambers

II.12. TECHNICAL COMMITTEE ON TRADE FACILITATION

This Technical Committee is chaired by Ministry of Trade and Industry and Botswana Unified Revenue Service. Its Terms of Reference is:

- i. To provide a forum for stakeholder consultation on trade facilitation related policies and implementation;
- ii. To provide reports to the National Committee on Trade Policy and Negotiations;
- iii. To provide technical support to the negotiator in Geneva for the on-going WTO negotiations (and other negotiations) on trade facilitation, as well as support the regional trade facilitation agenda;
- iv. To initiate analysis and coordination of research;
- v. To make recommendations on strategic trade facilitation goals and operational solutions;
- vi. To strengthen policy coherence between national development priorities and international obligations, and between trade facilitation reform initiatives and technical assistance projects;

- vii. To organise and participate in visits to borders and other trade facilitation points;

MEMBERSHIP OF THE TECHNICAL COMMITTEE ON TRADE FACILITATION

- ✓ Ministry of Trade and Industry
- ✓ Ministry of Finance and Development Planning
- ✓ Attorney General's Chambers
- ✓ Ministry of Transport and Communication
- ✓ Ministry of Agriculture
- ✓ Ministry of Health
- ✓ Ministry of Labour and Home Affairs
- ✓ Central Statistics Office
- ✓ Botswana Unified Revenue Service (BURS)
- ✓ Botswana Bureau of Standards (BOBS)
- ✓ Botswana Institute for Development and Policy Analysis (BIDPA)
- ✓ Botswana Confederation of Commerce , Industry and Manpower (BOCCIM)
- ✓ Botswana Exporters and Manufactures Association (BEMA)
- ✓ Botswana Export Development and Investment Authority (BEDIA)
- ✓ Freight Forwarders Association of Botswana
- ✓ Botswana Road Transport Society
- ✓ Botswana Export and Credit Insurance and Guarantee Company (BECIGC)
- ✓ Bankers Association of Botswana
- ✓ Local Enterprise Authority (LEA)
- ✓ Citizen Entrepreneurial Development Agency (CEDA)
- ✓ University of Botswana (UB)
- ✓ Botswana Law Society
- ✓ Botswana Telecommunications Authority (BTA)

Annex III: Persons Consulted

Last Name	First Name	Organisation	Designation	E-mail
Bresser	Mathias	GIZ	Advisor	mathias.bresser@giz.de
Chaudhuri	Amitava	Ministry of Trade and Industry	World Bank Adviser	amitavachaudhuri@yahoo.com ; achaudhuri@gov.bw
Dintle	Keatlaretse	Ministry of Trade and Industry	Principal Trade Officer	kedintle@gov.bw
Focker	Kirsten	GIZ	Advisor	kirsten.focker@giz.de
Garebamono	Keleemetse	Ministry of Agriculture Department of Agribusiness Promotion	Chief Agricultural Economist	kgarebamono@gov.bw ; k_garebamono@yahoo.com
Ketshabetswe	Calvin	BITC	Manager, Export Promotion	calvinket@yahoo.com
Kgomotso	Dothodzo	Department of International Trade, Ministry of Trade and Industry	Chief Trade Officer	dkgomotso@gov.bw
Kgotlele	Lesedi	DCS, EDD, Ministry of Trade and Industry	Deputy Director EDD	lkgotlele@gov.bw
Kolagano	Alice	BURS	-	akolagano@burs.org.bw
Machacha	M	Attorney General Chambers	State Counsel	mgmachacha@gov.bw
Makgoeng	Tshepho	Ministry of Labour	Principal Administrator	tsmakgoeng@gov.bw
Malefho	K.	CEDA	Attache	keamalefho@yahoo.com
Martin	Mpho	MTI, Department of Industrial Affairs	Senior Industrial Officer	mqmartin@gpv.bw
Masilo	B.S.	Ministry of Agriculture Department of Agribusiness Promotion	Director	bmasilo@gov.bw
Lekaukau	Kelebogile	Ministry of Trade and Industry, Department of International Trade	Chief trade Officer	klekaukau@gov.bw
Mmolawa	Pako	Ministry of Finance and Development Planning (MFDP)	Finance Administrator	pmmlawa@gov.bw
Moalusi	Timothy	Registrar of Companies and Intellectual Property	Acting Deputy Director	tmoalusi@gov.bw
Modiro-Marata	M.	Attorney General Chambers	State Counsel	mmodiro-marata@gov.bw
Mogotsi	Kesego	Ministry of Trade and Industry – Department of International Trade	Principal Trade Officer	kemogotsi@gov.bw
Mokgethe	M	LEA	Product Support Manager	mmokgethe@lea.co.bw
Moleele	Norman	BOCCIM, PSDP	BOCCIM seconded staff to PSDP	nmoleele@boccim.co.bw ; nmoleele@hotmail.com
Molobe	Dichaba	BOCCIM House	Director - Policy Advocacy	dsmolobe@boccim.co.bw
Monare	Pauline	Ministry of Trade and Industry, EDD	Director	pumorane@gov.bw

Last Name	First Name	Organisation	Designation	E-mail
Moncho	Shirley	Ministry of Trade and Industry; Department of International Trade	Director	smoncho@gov.bw
Mongale	M.	CEDA	Research Officer	mmongale@ceda.co.bw
Moremong	L.	Ministry of Trade and Industry	Policy Analyst	lmoremong@gov.bw
Moronga	I.	Ministry of Agriculture; Department of Agribusiness Promotion	Agric Economist	imoronga@gov.bw
Mosinyi	Opelo	Ministry of Trade and Industry/Department of International Trade	Trade Officer	okanyama@gov.bw
Motshwane	Ogaufi Phemo	Ministry of Trade and Industry/ Department of International Trade	Trade Officer	omotshwane@gov.bw
N'Guessan	Roger	PSDP, CDE	PSDP Coordinator	roger.nguessan@cde.int
Ndubiwa	Bonyana	Competition Authority	Policy coordinator	bonyana.ndubiwa@competitionauthority.co.bw
Ntongana	Martin	Ministry of Trade and Industry	Senior Trade Officer	mnotongana@gov.bw
Olweny	Seipati	Ministry of Trade and Industry/Department of Trade and Consumer Affairs	Deputy Director	solweny@gov.bw
Phiri	Gideon M	Botswana Exporters & Manufacturers Association	Interim Executive Director/Adviser	bema@exporters.bw
Regoeng	Kago M.	Ministry of Labour and Home Affairs	Principal Administrator	kmregoeng@gov.bw
Seitshiro	G	MTI, Department of Industrial Affairs	Principal Industrial officer	gtseitshiro@gov.bw
Sekakela	K.	BIDPA	Associate Researcher	ksekakela@bidpa.bw
Sithole	Boipelo	DIT/Ministry of Trade and Industry	Trade Officer	bsithole@gov.bw
Tsholofelo	Mpaphi	Ministry of Trade and Industry	Commercial Officer	mptsholofelo@gov.bw
Zibo	Albert	Ministry of Trade and Industry/Department of Consumer Affairs	Commercial Officer	zalbert@gov.bw