



Empowerment matters

The process of surfacing the perspectives of women
cross border traders in Southern Africa

The **Africa Regional Empowerment and Accountability Programme** is a four-year project funded by the Department for International Development (DFID). It aims to improve access to high quality relevant data, evidence and analysis for African citizens, non-state actors and policy makers. It also supports the development of coalitions of citizens to use this information, voice their concerns and interests, and influence decisions of the state.

Three implementing partners (IPs) deliver AREAP:

- Afrobarometer (AB) conducts citizen perception surveys across 35 countries in Africa
- The Southern Africa Trust (the Trust) undertakes policy advocacy, capacity building and disbursement of grants provided for pro-poor regional integration
- The State of the Union Coalition (SOTU) focuses on engagement in policy development and monitoring state compliance

AREAP's Learning Information and Communication Hub (the Learning Hub) is guided by Triple Line Consulting. The Learning Hub was established in December 2014 to identify lessons and capitalise on synergies and joint working between the partners. The Learning Hub facilitates the partners to share experiences and reflect on the practices, processes and outcomes of AREAP's empowerment and accountability work.

The case study, Empowerment Matters, is the work of Sharon Parku, Boniface Dulani and Carolyn Logan (Afrobarometer); Bhekinkosi Moyo, Christabel Phiri, and Lusungu Kanchenche (The Southern African Trust); and Nicholas Ngigi, Osai Ojigho and Andrew Osiany (The State of the Union Coalition) with support from Janah Ncube and Tigere Chagutah. Mary Straker produced the case study with additional inputs from Juliette Seibold and Helen Appleton.



Front cover photo: *Southern Africa Trust, 2015*

Abstract

This case study, Empowerment Matters is the story of empowering informal cross border traders in the southern Africa region, particularly women traders, who are in the majority (70%) and who operate in a sector which accounts for 30–40% of the intra-SADC trade.¹ It is not an account of women's cross border trading per se but rather an examination of the role taken by AREAP partners and others to ensure women's voices are heard and acted on in policymaking processes. It identifies how, at different stages over a number of years, the Southern African Trust has supported cross border traders to form associations, use research and develop skills to negotiate with regional and national policymakers in their own right, and so address the challenges they face. This role of hosting and convening citizen debate is shown to be an important element of empowerment and accountability work.

As the story unfolds it is clear that the issue requiring sound facilitation from the Trust and other civil society partners is gender inequality; this includes the specific problems faced by women and the battle to have their concerns taken seriously by men, fellow association members and decision-makers. A programme of institutional reform at the regional and continental levels has produced a broad framework for policymakers to address gender

equality in relation to trade, which provides the rationale for mainstreaming gender equality into trade policy. Despite early research data highlighting the importance of the gender dimensions of cross border trading, women traders waited five to six years before securing their own Forum to express their concerns and negotiate improvements at border crossings.

Important lessons from this case study include:

- i. The time it takes to raise awareness on gender and rights issues;
- ii. The need to include mechanisms for learning on processes and challenges as an integral part of empowerment and accountability programmes in Africa;
- iii. Taking time to conduct and compile historic reviews is important for understanding how a change agenda unfolds;
- iv. Embedded learning hubs that periodically bring implementers together can usefully facilitate this process; and
- v. The drive towards targets and results cannot be predicted with any accuracy and may not be achievable within a standard project time frame.

Focusing on targets has the potential to sideline processes of reflection and learning which are integral to programme strategy development and donor investment choices.

Introduction

- 1 The Southern African Cross Border Traders Association was formed by the traders who participated in a series of workshops in 2008 that were facilitated by the Trust and one of its partners. Even though over 70% of the Association membership was female, men held most of the decision-making roles. It took until 2013 for the women traders to find the confidence and space to air their concerns and shed light on how their experiences as cross border traders were specific to their gender and yet consistently unrecognised. Five to six years may be indicative of the time required to raise awareness and change mindsets to the point that gender and rights issues can be tabled as agenda items. However, even when such incremental achievements are made, gender issues can still be lost within broader change agendas and only surfaced later by an event or an individual and/or group action.
- 2 Over time, the various civil society initiatives led by AREAP partners and examined in this case study (research, capacity development, convening and hosting citizen debate) have accumulated and intertwined to complement each other and precipitate action and impact. The actors involved may have taken a look back and realised the sum total of what had been happening, heard the women traders' concerns and/or accessed resources to plan further action. Many of the actions taken by civil society organisations to promote empowerment and accountability rely on the availability of both funds and skilled personnel to take initiatives forward at the right time. Such actions are not easy to plan, as the CSOs have to "go with the flow" and then be prepared to intervene when the time is right.



Women cross border traders

- 3 Cross border trading is often one of the few employment options available to women, especially those with limited or no education who have families to support. Small trade requires little working capital and infrastructure. For many women it may be the only source of household income and it takes them away from their homes and families for extended periods of time. While most cross border traders are women, transporters, freight forwarders, money changers, border control staff and various agents are men.² Women traders say they regularly experience abuse, violence, and sexual harassment. They say the limited security at border posts exposes them to sexual violence including rape. Women also suffer from poor or non-existent sanitary and hygiene facilities, which makes waiting at borders degrading and humiliating. Women traders are also more likely to have limited numeracy and literacy skills compared to men, and as a result find navigating trade regulations and procedures more difficult. In most cases they have no choice but to resort to bribing customs officials. They face additional challenges in accessing markets and credit. Male cross border traders do not experience their daily working lives in the same way and although they might experience certain challenges they do not face gender-based discrimination.
- 4 In the Southern African Cross Border Traders Association, women members were in the majority from the outset. However, indicative of gender relations where male experience is more highly valued, women traders did not feel able to discuss these issues openly at meetings with their male colleagues for many years.

Gathering the evidence through first-hand experience

- 5 Central to the Trust's support to these traders is the belief that the men and women who are affected are best placed to explain their situation to policymakers. The workshops that the Trust facilitated in 2008 for the traders, in conjunction with the Economic Justice Network, were in line with this principle.
- 6 The objective of the workshops was to gather first-hand research through listening to the traders who attended and to provide them with an opportunity to discuss the challenges they faced on a daily basis. Although the initial workshop was attended by only fifteen men and eight women, due to the resources available, their critical insights marked the start of a change process that empowered them to campaign for a greater say in policymaking. The traders' collective experience was recorded and a shared understanding of their challenges agreed, although this did not yet include the specific problems faced by women. The Trust and the Economic Justice Network used their experience to ensure that the challenges traders faced were framed in ways that policymakers could understand.
- 7 The outcomes of the workshops were strategies and action plans to empower the traders and address cross border trading issues, as well as the formation of the Southern Africa Cross Border Trade Association,⁴ which created a regional platform providing more policy visibility than the loosely connected national associations of cross border traders. Membership figures for SACBTA up to 2013 are not available; however, by 2014 52,574 traders were registered and 70% were women. Building and sustaining a membership of over 50,000 in six years is significant and the high numbers suggest a political constituency that will endure.

Research and its role in advocacy and policy development

The Southern Africa Trust: poverty dimensions of cross border trading

- 8 The Trust commissioned a regional research study in 2008 to assess the links between informal cross border trade and poverty reduction at national and regional levels. Their report on informal cross border trade⁵ provided valuable information about why people work in this way. It also helped traders assess the implications of national and regional policy frameworks, including the SADC Free Trade Area Protocol, on their work. Research on women cross border traders was commissioned by the Trust at a later stage, in 2013. The research paper⁶ presented women's experiences and the challenges they face, with particular reference to the Protocol on the SADC Free Trade Area. Both studies contributed to position statements agreed at a regional stakeholder dialogue that involved both men and women traders in Maputo in April 2013.⁷

UN Women: Early evidence on gender and cross border trading

- 9 Prior to the Trust's research in 2013, UN Women made the first strategic intervention to expose the importance of gender in cross border trading by commissioning a research study in 2008 that questioned women and men from Swaziland and Zimbabwe who trade with the neighbouring countries of Botswana, Mozambique and South Africa.⁸ Their purpose was to generate quantitative and qualitative baseline data and to understand gender differences that leave women exposed and vulnerable. Subsequently, UN Women partnered with SADC to ensure informal traders' interests were included in economic and trade policies at national and regional level and to ensure women traders participated in the SADC Civil Society Forum. This study highlighted the need for the SADC member states to recognise the gender dimensions of informal cross border trade in the alleviation of poverty and pursuit of rights and equality. It also paved the way for further research and gender analysis. The study was not directly linked to the Trust's work and, as noted, it took until 2013 for women traders and their needs to be recognised in their own right.



Afrobarometer,
2015

The Trust's capacity strengthening role in ensuring a voice for informal cross border traders

- 10 In 2011 the Trust recognised that informal cross border trader (ICBT) associations required further support and so a regional and national programme was designed for men and women. Key objectives were to expand the traders' evidence base and increase their knowledge and capabilities in negotiation, including how to use the terms and language policymakers would understand. As a result, with new knowledge and skills, cross border traders were empowered to lobby for improvements at border crossings as well as accountability from their governments and SADC. At the same time, the Trust capitalised on its close working relationship with the SADC Secretariat to facilitate meetings between the regional Association and the Secretariat so they could articulate their needs and negotiate directly with policymakers.

Institutional reform: advocacy for gender protocols in SADC and the AU

- 11 Both the Trust and SOTU have played an important role in placing gender equality on the poverty agenda at continental and regional levels with relevance to economic and trade issues. This in turn has facilitated the empowerment of women cross border traders.

The Southern Africa Trust

- 12 Between 2007 and 2008 the Trust contributed to a campaign that resulted in the SADC Declaration on Gender and Development being elevated to a SADC Protocol. The Protocol provides a broad policy framework for ensuring all future SADC undertakings, including those on trade, are subject to a gender analysis and take into account measures to address gender inequality. Gender Links, a Southern African NGO, spearheaded the advocacy campaign

with a grant from the Trust and worked through networks, NGOS and umbrella groups.⁹ A key challenge for all involved was dealing with a system dominated by men and insensitive to gender issues. The Trust made a timely intervention with the SADC policymakers by reaching agreement about the need for a regional poverty lens. They then presented research, including data concerning women cross border traders, to persuade policymakers that gender analysis is integral to an understanding of poverty and that both require complementary analytical approaches.

- 13 Thirteen out of fifteen countries have now signed the SADC Gender Protocol, with Botswana and Mauritius yet to sign but poised to do so in 2016. The guidelines and principles for engendering SADC policies were available from 2011. Six SADC countries¹⁰ have costed gender action, with Malawi and Mozambique scheduled to complete their plans shortly. The Gender Protocol has provided the much-needed leverage to persuade national policymakers to recognise the importance of integrating gender alongside poverty issues into policy development. The Gender Protocol is an important entry point for using evidence to initiate discussions on mainstreaming gender issues into trade, including informal cross border trade.

Holding the AU and member states accountable for gender protocol

- 14 SOTU has played a similar role in promoting a broad continental framework on gender equality within the AU. The SOTU coalition, led by Oxfam, tracks the signing, ratification and implementation of AU charters including the Maputo Protocol concerning the rights of women in Africa. SOTU focuses on ten countries and produces compliance reports with its members. In March 2013 the Pan African Parliament (PAP) asked SOTU to help mobilise and secure the participation of African civil society organisations in their decision-making processes. Among a host of African civil society organisation formations SOTU supported African women coalitions to engage with policymakers in Midrand, South Africa, during the 10th anniversary celebration of the PAP. Many of the women voiced disappointment

with the slow uptake of the Maputo Protocol and urged immediate action. They pointed out that since the Protocol's inauguration, eleven years previously, the protocol had been ratified by thirty-six countries, signed but not ratified by fifteen countries and neither signed nor ratified

It is estimated that the majority of women traders are small-scale traders who depend on the modest profits generated from their trade. Women informal cross border traders sustain their family livelihoods and contribute to their country's economy ... The illegality of trade prevents women traders from securing recognition from formal government structures as important traders, which leaves their contribution unrecorded and therefore not recognised or documented. Women informal traders are incited to escape trade-related regulations and duties when important price disparities arise between formally and informally traded goods in the importing country due to high levels of import and export duties on selected commodities.

Allissa Ghills, How to help women cross-border traders in Africa?

by three countries. No new ratifications have been issued since 2012. The women also noted slow progress in ensuring national compliance to the Protocol and that not one member state in the AU had complied with its requirements.

- 15 While broad policy frameworks are critical for progress in the long term, short-term efforts to secure the ratification and implementation of gender policies at the regional and continental levels may have diverted attention and energy away from active gender discrimination, as with cross border trading where it took five to six years for women's voices to be heard and acted on.

The combined role of research and lobbying in promoting the rights of informal cross border traders

- 16 In 2011 SADC published an advocacy strategy to support policy, legislative and business environments for informal cross border traders.¹¹ Women cross border traders participated in its development and the strategy has clear demands on women traders' needs from a supporting environment. This positive outcome stems from the collective impact of the research data and the lobbying and negotiating undertaken by the Trust and SOTU, Southern Africa Cross Border Trade Association and UN Women. It was therefore 2011 when cross border traders first began to negotiate with policymakers at SADC to promote their cause.

Convening a platform for women traders

- 17 Despite progress on cross border trade issues and the gender-specific research undertaken by UN Women and the Trust, women traders remained very concerned that their voices were not being heard and that policymakers were not taking their specific issues seriously enough.¹² Throughout the initial public meetings between traders and policymakers, women association members had been uncomfortable talking about some issues, such as security, exposure to violence and sexual violence, harassment and

poor hygiene facilities at borders. However, their confidence grew when they saw policymakers were listening and they pushed for a 'women only' meeting. Male colleagues in the Southern Africa Cross Border Trade Association concurred and gave the women the Association's support. This highlights how women's issues are taken seriously when men support them and the time it takes for awareness to translate into affirmative action.

- 18 The first Regional Women's ICBT Forum was convened in July 2013 in South Africa. It focused on mainstreaming gender into the SADC Regional Trade Policy and the Tripartite Free Trade Area (TFTA).¹³ The second Informal Women Cross Border Traders Forum took place in July 2014 in Zambia. Both meetings were held under the ambit of the Southern Africa Cross Border Trade Association, with support from the Trust. The women ICBTs produced a communiqué¹⁴ from the first meeting that was presented to the Ministry of Gender in Malawi, the incoming chair of SADC, who shared it with the President. President Joyce Banda of Malawi then invited a woman trader representative to the Malawi Summit Banquet, thus recognising women traders in their own right. In her speech, the President noted the specific issues women traders face. Since then consistent dialogue has taken place between the Malawi Ministry of Gender and the Malawi cross border traders association, which now provides a sustainable platform for exchanging views at the national level.
- 19 The Second Women ICBT Forum was convened in 2014. It included representatives from Common Market for Eastern and Southern Africa (COMESA), SADC and the Ministries of Trade in national governments. Discussions between participants concerned the Simplified Trade Regime,¹⁵ Tripartite Free Trade Area and the SADC ICBT Advocacy Strategy. The importance of mainstreaming gender in regional trade policy was also discussed. During the meeting the representatives from the COMESA showed great interest in whether the broad changes would make a difference to women. This exchange provided COMESA representatives with direct feedback from women traders. The women traders gained direct access not only to COMESA representatives but also contacts in the national ministries. A Communiqué outlining key policy proposals to SADC and COMESA on the issues discussed was issued after the meeting.¹⁶ The Trust helped the women draw up and disseminate their communiqués in the style understood by policymakers. The ICBT Women's Forum was established in 2013 by Southern Africa Cross Border Trade Association, with support from the Trust. The Trust supported the first two meetings of the Forum. The Third ICBT Women's Forum will be convened in 2016, as the much-needed resources were not available in 2015. However, the Trust intends to fund one or two smaller national women's forums as soon as funds are available.
- 20 The establishment of the ICBT Women's Forum should not be underestimated. It provides a platform for women to discuss, network, coordinate and collaborate. Through the Forum, the women traders identify their issues and challenges and prepare for new opportunities in the future; for example, when the Tripartite Free Trade Area is established. The capacity development support and the facilitation by the Trust has enabled the women to interact independently with government officials and explore with them how governments can further assist. Regular discussions between national ministries and cross border trade associations now routinely assess whether improvements at the border posts are completed and maintained. This is an important result.
- 21 It is significant that despite being the majority membership of Southern Africa Cross Border Trade Association, women traders had to establish their own Forum to debate the issues that concerned them without feeling constrained or embarrassed. Previously cultural mores had limited their confidence and some women felt intimidated in the presence of male traders. The issues women face such as sexual harassment are unique to them and required a dedicated platform to engage with policymakers to prevent them from being undermined or sidelined. The campaign for gender equality still has a long way to go to be fully recognised and championed by men as well as women. The gender dimensions of informal cross border trading across Africa presented in this case study provides an example of how women's voices and the issues that matter to them can disappear and/or be ignored along the way.

Widening the regional policy dialogue

- 22 In 2013 the Trust, in collaboration with SOTU and the Southern Africa Cross Border Trade Association, convened a regional ICBT policy stakeholder dialogue in Mozambique. The support provided by the Trust and SOTU gave them credibility, which assisted with the positioning of the traders during discussions. The meeting provided a platform for national government policymakers to discuss critical issues affecting cross border traders in the SADC and COMESA trade policy regimes with ICBT representatives and CSOs. It also provided the representatives with opportunities to network, coordinate and collaborate. By this stage women felt able to raise the issues of sexual harassment and personal sanitary needs at border posts with male colleagues and policymakers.
- 23 Mozambique was chairing SADC at the time, and it was imperative for the traders to engage with the country's Ministry of Trade. Also present were representatives from COMESA, Ministry of Trade and customs and revenue personnel from South Africa, Zambia, Zimbabwe and Malawi. Overall forty-seven participants attended the meeting, of which twenty-three were women and twenty-four were men. Position statements were agreed and presented to policymakers, including SADC, COMESA and line ministries such as Ministries of Trade and Departments of Custom, with recommendations that the issues were mainstreamed. As noted, the women traders used this platform to ask for a women-only cross border trader platform.
- 24 The final communiqué¹⁷ outlined the cross border traders' concerns and made recommendations to SADC. The ICBTs committed to engage with the Regional Economic Communities to adopt a simplified trade regime for the Tripartite Free Trade Area. Additionally the traders requested an annual permit to improve trade facilitation at the border posts. To date the TFTA has only been implemented within COMESA and the ICBTs, through Southern Africa Cross Border Trade Association, continue to negotiate with SADC member states to adopt the regime.

Maintaining the informal cross border traders' platform to continue negotiations

- 25 In October 2014 the Trust supported the Southern Africa Cross Border Trade Association to convene a meeting at the Musina border between Zimbabwe and South Africa. Issues relating to the Simplified Trade Regime (STR)¹⁸ and the various challenges faced by the traders at the border post were discussed. Representatives included the Ministries of Trade and Industry, Ministries of Small and Medium Enterprise, Department of Immigration, Police and UN Women. In line with the increasing participation of women traders at such events, of the forty-four participants attending the meeting twenty-two were women and twenty were men.
- 26 The meeting raised awareness of the importance of the Simplified Trade Regime to traders in Zimbabwe, who held a subsequent country meeting. The Government of Zimbabwe was also influenced to "buy in" to the Regime, enabling stronger cooperation with the ICBTs. Of the thirty-five participants twenty-three were women and twelve were men. A dialogue about the Regime took place in April 2014 at the Kazungula border with representatives from the Zambian and Botswana governments as well as the cross border traders. Nineteen people participated including seven women and twelve men. A similar dialogue took place with the Government of Swaziland in October 2014, involving fourteen women and six men. Participation enabled both the men and women traders to increase their knowledge and understanding about the existing trade regime, particularly the STR, and its benefits for cross border trading. The changes could have a far-reaching and positive impact on poverty issues across the region.

Achieving success

- 27 The cross border traders (men and women) now engage directly with national government officials about trade-related initiatives through the Southern Africa Cross Border Trade Association. Representatives from the individual member states also participate in these

meetings while members of the Association participate at strategic policy meetings of the Regional Economic Communities. The ICBTs are now able to act independently to convene meetings, dialogues and other policy advocacy interventions about cross border trading, and the women ICBTs engage directly with SADC on their specific issues. Southern Africa Cross Border Trade Association receives additional small grants from other donors in recognition of the organisation's visibility and credibility in the region. These are important results.

28 Evidence suggests that the achievements of the cross border traders would not have happened without the interventions of the Trust at certain stages, starting in 2008. For example, the meetings they arranged for the traders with strategic and/or critical stakeholders would not have been achieved by the traders in their own right particularly in the early stages of the campaign. The Trust continues to monitor progress with Southern Africa Cross Border Trade Association and its relationship with

SADC through funding support from its grants programme. It is exploring the development of a framework for the STR that would enhance the position of the traders, particularly the women traders. The Framework will address some of the challenges facing cross border traders, including the need for better trade facilitation at the border posts, less documentation to clear goods, an allowed amount for duty free import for products in the common lists and a dedicated desk officer at border posts to assist them. Women traders will benefit from these changes and support as they often have lower literacy levels than the men.

Capitalising on new data: Afrobarometer's future contribution

29 Afrobarometer collects and analyses data from citizens in thirty-five countries on a wide range of

State of the Union, 2015



issues, including poverty and economic status. Although the organisation has not previously collected data specifically related to cross border trade, special modules in their Round 5 and 6 questionnaires are relevant. For example:

- i. Round 5 included questions on popular support for women's equality and for women's leadership, the differential treatment of women by government officials, police, employers and traditional leaders, and the effectiveness of government efforts to empower women;
 - ii. Round 6 includes questions on pan-Africanism and regionalism as well as support for freedom of movement across regional borders and perceptions about the "freedom" or lack thereof in cross border movement; and
 - iii. Round 6 also includes questions on occupation, which enables identification of both men and women traders or vendors (although it did not distinguish between those who specifically work in cross border trade).
- 30 Afrobarometer's findings on gender, employment and trade have the potential to provide important evidence that CSOs such as Southern Africa Cross Border Trade Association, as well as media, commentators and decision-makers can draw on in the future.

Managing change

- 31 Change is unpredictable, can be messy and rarely moves in a linear direction. Achievements are hard to attribute to any one factor or individual actor. Changes that have impacted on the lives of the cross border traders, and specifically women, occurred over a time span of five to six years and were triggered by different

events and actions and were sponsored by different organisations: government, civil society and/or multi-national institutions. For example, the trajectory of understanding of the injustices faced at borders, generally and then specifically for women; the ability to frame and articulate these issues; the research undertaken and the findings presented; the meetings convened and the policymakers convinced did not happen in a planned way. Contributing factors included: the personnel and funding available to take the initiatives forward; the level of interest being shown by SADC and by donors in cross border trading, including from a gender perspective at the regional level, and the opportunities to promote cross border trading issues that presented themselves to CSOs like the Trust.

- 32 From this case study it is apparent that organisations like the Trust or SOTU do not always have immediate sight of the entire scope of the change agenda until they look back, review and reflect on what has or has not been achieved. This is not unusual. What is important is that there are learning processes in place to do this, and that events, outputs, dates and outcomes are systematically recorded. In the championing of rights for cross border traders it took time for the gender perspectives to be understood and for women's voices to be heard. Historically gender issues are regarded as lesser priorities until they are championed by voices that are deemed credible (in larger organisations with institutional clout or in the first instance by male traders who supported the Women's Forum). This process, which involves raising awareness and absorption, takes time. Maintaining an awareness of the change agenda over the medium term and continuing to raise critical points when the opportunity arises are important elements of all reform processes.

In the championing of rights for cross border traders it took time for the gender perspectives to be understood and for women's voices to be heard.

Conclusions and lessons learned

A number of conclusions and lessons to be learned by the implementing partners of AREAP emerge from this case study.

- i. Reflection and learning on processes and challenges should be an integral part of any empowerment and accountability programme in Africa. Taking time to conduct and compile historic reviews is important for understanding how a change agenda unfolds. The drive towards targets and results cannot be predicted with any accuracy and may not be achievable within a standard project time frame. It also sidelines processes of reflection and learning which are essential for strategy development and tactics. Indeed, learning is potentially more useful for programme development and donor investment choices than targets and results alone.
- ii. As a result of the process of reflecting on this case study, Afrobarometer, the Trust and SOTU see future synergies and opportunities in working together. This underscores the importance of having mechanisms in place such as the Learning, Impact and Communications Hub to facilitate reflection, dialogue and learning.
- iii. Empowerment and accountability programmes require robust approaches and sound data to measure outcomes and impact over time. The processes and actions required to document these at every stage in a programme should not be taken for granted but rather be seen as a key contribution to monitoring and evaluation. All actions and events within an empowerment and accountability programme should be recorded and reflected upon. Questions should be asked about what is unique in the programme, who is benefiting, what it means for strategy and tactics, what is working, what could be done better, and what skills and strategies have been utilised.
- iv. It is important for CSOs engaged in empowerment and accountability programmes to think strategically, act politically and work closely with key decision-makers in collaboration with others. The change agenda requires time and patient determination. As the process develops it is necessary to think politically in order to know how to target the right person and/or group who could become a champion of the cause. Policymakers are more likely to take note of change agendas if they are supported through the steps by credible and known organisations such as the Trust, SOTU and UN Women because they have clout and influence. Through its sound influence base the Trust was able to directly connect the cross border traders with key SADC officials and create a credible platform for promoting the cross border traders' agenda but they did not act alone. Donors should consider continuing their support to partnerships such as AREAP, widening membership and creating joint learning and monitoring and evaluation opportunities.
- v. It is important to work on campaigns that affect significant numbers of poor people, where a platform of their voices can be created and a compelling story can be told. This process requires evidence of policies and/or actions that will improve personal and collective experiences, quality of life and livelihoods. For example, establishing a sound evidence base on the gender dimensions of cross border trading was an important intervention taken by both the Trust and UN Women in support of the traders, even though the research was undertaken at different stages and was not necessarily connected to the change agenda. In the long term both pieces of research contributed to the way the SADC policymakers listened to and understood the issues at a later stage as well as their understanding of the "asks" made during the campaign to improve the work situation and status of both men and women cross border traders.
- vi. Raising awareness and changing attitudes in relation to gender takes time. This case study shows that there was an indicative six-year time frame from raising awareness to placing issues on the agenda. More time is still required for actual implementation.

Endnotes

¹ Makombe, P., 2011. Informal Cross Border Trade and SADC. Open Society Initiative for Southern Africa.

² Economic Commission for Africa, 2010. Assessing Regional Integration in Africa IV: Enhancing Intra African Trade.

³ Makombe, P., 2011. Informal Cross Border Trade and SADC. Open Society Initiative for Southern Africa.

⁴ In 2014 there were 52,574 registered members of the Southern Africa Cross Border Traders Association, with 70% of the membership being women. Six members sit on the current SACBTA Board. Two are women and four are men. The SABCTA is based in Gaborone, Botswana, and is recognised as a credible trade organisation by SADC and the Common Market for Eastern and Southern Africa (COMESA).

⁵ Southern Africa Trust, 2008. "Optimising Regional Integration in Southern Africa: Assessing informal cross border trade in SADC".

⁶ DPC & Associates, 2013. "Mainstreaming Gender in the SADC Regional Trade Policy and Tripartite Free Trade Area Policy Framework": July 2013.

⁷ Details of the Maputo meetings is referenced later in this case study, under "Holding the African Union and Member States accountable".

⁸ UNIFEM/UN Women, 2008. "Unleashing the Potential of Women Informal Cross Border Traders to Transform Intra Africa Trade".

⁹ Gender Links (GL) was formed in 2001 and headquartered in Johannesburg, South Africa. The NGO promotes gender equality and justice across the fifteen countries of the region and has registered offices in ten SADC countries including the Lusophone and Francophone areas.

¹⁰ The six countries are Namibia, Swaziland, Seychelles, Zambia, Lesotho and the DRC.

¹¹ A three-day regional high-level policy meeting was held in Harare in November 2010 attended by participants from the fourteen SADC Member States. The meeting discussed key issues for informal cross border traders and developed an action plan for ICBTs that contributed to the SADC ICBT Advocacy Strategy 2011.

¹² UNIFEM/UN Women, 2008. "Unleashing the Potential of Women Informal Cross Border Traders to Transform Intra Africa Trade".

¹³ See Annex 1 for information on the Tripartite Free Trade Area (TFTA), Simplified Trade Regime (STR), the Common Market for Eastern and Southern Africa (COMESA) etc.

¹⁴ Position Statement from the Women Cross Border Traders Forum on Mainstreaming Gender in the SADC Regional Trade Policy and the Tripartite Free Trade Area Policy Framework. Johannesburg 11th July 2013.

¹⁵ DPC & Associates, 2013. The Common Simplified Trade Regime for Informal Cross Border Trade in Eastern and Southern Africa, Regional Integration in Southern and Eastern Africa: A review of informal cross border trade – extent, challenges and implications, April 2013.

¹⁶ Communiqué from the Second Women's ICBT Forum. July 2013, Zambia.

¹⁷ <http://satrust.citiblu.com/wp-content/uploads/2014/09/regional-cross-border-stakeholder-dialogue.pdf>

¹⁸ See Annex 1 for information about the Simplified Trade Regime (STR).



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Acronyms

AB	Afrobarometer
AREAP	Africa Regional Empowerment and Accountability Programme
AU	African Union
CBO	Community-based organisation
COMESA	Common Market for Eastern and Southern Africa
CSO	Civil society organisation
DFID	Department for International Development
FBO	Faith-based organisation
ICBT	Informal cross border trader
IP	Implementing partners
NGO	Non-governmental organisation
PAP	Pan African Parliament
SACBTA	Southern Africa Cross Border Trade Association
SADC	Southern African Development Community
SOTU	State of the Union Coalition
STR	Simplified Trade Regime
TFTA	Tripartite Free Trade Area

The AREAP case studies were developed by the AREAP partners and the Learning, Information and Communication Hub established in December 2014. The Learning Hub is facilitated by Triple Line Consulting. It brings AREAP partners together every quarter to share experiences and examine evidence so as to reflect and learn. Case study development involved successive in-depth focus group interviews and reviews of secondary data generated through programme implementation processes.

Annex

Informal Cross Border Traders (ICBTs) in the southern Africa region: SADC, COMESA and the Tripartite Free Trade Area

Background

Informal cross border trade accounts for 30-40% of the intra-SADC trade and overall cross border traders in Africa contribute to 43% of official gross domestic product. It is not an easy way to earn a living and the traders face a number of challenges, particularly at border posts. The low literacy levels of the traders and a lack of awareness about trade regulations and customs procedures add to their challenges.

SADC Policy and ICBTs

The SADC member states recognise the importance of ICBTs for economic growth through its adoption of the SADC Free Trade Area (FTA) Protocol. The Protocol came into force in 2008 and allowed for the promotion and adoption of intra-regional trade. As a result FTA members have phased out tariffs on at least 85 per cent of all goods that meet "Rules of Origin" and are traded in the region. Trading in these duty free goods eliminates cumbersome taxes. ICBTs can now source cheaper raw materials from within the region duty free whilst the cumulative principle enables further processing and duty free exports within the region.

However the FTA Protocol did not integrate the issues related to informal cross border trade or mainstream gender issues. In 2008 UNIFEM conducted a study on ICBT in Southern Africa specifically focusing on ICBTs from Swaziland and Zimbabwe who cross borders to trade in neighbouring countries of Botswana, Mozambique and South Africa. The purpose of the study was to generate quantitative and qualitative baseline data on the situation of women and men engaged in cross border trading and compare the gender differences between their experiences. This study highlighted the need for the SADC member states to recognise this important trade sector from a gender perspective in the alleviation of poverty and pursuit of rights and equality.

Following on from the study UN Women partnered with SADC to ensure the inclusion of informal traders' interests in economic and trade policies at national and regional level and secured the women ICBTs' participation in the SADC Civil Society Forum. As a result of other meetings, deliberations and lobbying SADC published an Advocacy Strategy for ICBTs in 2011, which was developed with the participation of SACBTA (women) members.

The SADC ICBT Advocacy Strategy has a strong gender component and advocates for the establishment of conducive policy, legislative and business environments for informal cross-border traders. A key objective of the Strategy is to create full access to, and control over productive resources such as land, livestock, markets, credit, modern technology, formal employment and good quality of life in order to reduce the levels of poverty, particularly amongst women.

COMESA Policy development and ICBTs

COMESA responded to the lobbying by SACBTA members for fairer treatment by designing a STR to facilitate easier clearance of goods at reduced costs at border posts. The STR covers selected commodities and allows traders quicker transactions through the use of simplified documentation including COMESA Simplified Customs Document (CSCD) and a Simplified Certificate of Origin (SCO). The value of goods should not exceed US\$1000 per transaction, to qualify automatically for duty free entry in the implementing countries. The STR was implemented in three countries, namely Zimbabwe, Zambia and Malawi, in 2011. Despite the duty free regime of the STR ICBTs still have to pay taxes such as VAT, excise duty and presumptive tax. The traders also found the common list of goods adopted by the three countries as limited. The pressure for change came from the cross border traders themselves. Whilst the women traders played their part in lobbying for the changes they were not convinced that their specific issues were clearly articulated and integrated in the STR regime. This concern contributed to an increasing awareness amongst the group that they needed a platform or forum to express their specific issues.

Tripartite Free Trade Area

More recently the SADC, COMESA and EAC have come together to negotiate for a Tripartite Free Trade Area (TFTA). The Tripartite Free Trade Area is the first phase of the implementation of a developmental Regional Integration Strategy that places high priority on infrastructure development, industrialisation and the free movement of business persons. A large single market will be established with the free movement of goods and services and business persons followed by a Customs Union. The SACBTA is proposing that the STR is included in the TFTA negotiations as well as the Free Movement

of Persons Protocol, which is to be ratified by the SADC member states.

As a result of the regional dialogue on the STR Malawi, Zambia and Zimbabwe have reviewed the common list of products to be traded in the COMESA STR and the tax free threshold has been revised from US\$500 to US\$ 1000, and in Zambia more recently to US\$2000. The position statement articulated the need for countries to review the common list of products traded in the simplified trade regime. At the national level cross border traders have been engaging with national governments on the review of the common list. The ICBTs have conducted awareness campaigns about the benefits of STR with national governments attending these meetings, as noted in paragraph 6. The papers provided important data and information about the role of women cross border traders and the importance of the traders generally to African economies, which was now available and accessible to a wide audience.

¹ OSISA: Informal Cross Border Trade and SADC: P Makombe, 2011.

² “Unleashing the Potential of Women Informal Cross Border Traders to Transform Intra Africa Trade”, UNIFEM/UN Women 2008.

³ A three-day regional high-level policy meeting was held in Harare in November 2010 attended by participants from the 14 SADC Member States. The meeting discussed key issues for ICBTs and developed an action plan for ICBTs that contributed to the SADC ICBT Advocacy Strategy 2011.

⁴ COMESA Report: Final Report of the Evaluation of the Simplified Trade Regime, October 2010: The STR covers selected commodities and allows traders quicker transactions through the use of simplified documentation including Simplified Customs Document (CSCD) and a Simplified Certificate of Origin (SCOO). The value of goods should not exceed US\$1000 per transaction, to qualify automatically for duty free entry in the implementing countries.

