

## Country: Eswatini

### Background:

**Type of body:** National Trade Facilitation Committee

**Official name:** Eswatini National Trade Facilitation Committee (NTFC)

**Year of establishment:** Established in 2013 and reconfigured in 2018, approved by Cabinet and gazetted in 2019

**Motivation for its establishment:** The commitment the country made of implementing the WTO Agreement on Trade Facilitation (TFA)

**Other national bodies dealing with WTO issues and/or with Trade Facilitation:** Yes. Ministry of Commerce, Industry and Trade – International Trade Department as the focal agency for the WTO.

**Former multi-agency group/committee:** It was based on previously established Committees, namely: the Swaziland National Steering Committee on Trade Facilitation (SNSCTF) and the National Committee on Trade Facilitation (NCTF)

**Current status of the working group (running, pilot phase, not functioning, etc):** Running

### Institutional Framework:

**Degree of institutionalisation:** Swaziland National Committee on Trade Facilitation - Terms of Reference (Draft) - English.

**Documents:** Comprehensive list of Trade Facilitation Stakeholders to inform membership, Terms of References and Membership, Cabinet Paper Requesting Approval.

**Decision Making Body:** Cabinet of the Kingdom of Eswatini.

**Type of organisation (ad hoc group, legal entity/organisation, etc):** It is set-up as a legal entity, gazetted by Government.

**Coordinating agency:** The National Trade Facilitation Committee has a Secretariat that is recognised as a coordination body hosted by the Ministry of Commerce, Industry and Trade together with the Eswatini Revenue Authority

**Scope/mandate:** Mandated to facilitate both domestic coordination and implementation of the provisions of the WTO Trade Facilitation Agreement in Swaziland through involvement of all cross border trade stakeholders.

**Terms of reference:** Yes

**Working structure of the group:** The NTFC is co-chaired by the Principal Secretary of the Ministry of Commerce, Industry and Trade (MCIT), the Commissioner General of the Eswatini Revenue Authority (SRA) and the Chief Executive Officer of Business Eswatini

**Permanent technical secretariat:** Yes

## **Funding:**

**Budget:** No yet, but consideration underway.

Current support received from the WBG-IFC Trade and Competitiveness Project, and MCIT & SRA.

The WBG-IFC appointed two short-term consultants to form part of the officers for the NTFC Secretariat; technical experts; Technical assistance & Capacity building support. MCIT provides administrative support – communication services. SRA provides furnished office space, stationary, internet access, communication services & printing services.

## **Objectives / Focus:**

- Objectives:** a) Provide government and other stakeholders involved in international trade transactions with a forum for consultative dialogue on Eswatini's trade facilitation objectives, strategies, and reform initiatives, with a priority focus on implementation of commitments under the WTO Trade Facilitation Agreement;
- b) Advise and make recommendations to the government on all trade facilitation matters, including those related to: i. regional and bilateral trade agreements and trade facilitation initiatives; and ii. development of corridors including infrastructure along those corridors i.e. inland port, one stop border posts etc. and non-tariff barriers;
- c) Monitor, support and evaluate the implementation of laws, rules and regulations, international agreements and treaties on Trade Facilitation which the Kingdom of Eswatini is party to;
- d) Oversee strategic and operational planning, budgeting, resource mobilization, funding, progress monitoring and results evaluation of trade facilitation initiatives;
- e) Oversee establishment and mainstreaming of all trade related necessary Technical Working Groups and support their roles and responsibilities in the international fora, including the Sanitary and Phytosanitary (SPS) Committee, the Technical Barriers to Trade (TBT) Committee and the Non-Tariff Barriers (NTB) Committee;
- f) Manage risks and issues affecting the cost and efficiency of Eswatini's trade facilitation and approve remedial measures; and
- g) Participate in international efforts to improve trade facilitation and efficiency.

**Working plan:** Yes – National Trade Facilitation Roadmap 2019 - 2022

**Monitoring and evaluation:** Development of a Monitoring and Evaluation Plan is underway, to be completed by March 2020.

However, currently, the use of: Quarterly progress reports presented to Committee; Day-to-day follow-up and tracking of Committee decisions implementation by the Committee Secretariat;

Dashboard reports adopted as a reporting tool.

**Reporting form and supervisory authority:** The National Trade Facilitation Committee reports to Cabinet through the Cabinet's Sub-committee on Investment. The frequency of reporting is under consideration.

## **Membership / Composition:**

**Public or quasi-public agencies:** Attorney General's Office

Ministry of Agriculture

Ministry of Commerce, Industry and Trade (MCIT)

Ministry of Economic Planning and Development

Ministry of Home Affairs

Ministry of Finance

Ministry of Information Communication & Technology

Ministry of Public Works & Transport

Royal Eswatini Police Services

Eswatini Investment Promotion Authority (EIPA)

Eswatini Revenue Authority

Ministry of Justice

Ministry of Health

Ministry of Natural Resources and Energy

Ministry of Tourism and Environmental Affairs

Eswatini Standards Authority (ESWASA)

Eswatini Railway

Ministry of Commerce, Industry and Trade – International Trade Department

Ministry of Commerce, Industry and Trade – Investor Road Map

Institute of Higher Learning – University of Eswatini

Ministry of Foreign Affairs

**Private associations or entities:** Business Eswatini

Federation of Eswatini Business Community (FESBC)

Eswatini Customs Clearing and Forwarding Agents Association

Coordinating Assembly of Non-Governmental Organisations (CANGO)

Swaziland Road Freight Association

**Level of seniority of participants:** Government Ministries are represented by Principal Secretaries (PSs) while Other Agencies and Private Sector Organisations are represented by Chief Executive Officers (CEOs) or Commissioner Generals, as applicable

## Participation:

**Frequency of meetings:** The NTFC meets quarterly and on ad hoc basis, as and when the circumstances require

**Level of participation:** In line with the ToRs - a quorum formed by 1/3 representation of the NTFC Members (26 members). In meetings held in 2018/19 the participation was as below:

Ad hoc meeting on 18 May 2018 – 20 participants representing 9 members;

Q1 meeting on 15 June 2018 – 19 participants, representing 11 members;

Q2 meeting on 5 September 2018 – 20 participants, representing 14 members;

Q3 meeting held on 12 December 2018 – 21 participants, representing 15 members;

Q4 meeting held on 11 April 2019 – 25 participants, representing 17 members.

Meetings for FY 2019/20, participation was as follows: Q1 held on 18 July 2019 – 25 participants, representing 15 members;

Q3 (including Q2) held on 12 December 2019 – 30 participants, representing 15 members.

**Meetings format:** Currently, the meetings are Ad hoc and Quarterly.

## Gender:

**Percentage of female in the committee:** Currently 5 of 26 members are women (19%).

NB: The Membership is entirely dependent on the incumbent's role as Principal Secretary, CEO or Commissioner General at their respective organizations.

**Chairman / President / Vice-president is female:** The current incumbents for co-chairs are all male.

**Committee did decide on gender mainstreaming TF in the past:** Not yet. However, the attendance registers for all Committee related work have incorporated the gender column.

The National Trade Facilitation Programme aims at non-discriminatory treatment, in support SMEs – which are concentrated with women.

**If no, why not. (Example: It not considered a priority, not considered relevant at this stage, lack of awareness, etc):** Discussions on the subject have been initiated at the NTFC level during the UNCTAD Empowerment Programme Module 2, held in June 2019.

**If no, explain future plan in this area.:** The Secretariat will endeavour to include the gender

mainstreaming in the Agenda for the NTFC for further discussions and policy recommendations.

## **Promotion / Communication:**

**Communication channels to keep stakeholders informed of TF meetings:** The NTFC Secretariat is responsible to keep all stakeholders informed. The following has been adopted and instituted:

- Invitations, reports, minutes, documents and all trade facilitation related information are currently circulated to stakeholders via email and availed to all stakeholders through the [eswatintfcsecretariat@gmail.com](mailto:eswatintfcsecretariat@gmail.com), Google Drive Link:

[https://drive.google.com/drive/u/1/folders/1M7SnGSWVh44Rof-8ZcntvSBzjsXji\\_qP](https://drive.google.com/drive/u/1/folders/1M7SnGSWVh44Rof-8ZcntvSBzjsXji_qP).

- Annual NTFC Calendar of Meetings availed to all NTFC Members.
- Preparations to establish an advanced and interactive online information sharing platform and a website for Eswatini NTFC underway.
- Development of a Communication and Visibility Strategy under consideration.

**Interface with other working groups/committees on similar issues:** The governance structure for the National Trade Facilitation Committee is such that all trade facilitation related activities, initiatives that are being implemented in different agencies and Technical Committees feed into the National Trade Facilitation Committee.

**Undertake information sessions to stakeholders or general public:** The Secretariat undertakes consultations with particular stakeholders from all organisational levels regarding the WTO Trade Facilitation Agreement, National Trade Facilitation Committee, National Trade Facilitation Roadmap and the overall Trade Facilitation Programme in the country. Special information sessions form part of the work plan for the National Trade Facilitation Committee – National Trade Facilitation Roadmap – including activities on development of a communication strategy.

## **Benefits:**

**Impact:** The work of the National Trade Facilitation Committee with its Secretariat has enabled effective coordination of trade facilitation stakeholders and created a structured approach for the implementation of trade facilitation initiatives in the Kingdom of Eswatini. Officials have been appointed by the relevant agencies to Project Teams formed to drive implementation of the National Trade Facilitation Roadmap.

**Benefits for the country's responsiveness to the WTO negotiation process:** It is envisaged that in the future, the responsiveness of the Kingdom of Eswatini to the WTO Negotiations will improve based on the contribution that will emanate from the National Trade Facilitation Committee mandate as a multi-agency entity.

**Concrete operational outcomes:** Yes, such as the following, which has been delivered as part of

the National Trade Facilitation Committee work:

- The National Trade Facilitation Committee, with its Secretariat, is a gazetted national body.
- The Time Release Study 2018 was conducted through support from the WBG-IFC.
- Secured Cabinet's approval to develop the Trade Information Portal.
- The National Trade Facilitation Committee collaboratively drafted and finalised Category C notifications in July 2019. During this process, two provisions were shifted from C to B, where, after further deliberations, the Committee considered these provisions can be implemented within the country's capacity. The provisions are: Article 5.2 on Detention and 7.1 on Pre-arrival Processing. After this exercise, the notification on definitive dates for implementation of Category C, the progress on technical assistance received were notified to the WTO before 22nd August 2019 by the Ministry of Commerce, Industry and Trade. The shift of the two provisions from C to B was also notified.
- In April 2019, the National Trade Facilitation Committee and key trade facilitation stakeholder agencies, including the private sector, developed and adopted a National Trade Facilitation Roadmap 2019-2022.
- Upon adoption of the Roadmap, the National Trade Facilitation Committee established and formally appointed technical working groups (Project Teams) to drive implementation of the seven strategic initiatives outlined within the National Trade Facilitation Roadmap. A strong buy-in and support from the government ministries, departments, agencies and the private sector institutions has been evident in this regard as they officially committed their resources/staff to the implementation of the ENTFR.
- The National Trade Facilitation Committee has also appointed lead agencies for the various projects of the National Trade Facilitation Roadmap.
- The Technical Task Teams successfully developed detailed implementation plans for the different projects within the Trade Facilitation Roadmap, pending funding to enable implementation of the plans.
- The IFC provided support to the Kingdom of Eswatini in strengthening Customs Risk Management where risk profiling practices is under improvement and management of the risk engine coupled with utilization of the risk engine report to inform decision-making were initiated.
- In preparation for the implementation of the Eswatini National Single Window (ENSW) the IFC supported Eswatini to socialize the ENSW blue print to the Project Team members and key stakeholders.
- All Project Teams have successfully met at least twice since final appointments in July 2019, to consider their scope of work and develop detailed implementation plans.
- The Committee technical task team on Regional Integration started to engage with the Republic of South Africa in preparation for the implementation of a proposed One Stop Border Post at Ngwenya

- Oshoek Border. Meetings between the Joint Technical Working Group (Eswatini and South Africa) have commenced.
- The Eswatini National Trade Facilitation Committee has completed the implementation of the UNCTAD Empowerment Programme with a total of 8 Trained Trainers.
- The IFC-WBG Team in collaboration with the Eswatini Based STC have defined and agreed on the Trade logistic Indicators that will be used to track and measure performance of the Trade Facilitation aspects of the programme.
- National Trade Facilitation Committee have drafted a Monitoring and Evaluation plan; Knowledge Management Strategy and Budget Estimate for the implementation of the Eswatini Trade Facilitation Roadmap with support from UNCTAD, during the Empowerment Programme.
- Efforts on streamlining of the Technical Committees on Trade Facilitation (SPS, TBT and NTB committees) to the National Trade Facilitation Committee is a standing agenda item for National Trade Facilitation Committee meetings.
- The National Trade Facilitation Committee approved the reviewed Terms of References for the Joint Border Management Committee, which now reports to the National Trade Facilitation Committee.

## **Lessons learned:**

**Success factors:** -Political will and leadership support.

- Stakeholder's buy-in and ownership.
- Availability of financial & human resources .
- Availability of enabling legal framework.
- Leveraging of resources.
- Willingness to collaborate and share responsibilities.
- Innovation and Creativity.
- Collective bargaining and resource mobilization.
- Strategic alignment at organisational and national level.

**Greatest obstacles:** -Lack of dedicated budget for the operations of National Trade Facilitation Committee and its Secretariat.

- Lack of funding for the trade facilitation initiatives outlined within the Roadmap, and the lack of budget for Project Teams driving the implementation of the initiatives.
- Inconsistent participation of National Trade Facilitation Committee Members.

**Lessons learned from your experience:** Success in the implementation of the WTO TFA and other national TF initiatives requires political-will, stakeholder buy-in, financial commitment and appropriate governance structures right from the onset. This requires active change management at all levels.

## **Future plans:**



**Plans for further development:** -Further capacity building for the National Trade Facilitation Committee and its Secretariat.

-Soliciting means to sustain the work of the National Trade Facilitation Committee, in particular its Secretariat.

-Streamlining Trade Facilitation reforms outlined in the Roadmap into stakeholder's strategies, annual plans and budgets.

-Drafting of project proposals for funding of the trade facilitation initiatives detailed implementation plans from Regional and International Development Partners.

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