UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

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# GENDER-SENSITIVE POLICY RECOMMENDATIONS TO SUPPORT WOMEN CROSS-BORDER TRADERS IN MALAWI, THE UNITED REPUBLIC OF TANZANIA AND ZAMBIA

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This advocacy document presents policy recommendations and introduces an implementation framework based on the findings of UNCTAD's (2019) report "Borderline: Women in informal cross-border trade in Malawi, the United Republic of Tanzania and Zambia",<sup>1</sup> which examines cross-border trade in these countries, focusing on women traders.

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<sup>&</sup>lt;sup>1</sup> UNCTAD. 2019. Borderline: Women in informal cross-border trade in Malawi, the United Republic of Tanzania and Zambia, Geneva: UNCTAD.

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# **EXECUTIVE SUMMARY**

Informal cross-border trade<sup>2</sup> has been a major feature of African economies since the colonial era. It contributes to job creation, especially for vulnerable groups such as poor women and unemployed youth, and food security through the trade of agricultural products. Supporting the growth of informal cross-border traders' trade capacity and their gradual integration into formal trade would help boost trade and the private sector, contributing to overall development goals. Informal cross-border trade is characterized by the predominance of female traders. This is mainly due to women's limited time, mobility, and access to productive resources and support systems, leaving them with few options and making such trade the main or even only source of livelihood for them. Despite their critical role in cross-border trade, women often benefit only marginally from their trading activity due to a number of factors, including policy, institutional, cultural, economic, and regulatory issues.

In the framework of its project on *Informal cross-border trade for empowerment of women, economic development and regional integration in Eastern and Southern Africa*, UNCTAD's Trade, Gender and Development Programme has developed an analytical report<sup>3</sup> that examines cross-border trade in Malawi, the United Republic of Tanzania and Zambia, focusing on women traders; three booklets which present key information on existing trade procedures and simplified trade schemes, documentation requirements, rules of origin, taxes and tariffs meant to informal and small-scale cross border traders; and this advocacy document.

The document puts forth policy recommendations and introduces an implementation framework based on the findings of the analytical report. The aim of the advocacy document is to lay out targeted policy recommendations accompanied with relevant stakeholders for implementation. The policy framework aims to support the empowerment of women informal (and small-scale) traders and help them formalize and diversify their economic activities in these three countries, promote local ownership of the policy targets and facilitate follow-up.

#### Characteristics of women informal cross-border traders

UNCTAD's findings from the field study reveal a number of characteristics of informal cross-border traders in the three regions. Women mostly trade groceries, fresh fruit and vegetables, new clothes and shoes, household items, second-hand clothes and shoes, and meat and fish products.<sup>4</sup> The top reasons why women engage in small-scale and/or informal cross-border trade are to supplement family income, source products that can be obtained more easily across the border, sell products that allow higher gains across the border, and the proximity of traders' residence to villages and markets in neighbouring countries rather than in their home country. A significant share of these women are single mothers or widows, or have been abandoned by their husbands. Cross-border trade activities are the only source of income for most of the traders, and contribute to their families' subsistence and wellbeing.

<sup>&</sup>lt;sup>2</sup> Informal cross-border trade is defined as trade in legitimately produced goods and services that escapes the regulatory framework established by the government, thereby avoiding certain tax and regulatory burdens. These goods and services may be traded by (1) informal (unregistered) traders operating entirely outside the formal economy and passing through unofficial routes, or by (2) formal (registered) traders who fully or partially evade trade regulations and duties.

<sup>&</sup>lt;sup>3</sup> UNCTAD. 2019. Borderline: Women in informal cross-border trade in Malawi, the United Republic of Tanzania and Zambia, Geneva: UNCTAD. The study relies on the results of desk research, online surveys of civil society organizations, and interviews and focus group discussions conducted by UNCTAD in October 2017 during its visits at the selected border crossings (Tunduma/Nakonde, United Republic of Tanzania/Zambia; Songwe/Kasumulu, Malawi/United Republic of Tanzania; and Mwami/Mchinji, Zambia/Malawi).

<sup>&</sup>lt;sup>4</sup> Blankets, bed sheets and curtains, and processed food items such as dried fruit or juices are also commonly traded.

#### Major challenges faced by women informal cross-border traders

Women traders in the three regions report lack of capital and heavy bureaucratic hurdles and obstacles encountered at the border (e.g. harassment and corruption) as the main factors discouraging formalization. Language is also a significant barrier as official documents are usually available only in English. The uncertainty about border procedures and the role of the competent authorities is listed as one of the main challenges across all the borders examined. Most women traders report that they are not clear about the requirements of trading within the law, available schemes to make their trade easier, or applicable duties. Therefore, some continue to pay tariffs even when intra-regional trade is duty-free, and most have little understanding of the value-added tax (VAT), excise duties, customs processing fees. Finally, there are very limited opportunities for higher value addition, diversification, or capital accumulation, leaving most female traders trapped in small-scale and low value-added activities.

#### Simplified trade regimes (STRs)

One of the policies to respond to some of these challenges is the introduction of simplified trade regimes (STRs). STRs aim to encourage small-scale traders to switch from informal to formal trade by lowering the costs of formal import and export procedures and easing the official trade rules. Both the Common Market for Eastern and Southern Africa (COMESA) and the East African Community (EAC) have in place an STR, whereas the Southern African Development Community (SADC) Secretariat started to develop the mechanism in 2017.<sup>5</sup> While STRs are a much-needed development, a number of factors impede their full uptake. These include the still high cost of complying with legal requirements of STRs, the lack of exemption from a number of domestic taxes, and the high administrative burden (i.e. non-tariff barriers), which are cumbersome especially for those who carry out transactions of very low value. The list of products that are eligible for the simplified treatment is also quite limited, for example, between Zambia and Malawi. The threshold of US\$2,000 applied in most COMESA borders to allow consignments to benefit from the STR is considered too low. STRs do not apply to goods originating in non-FTA countries, such as imports from China and South Africa. The arbitrary application of rules and requirements by border officers hamper their full implementation. Limited awareness about the STR and issues with access to information about it (e.g. information on clearance procedures and the list of eligible goods) render many informal traders unable to benefit from the existing simplified procedures. Finally, the low presence of Trade Information Desk Officers (TIDOs) at border crossings, and the inconsistent provision of the service due to lack of resources further exacerbates these issues.

#### Border obstacles and supply-side obstacles

Both border obstacles and supply-side constraints hinder women's capacity to benefit from cross-border trade fully and make the formalization of their business rather unattractive. The findings of UNCTAD's online survey administered to cross-border traders associations show that the top five problems encountered by female informal cross-border traders are limited capacity to trade higher-value-added goods, bribery and corruption at the border, limited capacity to diversify the set of goods they trade, limited access to financial resources, and misinformation about customs procedures and regulations (for instance, regarding the STR). Harassment and personal safety, confiscation of goods at the border, restrictions on trade of certain goods, and payment of undue fees are reported as other major constraints.

Among the border obstacles, *lack of trade facilitation* increases time and costs associated with logistics as well as the number of documents required for each transaction. Such costs and delays create further

<sup>&</sup>lt;sup>5</sup> Malawi and Zambia are members of COMESA and SADC. The United Republic of Tanzania is a member of the EAC and SADC. Therefore, the applied tariff regimes among the three countries follow either COMESA or SADC regulations. Most trade among the three countries is free of tariffs. The few items to which tariffs apply are not those traded INFORMALLY.

disincentives for formalization of informal traders. *Inadequate border infrastructure* (e.g. public and private transportation systems, proper warehousing facilities, functional and sufficiently staffed border institutions and agencies) heavily impacts cross-border traders, especially women. For example, women suffer to a greater extent from poor road conditions and limited availability of public transportation, preventing them from reaching more distant and possibly more profitable markets. The results of UNCTAD's online survey confirmed that few border facilities appear to be in place at the borders where the surveyed associations operate. These typically include banking facilities and accommodation (35 per cent indicated that they are very often in place), warehouses and storage facilities (29 per cent indicated their presence), and information desks (27 per cent). Sanitation facilities appear to be even less common, as only 18 per cent of respondents indicate that they are very often available.

*Immigration requirements* create an additional barrier to the formalization of cross-border traders. A valid passport is required to enter all three countries for 90 days; passports are issued only in capital cities with varying costs. A national ID is also accepted, and border passes are sufficient when the border scheme is in place. There is no need for any documentation if cross-border traders are trading within a perimeter of 10 km from the border. The United Republic of Tanzania and Zambia also require yellow fever certificates from all visitors. *Corruption and insecurity* is another border obstacle that disproportionately affects female cross-border traders, who are more vulnerable to verbal and physical harassment than male traders. Women reportedly spend longer hours clearing their goods at the border due to prolonged inspections, and in some cases, there are reports of harassment by customs officials or security officers at the borders.

Supply-side obstacles hamper traders' capacity to produce and subsequently sell products through crossborder trade, as well as to expand their business and add value to it. Many of these obstacles are gendered affecting women to a greater extent than men. *Access to finance* is one of the biggest challenges (for instance, due to lack of collateral) for traders, especially for women; this was confirmed by UNCTAD's field findings at all borders visited. Moreover, the fluctuation of the national currency and the lack of foreign exchange services renders traders vulnerable to abuse by black market operators. The gender gap in *productivity in agriculture and access to land* (i.e. ownership or ability to operate land) hinders women's chances to transition into higher-value tasks, and to produce value-added agricultural products that could lead to higher cross-border trade earnings. Women's primary responsibility for childcare and other domestic chores further deprive women of time necessary for productive activities.

Access to markets and information and communications technology is critical for success in business, and it is a struggle for cross-border traders, and especially women, to find profitable markets beyond occasional street selling in border areas. Weak technical skills, such as in packaging and marketing, also negatively affect traders' ability to sell non-agricultural goods. Access to transportation is important for traders' ability to transport large quantities of goods, serve a higher number of customers, tap into wider distribution networks, and/or reach more profitable markets. Men are more likely than women to have access to a vehicle, or to possess the financial resources that are necessary to arrange transportation by truck, bus, or van. Time is critical for cross-border traders as a trader's survival, much less success, often relies on the number of trips across the border they are able to complete in a given time period. Gender inequalities in the sharing of unpaid work burden create an obstacle for women traders in this regard. Education is another supply-side obstacle that affects cross-border trade activities as traders often have poor reading, writing, and counting skills, and lack technical skills to deal with more advanced areas, such as business plan development, value addition, etc. Education levels among border officials and their own limited knowledge of trade rules and procedures can also become an issue. Finally, having a conducive business regulatory environment is of particular importance for women traders given the specific constraints they face and the special considerations they need to be able to compete with their male counterparts on a level playing field.



#### **Training and Awareness-raising**

- Awareness-raising initiatives should be introduced via women's associations and crossborder trade associations and targeting informal cross-border traders on issues such as rights and obligations, availability of existing trade facilitation initiatives designed to simplify business operations (e.g. simplified trade regime – STR), trade requirements, and procedures.
- Communication campaigns may require the use of posters and visual material on border requirements and procedures, and on stakeholders' rights and obligations given the aspects of literacy, numeracy, and language diversity. For example, the Malawi Revenue Authority recently launched an in-house radio to disseminate information on customs clearance requirements and procedures to traders.
- Information on STRs could be divulged through community forums, radio and television, and the distribution of brochures to create awareness about the benefits of complying with such regimes.
- Trade Information Desks Officers (TIDOs) need to be set up or strengthened when they exist.
- Business development services and capacity-building programmes focusing on entrepreneurship need to be introduced and existing initiatives should be strengthened further.

# STRs and their uptake

- STRs need to be better tailored to the needs of small-scale traders in order to promote incentives for the use of formal routes.
- Clearance times need to be made faster and streamlined.
- Certificates and permits should be made available for issuance at the border.
- The list of eligible goods need to be expanded and regularly updated to include products that are most commonly traded and take into account seasonality.
- Excise duties should be removed for STR transactions involving goods that are regularly traded by small-scale traders (e.g. soft drinks).
- The threshold for STR transactions should be increased to US\$2,000, as has already been done in some countries, which would encourage small-scale traders who deal with medium sized consignments to enter the scheme.

### **Transparency and Sensitization**

- Official fees, applicable duties, tax information, and documentation requirements should be publicized at the border to improve knowledge of traders and transparency. This would also help prevent local chiefs at some borders from taking advantage of cross-border trade by playing the role of middlemen, in several cases cheating the traders.
- TIDOs should be used to provide information on the products included in the common list and on product requirements given that customs officers are too busy to provide this information.
- TIDOs should become officers attached to the central government or to the districts to ensure sustainability and ownership of cross-border trade issues in the long term.
- Training initiatives need to be introduced targeting customs officials, who are mostly men, to promote gender-sensitive attitudes, improve the understanding of business operators' rights and obligations, and reduce the incidence of harassment, bribes, undue confiscation of goods, or verbal abuse.
- Policy-makers and district commissioners should be sensitized about the problems at the borders. Once sensitized, they could also become local champions for raising awareness among border/local residents.
- Policies should be introduced to increase the number of women among border officers.





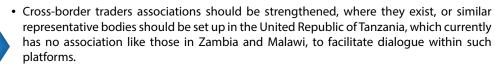
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## **Enabling Business Environment and Formalization**

- Given the large share of informal employment in sub-Saharan Africa, policy interventions should avoid severe restrictions and instead target creating enabling business environment for informal traders.
- Registration requirements could be relaxed for informal cross-border traders, for example, through initiatives such as the National Cross-border Trade Strategy of Rwanda, which proposes removing the requirement for informal cross-border traders to be formally registered as a business, and setting up facilities at the border where informal traders can register and obtain an identification number (to be used for tracking purposes, not for collecting taxes).
- The benefits of formalization should be integrated into any training or awareness-raising initiative to make it attractive for informal cross-border traders, many of whom are women.
- National agricultural and manufacturing development strategies should mainstream cross-border trade considerations so that new linkages between domestic production and informal (including small-scale) cross-border trade could be established.
- Policies should be introduced to integrate women producers and traders into value chains to help small informal businesses thrive and expand beyond the subsistence level.
- Procurement practices should take into account women's role as informal cross-border traders and feature more inclusive processes that encourage supplier diversity by sourcing from women-owned businesses. For example, in Zambia, the government has a plan to put in place a gender equality seal for both the public and private sector, aimed at offering opportunities for women-led firms in public procurement processes launched by government and in the private sector.
- Preferential treatment for women-owned businesses may constitute an incentive for informal small-scale trade operators to consider formalization.

# Improved Dialogue among Stakeholders

• Multi-stakeholder platforms could be set up to promote dialogue between informal crossborder traders and border officials.



 Gender Help Desks and Information Centres, which are introduced at the EAC borders by the United Republic of Tanzania and are tasked to deliver their services under the auspices of Joint Border Committees (JBCs), could be established in Malawi and Zambia as well. Women's associations should be invited to attend JBC meetings and become active in decision-making processes.

## Access to Finance and Infrastructure Development

- Given that small-scale traders have very low start-up capital, usually drawn from household resources, there is need for introducing preferential terms and lower interest rates to small-scale traders, combined with training and mentoring activities. For example, in Malawi, the Ministry of Gender has an arrangement with a number of banks to provide loans at preferential rates. The cross-border trade associations (CBTAs) should get in touch with the banks to find out how traders can have access to the preferential rates, that are affordable by cross-border traders.
- Sanitation and sleeping facilities, and public transportation from the borders to the main markets nearby need to be introduced at border crossings.
- Safe currency exchange transactions should be made available by ensuring the presence of certified money dealers or exchange bureaus at the borders.





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## **Policy Coordination**

- There is need to strengthen mutual recognition of standards and conformity assessment bodies, and harmonize the characteristics of STRs to help streamline rules and procedures associated with different overlapping trade arrangements to which each country is party (e.g. EAC, SADC, COMESA).
- One-stop border posts could be tailored further to meet the needs of cross-border traders, for example, by constructing basic shared facilities, and establishing one-stop window and fast-track clearance systems for small-scale traders.
- National policies could be introduced to oversee all initiatives carried out on cross-border trade, and promote coordination among initiatives and entities dealing with cross-border trade.
- Relevant gender stakeholders should be added to the list of members of the National Trade Facilitation Committee (NTFC), and trade and gender should be included among topics to be discussed at NTFC meetings.

## Women's organizations

- Women traders' cooperatives and networks need to be promoted further to help them benefit from the pooling of resources (e.g. group lending schemes, consolidated volumes of merchandise, reduced logistics and transportation costs, and group training schemes on numeracy, literacy, and managerial skills).
- Cooperative personnel need to be trained on basic business skills.
- Initiatives to promote linkages with value chains and distribution networks need to be established.
- Cooperative access to credit and other resources needed by women traders should be promoted.

	TARGETS	STAKEHOLDERS	POSSIBLE ACTIONS AND ACTIVITIES	MONITORING (Performance Indicators)
TRAINING AND AWARENESS-RAISING	1. Increased number of women traders with awareness on cross-border trade issues (e.g. rights, obligations, documentation requirements, trade facilitation measures)	Government/ institutional: Ministries of Trade and Gender, revenue authorities, bureaus of standards, immigration departments <i>Civil society:</i> Cross- border Trade Associations, women's business associations	<ul> <li>* Awareness-raising events organized in collaboration with women's associations and cross-border trade associations</li> <li>* Programmes aimed at training of the trainers such as cross-border trade associations and women's business associations</li> <li>* Communication campaigns, including visual and audial tools, to disseminate trade- related information</li> </ul>	<ul> <li>* Share of women traders with essential knowledge of trade rules and requirements (to be assessed by border surveys).</li> <li>* Number of collaborations with women cross-border trade associations</li> </ul>
	<ul> <li>2a. Larger presence of Trade Information Desks Officers (TIDOs)</li> <li>2b. Enhanced access of women traders to business development services and capacity-building programmes such as entrepreneurship training</li> </ul>	Government/ institutional: Ministries of Trade, and Industry <i>Civil society:</i> Non- governmental organizations (NGOs) on trade capacity building	<ul> <li>Introducing TIDOs that are directly linked to ministries to ensure sustainability</li> <li>Training certification programmes on trade and business development</li> <li>Trade capacity building programmes to address gendered supply-side constraints</li> </ul>	<ul> <li>* Number of TIDOs at border crossings</li> <li>* Number and reach of training certification and trade capacity building programmes</li> <li>* Independent evaluation of programmes' outcomes</li> </ul>
STRs AND THEIR UPDATE	3a. Better tailoring of STRs to the needs of small-scale traders	Government/ institutional: Ministries of Trade and Finance <i>Regional:</i> EAC, COMESA, SADC Secretariats <i>Civil society:</i> NGOs on trade facilitation	<ul> <li>* Streamlining clearance processes and making information easily available</li> <li>* Making certificates and permits available at the borders</li> <li>* Mechanism to update the list of eligible goods on a regular basis</li> <li>* Removal of excise duties for STR transactions</li> <li>* Increasing the threshold for STR transactions to US\$2,000</li> </ul>	* Number of small-scale traders using STRs * Regular audit of STRs in terms of efficiency

	TARGETS	STAKEHOLDERS	POSSIBLE ACTIONS AND ACTIVITIES	MONITORING (Performance Indicators)
TRANSPARENCY AND SENSITIZATION	<ul> <li>4a. Improved knowledge of traders and transparency about trade processes</li> <li>4b. Gender-sensitive attitudes towards traders by customs officers and local policymakers</li> </ul>	Government/ institutional: Ministries of Trade, revenue authorities, bureaus of standards, immigration departments <i>Regional:</i> EAC, COMESA, SADC Secretariats <i>Civil society:</i> Cross- Border Trade Associations, women's business associations, NGOs on trade facilitation	<ul> <li>* Programmes for the publicizing of trade information at borders</li> <li>* Use of TIDOs for the dissemination of information on the common list and product requirements to traders</li> <li>* Gender sensitization programmes for customs officers</li> <li>* Gender parity targets for border officer roles</li> </ul>	<ul> <li>* Independent audit of trade procedures and dissemination of information towards transparency</li> <li>* Number of TIDOs involved in sharing information on the common list of products</li> <li>* Evaluation of customs officers on their level of gender sensitivity towards women cross- border traders</li> <li>* Female share of border staff</li> </ul>
ENVIRONMENT AND FORMALIZATION	<ul> <li>5a. Enabling business environment for informal traders</li> <li>5b. Increased easiness of transition from informal to formal trade</li> <li>5c. Increased number of women traders with access to value chains</li> </ul>	Government/ institutional: Ministries of Trade and Finance <i>Civil society:</i> Cross- Border Trade Associations, women's business organizations, NGOs on trade facilitation and capacity building	<ul> <li>* Facilities at the borders that allow informal traders to register for trade purposes only</li> <li>*Mainstreaming cross-border trade issues into broader development policies</li> <li>* Incorporating the benefits of formalization in all trade-related awareness raising programmes</li> <li>* Gender-sensitive procurement and supplier diversity programmes</li> <li>* The introduction/ expansion of border passes to make border crossing easier</li> </ul>	<ul> <li>* Share of informal women cross-border traders using formal trade routes</li> <li>* Increased share of formalization among women-owned businesses</li> <li>* Number and reach of development programmes that mainstream cross-border trade considerations</li> <li>* Number and scope of proposed programmes</li> </ul>

	TARGETS	STAKEHOLDERS	POSSIBLE ACTIONS AND ACTIVITIES	MONITORING (Performance Indicators)
IMPROVED DIALOGUE AMONG STAKEHOLDERS	6. Improved dialogue among informal cross-border traders, cross-border trade associations, border officials and other stakeholders	Government/ institutional: Ministries of Trade Regional: EAC, COMESA, SADC Secretariats Civil society: Cross- border trade associations, women's business associations	<ul> <li>* Establishing cross- border traders' associations in the United Republic of Tanzania and strengthening those in Zambia and Malawi</li> <li>* Establishing Gender Help Desks and Information Centres in Malawi and Zambia, where they don't exist</li> <li>* Supporting participation of women's associations in JBC meetings</li> </ul>	<ul> <li>* Number of cross -border traders' associations</li> <li>* Number of gender help desks and information centres at borders</li> <li>* Number of women associations participating in JBC meetings</li> </ul>
ACCESS TO FINANCE AND INFRASTRUCTURE DEVELOPMENT	<ul> <li>7a. Increased access of women cross-border traders to credit</li> <li>7b. Increased availability of sanitation and sleeping facilities at borders</li> <li>7c. Enabling safe currency exchange transactions</li> <li>7d. Access to reliable and safe public transportation</li> </ul>	Government/ institutional: Ministries of Trade, Finance and Transportation, private banking and financial institutions <i>Civil society:</i> Cross- border trade associations, women's business associations, NGOs on trade facilitation	<ul> <li>* Establishing bank loan programmes with preferential terms and lower interest rates for women traders</li> <li>* Infrastructure investment programmes (e.g. border facilities, public transportation)</li> <li>* Formal currency exchange offices at borders</li> <li>* Rule enforcement on the activities of middlemen and black money changers</li> </ul>	<ul> <li>* Share of women cross-border traders with access to bank loans</li> <li>* Number and quality of sanitation and sleeping facilities at borders</li> <li>* Number of exchange offices at borders</li> </ul>
POLICY COORDINATION	<ul> <li>8a. Harmonization of STRs</li> <li>8b. Mutual recognition of standards and conformity assessment bodies</li> <li>8c. Promoting coordination among cross-border trade initiatives and entities</li> </ul>	Government/ institutional: Ministries of Trade, immigration departments <i>Regional:</i> EAC, COMESA, SADC Secretariats <i>Civil society:</i> NGOs on trade	<ul> <li>* Establishing one-stop window and fast-track clearance systems</li> <li>* Introducing programmes for mutual recognition of standards and conformity assessment bodies</li> <li>* Policy coordination national committee on cross-border trade</li> <li>* Making gender groups part of NTFCs</li> </ul>	* Independent oversight of established programmes * Evaluating NTFC outputs from a gender perspective

	TARGETS	STAKEHOLDERS	POSSIBLE ACTIONS AND ACTIVITIES	MONITORING (Performance Indicators)
WOMEN ORGANIZATIONS	<ul> <li>9a. Enhanced presence and reach of women traders' cooperatives and networks</li> <li>9b. Increased connection of women organizations to value chains/ distribution networks</li> </ul>	Government/ institutional: Ministries of Trade, Finance and Gender <i>Civil society:</i> Cross- border trade associations, women's business associations	<ul> <li>* Establishing new women traders' cooperatives and networks and supporting those that exist</li> <li>* Training cooperative personnel on basic business skills</li> <li>* Enhancing cooperatives' access to credit and other inputs for their members</li> <li>* Programmes to form links with value chains and distribution networks</li> </ul>	<ul> <li>* Number of women traders' cooperatives and networks</li> <li>* Independent oversight of the effectiveness of cooperatives/ networks in terms of training, credit and resource initiatives</li> <li>* Number and scope of established connections between cooperatives and distribution networks</li> </ul>

