

# JITAP

Joint Integrated Technical Assistance Programme  
Programme Intégré Conjoint d'Assistance Technique



## TOOLKIT FOR MODULE 1

### **INSTITUTIONAL CAPACITY BUILDING: Trade Negotiations, Implementation and Policies**

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## CONTENTS

<b>THE CONCEPT.....</b>	<b>1</b>
A. BACKGROUND.....	1
B. FEATURES AND OBJECTIVES OF MODULE 1.....	1
a. Purpose and scope of this module.....	1
b. Main definitions, key concepts and terminology .....	2
c. Module objectives and related components .....	5
d. Main activities, outputs and results under Module 1 .....	5
C. JITAP STRATEGY FOR THE IMPLEMENTATION OF MODULE 1.....	7
a. Target audience of JITAP II capacity-building activities under Module 1.....	7
b. Implementation strategy for Module 1.....	7
c. National implementation of module activities .....	8
d. Performance indicators for activities under Module 1 .....	9
D: AN IMPLEMENTATION GUIDE TO MODULE 1.....	9
a. Structure and contents of the toolkit .....	10
b. Adaptation to local needs and target groups .....	10
c. Delivery of the toolkit .....	10
E: RECAPITULATION OF MODULE ACTIVITIES.....	10
(a) Countries in the first phase of JITAP.....	10
(b) Countries involved in the second phase of JITAP .....	10
(c) Consolidated schedule of activities.....	11
(d) Sequencing of module activities .....	11
(e) Special considerations: Gender-and poverty-related activities.....	11
<b>PRACTICAL EXPERIENCES WITH INTER-INSTITUTIONAL COMMITTEES.....</b>	<b>12</b>
A. Benin's Inter-Institutional Commission Responsible for Follow-up and Implementing the WTO Agreements.....	12
B. Burkina Faso's National Committee for the Follow-up and Coordination of Implementation of WTO Agreements.....	15
C. Côte d'Ivoire's National Inter-Institutional Committee on the Follow-up to WTO Agreements.....	17
D. Ghana's Inter-Institutional Committee on Follow-up of WTO Agreements.....	18
E. Kenya's National Committee on WTO.....	19
F. Tunisia's National Commission on Relations with the WTO.....	21
G. Uganda's Inter-Institutional Trade Committee.....	22
H. United Republic of Tanzania's Inter-Institutional Technical Committee of the WTO.....	24
<b>A SIX STEP IMPLEMENTATION GUIDE.....</b>	<b>27</b>
STEP 1: DEFINING CAPACITY-BUILDING OBJECTIVES.....	27
STEP 2: ESTABLISHMENT OF THE IIC.....	28
STEP 3: OPERATIONALIZATION OF THE IIC.....	32
STEP 4: WORK PLAN OF THE IIC.....	34
STEP 5: IMPLEMENTATION.....	45
STEP 6: EVALUATION.....	48



# Chapter I

## THE CONCEPT

### A. BACKGROUND

1. Phase two of the Joint Integrated Technical Assistance Programme (JITAP), was launched in February 2003, following a positive evaluation of JITAP I and its expiry in December 2002. The programme has three components pertaining to the development of modules and related toolkits:

- (1) Design and development of toolkits for the five substantive modules;
- (2) Implementation of the advanced Track of the modules;<sup>1</sup> and
- (3) Implementation of the foundation Track of the modules.

2. The capacity for beneficial integration into the multilateral trading system (MTS) in partner countries will be built under JITAP II at the individual, institutional and system levels.<sup>2</sup> The present chapter aims at providing the scope, structure and contents of Module 1 on MTS Institutional Support, Compliance, Policies and Negotiations. It indicates the broad modalities for the design, implementation and monitoring of the toolkit for this module.

### B. FEATURES AND OBJECTIVES OF MODULE 1

#### a. Purpose and scope of this module

3. Under JITAP I, the eight beneficiary countries instituted Inter-Institutional Committees (IICs) with the objective of providing for participatory national

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<sup>1</sup> As per the Programme Document, the advanced track of JITAP's capacity-building modules applies to the countries that participated in the first phase of JITAP (Benin, Burkina Faso, Côte d'Ivoire, Ghana, Kenya, Tunisia, Uganda, United Republic of Tanzania), while the foundation track is intended for the countries that joined the second phase (Botswana, Cameroon, Malawi, Mali, Mauritania, Mozambique, Senegal, Zambia).

<sup>2</sup> As per the distribution of module responsibilities at the meeting of the JITAP steering mechanism of 17 February 2003:

<i>Modules</i>	<i>Lead responsibility for the module</i>
- MTS Institutional Support, Compliance, Policies and Negotiations	UNCTAD
- Strengthening MTS Reference Centres, and NEPs	WTO
- Enhancing MTS Knowledge and Networks	Joint leadership (Programme Coordination Unit)
- Product and Services Sector Strategies	ITC
- Networking and Programme Synergy	Joint leadership (Programme Coordination Unit)

The leadership concept was defined as relating to the responsibility for:

- Proposing the complete contents and structure of the module and the related implementation instruments, including the toolkits;
- Taking the appropriate initiatives for the definition and the implementation of tasks;
- Defining the processes for the implementations of such tasks;
- Ensuring the quality control of the outputs.

coordination and management of trade policy formulation, monitoring of the implementation of WTO agreements, and preparation for trade negotiations with a view to strengthening their effective participation in, and drawing maximum benefits from, the multilateral trading system. The IICs have acted as platforms for analysing negotiating strategies, preparing and supporting trade negotiations, and coordinating and undertaking consensus-building among governmental institutions, and between the Government and the private sectors, academia, civil society and other stakeholders.

4. Under JITAP II, the 16 beneficiary countries will be assisted in developing and strengthening national IICs that can support: (a) constructive dialogue among government institutions, the business sector, academia and civil society with regard to advising the Government of their concerns and priorities relating to WTO issues and other trade agreements (regional, ACP-EU) on which decisions need to be taken by the country; (b) effective participation in the negotiations in WTO, particularly under the Doha Work Programme, and other trade negotiations; (c) formulation of national trade policy in the context of the multilateral trading system in particular and the international trading system generally, and strengthening linkages with national development plans; and (d) effective implementation of rights and obligations under the WTO agreements. The IIC will constitute the institutional mechanism for more effective engagement in international trade and the trading system so as to ensure beneficial integration and realize development gains.

5. The establishment of an IIC, either through a government decree or as part of existing or new legislation, is an important entry criterion for new countries to be included in JITAP II.

6. IICs should encourage the participation of women, as individuals and as organized groups, at all levels of intervention.

#### **b. Main definitions, key concepts and terminology**

7. Support will be provided under Module 1 to IICs to build institutional capacity on trade negotiations, compliance and policy formulation. Key concepts and activities relating to IICs are: (1) legal mandate, (2) composition, (3) terms of reference and work plans, and (4) national technical secretariat.

##### *1. A Legal Mandate*

8. The IICs should be legally established and institutionalized. The legal instrument (a government decree, existing or new legislation) should provide for:

- (a) The composition of the IIC (i.e. membership);
- (b) The responsibilities of the participating governmental entities;
- (c) The participation of the private sector, academia, civil society and the media;
- (d) Its functions; and
- (e) Its jurisdiction.

9. A legal provision and mandate for IICs facilitates their operation and their sustainability for a number of reasons.

10. A legal mandate affords an avenue for the IICs to have direct recourse to governmental budgetary outlays. They would have to function utilizing budgetary resources from the entity that acts as the secretariat of the IIC, which in the case of JITAP I countries has been the Ministries of Trade and Industry. Ideally, the IICs' operations should appear as a budget line in the resources allocated to that ministry to fully perform its assignments. This situation will allow for the sustainability of the IICs beyond the duration of JITAP II. Also, legally instituting the IICs enables them to source direct technical cooperation support from various sources (other than JITAP) to supplement their own budgets. In any event, since trade negotiations are an issue of national interest, the country's capabilities in trade policy formulation and negotiations cannot be subject to the availability of technical cooperation resources, and should thus be sustained by permanent budgetary outlays at the national level.

11. A legal mandate also enables the decisions and recommendations of the IICs to be seriously considered by the responsible governmental entities. It needs to clearly delineate the jurisdiction and functions of the IICs so that they can act as institutions with legitimacy in the governmental decision-making processes.

12. Furthermore, a legal mandate allows for participating governmental institutions to be given the human resources required for the operation of the IICs. Thus, responsible functionaries would be designated to the IICs in the different governmental entities. It alleviates a problem posed by the often high rotation of personnel representing the governmental agencies, and the fact that public officials have other permanent responsibilities, often in areas different from those addressed by the IICs. The same applies to representatives of the other stakeholders.

## *2. Composition of the IICs*

13. Under JITAP I, most IICs operated a two-layer structure, namely a plenary of all members and specialized subcommittees dealing with specific trade agreements and/or thematic issues of interest to the country.

14. The IIC Plenary (or Assembly) is open to participation by all members. It would be convened by the JITAP National Focal Point, normally the Ministry of Trade and Industry, which is responsible for international trade. It can meet periodically, at least monthly, to be informed of the status of negotiations, to review the progress of implementation, and to provide inputs to negotiating objectives, priorities and strategies. Participation by business associations, academia, civil society and the media, as well as parliamentarians, should be encouraged. The participation of parliamentarians may be facilitated by an arrangement whereby the IIC reports to a relevant parliamentary committee on a regular basis, so that members of Parliament will be able to share information with the members of the IICs. The Plenary provides the overall guidelines for subcommittees and is responsible for the IIC's work programme.

15. IIC Subcommittees (or Working Groups) on specific issues would be composed of a more limited number of members directly concerned with the specific issues. They could be established on different subjects under negotiation, such as agriculture and SPS, services, market access for industrial products, TBT, TRIPS and

WTO rules, according to the importance attached thereto. The structure of subcommittees should focus on specialized technical work while providing for flexibility to address the evolving nature of trade negotiations.

16. The structure of the IIC can be rationalized without compromising the required transparency and the degree of institutions' participation. The participation of non-governmental entities can make important contributions to the definition and implementation of negotiating objectives and strategies. However, not all institutions would be able to participate in all levels of decision-making if efficacy is to be attained. The number of members should be limited to allow for the effective functioning of the IICs, particularly in subcommittees. Furthermore, the incorporation of institutional members should meet clearly established criteria with a direct relevance to the issues likely to be discussed in subcommittees.

### *3. Terms of Reference and Work Plan*

17. The core responsibility of IICs is to identify national interests and define negotiating objectives for multilateral and other trade negotiations, make recommendations for trade policy formulation, encourage and facilitate dialogue between government and key stakeholders, and monitor and coordinate the implementation of obligations under WTO agreements. Specific terms of reference should be prepared for the Plenary and each subcommittee within the framework of the legal mandate given to the IICs. A work plan would have to be drawn up to provide a time frame for the implementation of IIC activities.

18. The mandate of the IICs could be extended to cover all international trade negotiations. Since most JITAP countries are involved in a multitude of multilateral, interregional and regional negotiations with overlapping agendas, it would be advisable that the IIC issue-specific subcommittees address all negotiations. This would allow for consistency throughout the various negotiations. In the past, there was a proliferation of subcommittees in some JITAP countries to address the growing number of trade negotiations and negotiating issues. However, such proliferation presses heavily on scarce human and financial resources of JITAP countries, and thus needs to be avoided.

### *4. Secretariat of the IICs*

19. The effectiveness of the IICs will depend, to a large extent, on the capacities of the institution that will act as its national secretariat. In this respect, three issues can be highlighted.

20. First, with regard to the definition of the institution that will act as the technical secretariat, the Ministries of Industry and Trade have usually undertaken this function. Second, it is important to ensure that the secretariat is provided with appropriate resources and political weight in the governmental decision-making process. Support would be provided for the establishment and operationalization of the secretariat under JITAP. Third, in the light of the scarcity of human resources for the secretariat, a National Technical Adviser for the IIC could be appointed to support the functioning of the secretariat. This has proved useful in some JITAP countries.



### **c. Module objectives and related components**

21. JITAP's development objective is to reduce poverty in beneficiary countries by building and strengthening their capacity to beneficially integrate into, and take advantage of, the multilateral trading system. A key pillar is capacity building for trade negotiations, implementation of trade agreements, and formulation of trade and development policies. This will be implemented primarily through Module 1, interfaced with the implementation of the other four Modules of JITAP II to ensure parallel and coordinated development of institutional capacity alongside the development of human and entrepreneurial capacities.

22. Module 1's immediate objective is to build and strengthen countries' institutional capacity to take an active part in shaping and taking advantage of the multilateral trading system and providing adequate policy responses to challenges and opportunities arising from the globalizing economy.

23. The implementation of Module 1 is led by UNCTAD in close collaboration with ITC and WTO, as well as with beneficiary countries.

24. UNCTAD is responsible for the overall implementation of the Module, and specifically for the IICs and for activities relating to trade negotiations and trade policies. WTO is responsible for the monitoring and implementation of rights and obligations under WTO agreements. It will also cooperate with UNCTAD in activities relating to trade negotiations. ITC will mobilize private sector participation in the IICs and related institutional capacity-building activities. The JITAP Programme Coordination Unit will assist in developing linkages with DFID's regional programme on trade and poverty alleviation in Africa, and with national, regional and global networks of research and analysis.

### **d. Main activities, outputs and results under Module 1**

25. The IICs constitute the key element in the implementation of Module 1. The following are the main activities and responsibilities of the IICs:

1. Monitoring and following up all negotiations, and evaluating the impact and implementation of agreements in coordination with legal review bodies;
2. Defining through coordination with all relevant actors, the national negotiating objectives and strategies in multilateral, interregional and regional trade negotiations;
3. Coordinating with governmental institutions and other stakeholders on actions and strategies related to trade negotiation agendas;
4. Coordinating the review and adaptation of trade policy;
5. Developing an annual activities plan;
6. Coordinating with the country delegation in Geneva and in Brussels on negotiations under the WTO and ACP-EU negotiations respectively;
7. Maintaining close contacts with the national network of trainers to provide research and training as required for IIC members;
8. Coordinating technical assistance for trade negotiations and trade policy;
9. Disseminating information on MTS-related issues and trade negotiations; and
10. Sharing experiences with IICs in other JITAP countries.

26. The outputs and results will be considered in terms of the foundation and advance track. As regards the **foundation track**:

- *Expected Outcome*: Institutional foundation and basic institutional capacity will have been developed to respond effectively to MTS challenges in terms of assessing and implementing WTO agreements, exploring business opportunities arising from the MTS, designing coordinated trade policy and formulating negotiating objectives for WTO and other trade negotiations that are conducive to economic development and poverty reduction. The countries will have become cognizant of needs for formulation of policies and trade negotiations positions to meet the Doha Work Programme and other international trade negotiations. Basic human and institutional negotiating capacity will have been built among the trade policy community and trade negotiators at WTO, including through greater involvement of women and women's groups.
- *Outcome indicators*: IICs established formally; high number and frequency of consultative meetings held and recommendations made for government decision-making; work plans established for implementing WTO Agreements; regularity and frequency with which IIC members utilize the JITAP Communication and Discussion Facility; utilization of analytical inputs to identify and address critical policy and trade negotiations issues; and national proposals developed on the Doha agenda and other regional negotiations, in collaboration with trade representatives in Geneva and other trade capitals (such as Brussels).
- *Key outputs*: (i) Fully functional IICs with active involvement of key stakeholders; (ii) work plans for implementation of WTO Agreements; (iii) JITAP Communication and Discussion Facility introduced and utilized; (iv) analytical and technical materials to identify and address critical policy and trade negotiations issues from a development perspective; (v) revision or adaptation of trade policy and strengthened links with national development strategies for poverty reduction; (vi) formulation of national negotiating objectives and positions relating to WTO Doha negotiations and other trade negotiations; and (vii) coordinating with other countries to support common proposals in negotiations under the Doha Work Programme.

27. As regards the **advanced track**:

- *Expected Outcome*: Institutional capacity for participatory national consultative and consensus-building process will have been strengthened and made sustainable to formulate policies, define trade negotiation objectives under the Doha Work Programme and other trade negotiations, and to comply with obligations, and exercise rights, under WTO Agreements. Involvement of women and women groups in the national consultative processes will have been increased.
- *Outcome indicators*: New policies and negotiating positions formulated and adopted by countries; notifications to the WTO of their obligations the basis

of clear guidelines; notifications to the WTO with regard to their rights through specific actions taken vis-à-vis WTO partners; proposals made by beneficiary countries individually or as a group in the ongoing WTO negotiations; frequency of meetings of IICs; number of recommendations emanating from IICs for government decision-making; increased number and active involvement of parliamentarians in IICs; increased participation of women in IICs; and increased interaction between IICs and Geneva-based trade representatives.

- *Key output:* The advanced track will deliver the following outputs in respect of enhanced national consultative and advisory processes on trade negotiations to formulate new negotiating positions and policy response: (1) positions of trading partners monitored and assessed; (2) research conducted for assessing the impact of various negotiating positions; (3) analytical studies prepared on key multilateral trading system issues; (4) experiences exchanged among IICs; (5) relationships strengthened between policymakers in capitals and the country representatives in Geneva; (6) the involvement of civil society, legislative bodies and media increased; (7) the interface of the multilateral trading system with regional integration processes and other international trade agreements addressed, where possible; and (8) revision or adaptation of trade policy and strengthened links with national development strategies for poverty reduction.
- The advanced track will deliver the following outputs in respect of enhanced capacity for monitoring and implementation of WTO Agreements: (i) clear guidelines for required legal reforms and implementation measures under WTO; (ii) a review and assessment of the country's status regarding compliance with legal obligations, including notification requirements under WTO Agreements; (iii) a plan for meeting those obligations with benchmarks and time frame, and the identification of human and institutional capacity-building needs; and (iv) procedures for exercising of rights available under WTO Agreements.

## **C. JITAP STRATEGY FOR THE IMPLEMENTATION OF MODULE 1**

### **a. Target audience of JITAP II capacity-building activities under Module 1**

28. The direct beneficiaries under Module 1 activities are the members of the IICs and national institutions that participate in trade policy formulation and implementation, namely government ministries, statutory bodies, academic and research institutes, the private sector and civil society organizations.

### **b. Implementation strategy for Module 1**

29. The implementation of Module 1 will, as far as practical, follow the two-track approach, namely a foundation track and an advanced track.

30. The foundation track seeks to assist beneficiary countries in establishing IICs, making them operational and establishing and implementing work programmes. Specifically, the IICs will be assisted in developing endogenous capacities in: (1)

developing trade policy responses to changes posed by the multilateral trading system including WTO rights and obligations, particularly in the context of the Doha Work Programme; (2) formulating negotiating objectives and positions; (3) monitoring the implementation of WTO rights and obligations; (4) conducting national stakeholder dialogues; (5) preparing through national consultation for WTO ministerial conferences; and (6) establishing plans for compliance with obligations under the WTO Agreements. Links will be established, in respect of capacity-building analytical and research activities, with national and regional networks of research communities. In implementing their activities, the IICs will establish links with other technical assistance programmes providing similar support for trade negotiations.

31. The advanced track seeks to strengthen the monitoring and implementation of WTO Agreements, and to enhance national consultative processes on trade negotiations, including through linkages with trade negotiators in Geneva and between different IICs. The IICs in this track will seek to develop linkages with DFID's regional programme on trade and poverty alleviation in Africa, and other trade-related capacity-building programmes.

32. Research, training and information dissemination activities by and for the IICs could be reinforced. This would be directed at improving knowledge of, and expertise in, trade negotiations and MTS-related issues among IIC members, which can ensure the smooth and effective operation of the IICs. This is important, as there tends to be a problem of high rotation of personnel in charge of IICs in IIC member institutions.

33. The evolving nature of the trade negotiating agenda with the constant introduction of new issues and growing complexity makes it imperative for IICs to incorporate permanent, not sporadic, analytical and training capacity-building programmes on trade negotiations and MTS-related issues. Support will be provided under JITAP for the training activities, in particular those addressing the IIC members, by the national network of MTS trainers. It will also explore ways to collaborate with the national and regional network of research institutions.

### **c. National implementation of module activities**

34. Activities at the national level under Module 1 will be delivered and implemented through the IICs with the support of the National Focal Point under the overall guidance of the National Steering Committee. In undertaking their trade policy coordination and implementation role, the IICs will: (1) elaborate annual work plans; (2) prepare terms of reference for technical papers and studies; (3) draw up recommendations; and (4) establish topics for national technical workshops and IIC retreats. The National Focal Point will be instrumental in: (1) monitoring the implementation of the work of the IICs; (2) serve as a national technical secretariat; (3) coordinate the work of the IICs; and (4) organize and service national technical workshops and IIC retreats. The National Steering Committee will provide overall policy orientation at the national level for the IIC.

#### d. Performance indicators for activities under Module 1

Performance framework	Performance indicators	Data sources
<i>Impact</i>		
Strengthened national capacity to respond effectively to MTS opportunities and challenges		
<i>Expected Outputs</i>		
Fully functional IICs with the active involvement of key stakeholders	<ul style="list-style-type: none"> <li>- Composition of IIC membership</li> <li>- Work plans and terms of reference for subcommittees</li> <li>- Frequency of IIC and sub-committee meetings, workshops and retreats</li> <li>- Participation of non-governmental stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>- Reports of meetings of the IICs and subcommittees</li> <li>- JITAP progress reports from the National Focal Point</li> </ul>
Increased understanding of MTS issues at the national level	<ul style="list-style-type: none"> <li>- Number of training workshops held</li> <li>- Utilization of the communication and discussion facility (CDF)</li> <li>- Analytical papers and studies undertaken at the national level</li> </ul>	<ul style="list-style-type: none"> <li>- Evaluation reports of training activities</li> <li>- The level of discussion, comments and questions submitted on the CDF</li> <li>- Analytical papers and studies undertaken</li> </ul>
Better understanding of the linkages between trade policies and national development strategies for poverty reduction	<ul style="list-style-type: none"> <li>- Strengthened interlinkages between trade and national development strategy</li> </ul>	<ul style="list-style-type: none"> <li>- The national development papers and reports</li> </ul>
<i>Results</i>		
Identification of areas of interest for the country in the WTO negotiations and other trade negotiations	<ul style="list-style-type: none"> <li>- Reports of IIC plenary, subcommittees, workshops and retreats</li> </ul>	<ul style="list-style-type: none"> <li>- National Focal Point</li> </ul>
Formulation of national trade negotiating objectives and national position for MTS negotiations	<ul style="list-style-type: none"> <li>- Draft national negotiating position paper and proposals</li> </ul>	<ul style="list-style-type: none"> <li>- National Focal Point</li> </ul>
Revised trade policies that are linked to national development strategies	<ul style="list-style-type: none"> <li>- Draft revision paper</li> </ul>	<ul style="list-style-type: none"> <li>- National Focal Point</li> </ul>

#### D: AN IMPLEMENTATION GUIDE TO MODULE 1

35. Indicative steps in establishing and operationalizing IICs and in launching intersectoral, multi-stakeholder consultations on MTS-related issues are summarized below. The focus of the foundation track countries would be to establish and make operational a fully functional IIC, and build basic capacity to understand, research and analyse MTS issues, define national interests and objectives in trade negotiations, identify obligations under WTO and draw up work plans for the implementation and conduct of multi-sectoral, government stakeholder consultations to build national consensus on trade negotiations and trade policies. The focus of the advanced track countries would be to consolidate the capacities already built, and further strengthen and make sustainable the institutional capacities in research and analysis, trade negotiations, and trade policy formulation and implementation.

**a. Structure and contents of the toolkit**

36. The toolkit for Module 1 is composed of the following three aspects that comprise an integrated set of explanations and guidelines for building and strengthening MTS institutional capacity, primarily through the establishment and operationalization of an Inter-Institutional Committee dealing with international trade:

- A. The concept
- B. Practical experiences with IICs
- C. A six-step implementation guide

**b. Adaptation to local needs and target groups**

37. Individual countries have priorities for developing capacities in different areas of the MTS. This has an immediate implication for the resource and reference material to be supplied in them. That material, including training material, will necessarily be generic enough to suit the request of a diversified clientele. Also, technical studies will be needed and thus the terms of reference for them such as the assessment of trade in services, implications of tariff reductions on non-agricultural market access, and implications of agriculture liberalization would be adapted as necessary

**c. Delivery of the toolkit**

38. The Toolkit implementation consists of the following six steps:

- STEP 1: Definition of capacity-building objectives;
- STEP 2: Establishment of the IIC;
- STEP 3: Operationalization of the IIC;
- STEP 4: Work plan of the IIC;
- STEP 5: Implementation;
- STEP 6: Evaluation.

39. The six step process forms the implementation structure of the toolkit for Module 1. It can be applied sequentially or otherwise, depending on the baseline situation of the country concerned. It is fully delineated in chapter III.

**E: RECAPITULATION OF MODULE ACTIVITIES**

**(a) Countries in the first phase of JITAP**

40. The countries involved in the first phase of JITAP were Benin, Burkina Faso, Côte d'Ivoire, Kenya, Tunisia, United Republic of Tanzania and Uganda. The main activities to be undertaken by these countries will entail consolidation and strengthening of the capacities already built. The 6-steps implementation guide delineated in Chapter II forms the basis for strengthening the operations of the IICs.

**(b) Countries involved in the second phase of JITAP**

41. The countries involved in the second phase of JITAP comprise those under the first phase and the following ones: Botswana, Cameroon, Malawi, Mali, Mauritania, Mozambique, Senegal and Zambia. The six step implementation process described above (and in detail in chapter II) will be applied sequentially or otherwise, depending on the baseline situation of the country concerned.

**(c) Consolidated schedule of activities**

42. The schedule of implementation of the module activities will be implemented on the basis of the needs reflected in the country project documents.

**(d) Sequencing of module activities**

43. In order to successfully meet the objectives of Module 1, the six-step implementation guide should be closely followed and implemented, according to the particular situation of each country.

**(e) Special considerations: Gender-and poverty-related activities**

44. Particular attention will be given to ensuring the involvement of women in the work of the IICs and their subcommittees. Also, training on the MTS involving IICs will include the active involvement of women and women's organizations.

## **Chapter II**

### **PRACTICAL EXPERIENCES WITH INTER-INSTITUTIONAL COMMITTEES**

#### **A. Benin's Inter-Institutional Commission Responsible for Follow-up and Implementing the WTO Agreements**

45. The Inter-Institutional Commission Responsible for Follow-up and Implementing the World Trade Organization (WTO) Agreements (CNSC/OMC) was created by Presidential Decree of 22 January 2000. Its objectives are to:

- (1) Constitute a consultation platform for national decision-making on trade policy and for coordination of legislative and institutional changes conforming to multilateral trade agreements and other trade agreements;
- (2) Examine issues relating to notification and transparency requirements of WTO and ensuring appropriate follow-up;
- (3) Identify special and differential provisions for developing countries and LDCs in WTO Agreements and prepare recommendations on making effective use of these provisions;
- (4) Conduct annual assessment of the implementation of WTO Agreements, their impact and difficulties encountered;
- (5) Serve as a forum for the analysis and identification of Benin's negotiating positions; for assisting and preparing trade negotiators in the negotiation of future trade agreements on the basis of a positive agenda and clearly defined objectives; and for ensuring coherence between multilateral and regional trade objectives;
- (6) Prepare and adopt annual plans for the implementation of activities;
- (7) Create specialized working groups to assist the Commission in detailed sectoral analyses and consideration.

46. The Commission is organized into four working groups, namely:

- (1) The Working Group on Goods;
- (2) The Working Group on Services;
- (3) The Working Group on TRIPS;
- (4) The Working Group on Singapore issues.

47. With JITAP and the creation of the Commission, the national consultation process, which existed beforehand, was formalized and went beyond the usual framework of the Central Administration Departments to increasingly involve the private sector, professional associations and NGOs concerned to various degrees with the WTO Agreements. The consultation between the private sector and public administration has been since JITAP, a reality within the Commission.

48. The Commission has about 40 members from various backgrounds and the consultations are carried out in public (see box 1).



<b>Box 1. Membership of the Inter-Institutional Commission Responsible for Follow-up and Implementing the WTO Agreements</b>	
<ol style="list-style-type: none"> <li>1.</li> <li>2. <i>Ministry of Employment, Trade and Industry</i></li> <li>3. Programming and Planning Department</li> <li>4. Department of Foreign Trade</li> <li>5. Beninese Centre for Foreign Trade</li> <li>6. The Benin Business Opportunities Observatory</li> <li>7. Department of Training and Employment Promotion</li> <li>8. Department of Industrial Development</li> <li>9. Department of Metrology, Standards and Quality</li> <li>10. National Centre for Intellectual Property</li> <li>11. Benin Centre for Standardisation and Quality Management</li> <li>12. <i>Ministry of Justice, Legislation and Human Rights</i></li> <li>13. Department of Codification and Legislation</li> <li>14. <i>Ministry of Foreign Affairs and African Integration</i></li> <li>15. Department of International Organisations</li> <li>16. <i>Ministry of Governmental Action Coordination</i></li> <li>17. Department of National Statistics and Economic Analysis</li> <li>18. Department of Foreign Contribution to Development</li> <li>19. Investments Promotion Centre</li> <li>20. <i>Ministry of Finance and the Economy</i></li> <li>21. General Department of Customs and Excise</li> <li>22. General Department of Economic Affairs</li> <li>23. Department of Monetary and Financial Affairs</li> <li>24. Department of Public Markets and Equipment</li> <li>25. Department of Regional Integration</li> <li>26. General Department of the Budget and Public Investments</li> <li>27. <i>Ministry of Agriculture, Animal Industry and Fisheries</i></li> <li>28. National Farming Products Price Stabilization Office</li> <li>29. Department of Agriculture</li> <li>30. Department of Farming Products Quality and Packaging Promotion</li> </ol>	<ol style="list-style-type: none"> <li>31.</li> <li>32. Benin Chamber of Agriculture</li> <li>33. Ministry of Equipment and Transport</li> <li>34. National Shippers Council of Benin</li> <li>35. Department of the Merchant Navy</li> <li>36. <i>Ministry of Communication and New Technologies Promotion</i></li> <li>37. General Department of the Post and Telecommunications Office</li> <li>38. <i>Ministry of the Environment and Town Planning</i></li> <li>39. Department of the Environment</li> <li>40. <i>Ministry of Culture, Crafts and Tourism</i></li> <li>41. Benin Office for Authors' Rights</li> <li>42. Department of Tourist Development</li> <li>43. Department of National Crafts</li> <li>44. <i>Ministry of Health</i></li> <li>45. Department of National Pharmacies and Diagnosis Explorations</li> <li>46. <i>Ministry of Higher Education and Scientific Research</i></li> <li>47. National Applied Economy and Management School</li> <li>48. Faculty of Economic Sciences and Management</li> <li>49. <i>Ministry of the Interior and Public Security</i></li> <li>50. General Department of the National Police</li> <li>51. <i>Benin Chamber of Commerce and Industry</i></li> <li>52. <i>National Exports Council</i></li> <li>53. <i>National Management Council</i></li> <li>54. <i>Benin Export Development Association</i></li> <li>55. <i>Analysis Laboratory into Social Expertise</i></li> <li>56. <i>Benin Young Economic Chamber</i></li> <li>57. <i>National Federation of Benin Craftsmen</i></li> </ol>

49. On the basis of the WTO agenda and priority issues which are the subject of discussions or negotiations at the WTO, and the national development objectives, the

working groups draw up their activity programmes which are submitted for review by the Commission to be amended and adopted in plenary session.

50. The working groups then take charge of the validated activities and organize themselves into sub-sectoral working groups or ad hoc committees within which resource persons or private economic players from the sector or the related sub-sector are called upon to support its work. As an illustration, an example in the domain of TRIPS can be cited. As regards the TRIPS domain, in order to have clarified opinions and decisions and arrive at a better analysis of certain issues, the Working Group on Intellectual Property calls upon the Ministry of Agriculture and resource persons from focal points on issues relating to biodiversity, protection of traditional knowledge and folklore, the extension of protection by geographical indications on products other than wines and spirits, and access to essential drugs. The Working Group also calls on NGOs such as GRAIN/Benin, an NGO specializing in biological diversity issues and defending the rights of local communities; ARAMBE KAFU-ATA, an NGO for defending consumer rights with special reference to issues of access to essential drugs; and Que Choisir Bénin, an NGO responsible for consumer defence.

51. The Working Group also decided to create a committee responsible for taking stock of the existing points of views such as on protecting new plant species and the rights of local communities, and using the provisions of the Doha Ministerial Declaration relating to compulsory licences for manufacturing generic drugs. Resource persons, experts and other specialists are brought together to examine these issues with a view to advising the country of the most advantageous positions, consistent with the different conventions to which Benin is party.

52. Through the Commission, the preparatory work for the Fifth WTO Ministerial Conference in Cancún (September 2003) involved and took into account the different positions expressed by the private sector (and other stakeholders) on the Doha agenda issues, even when the interaction between the private sector and the administration was not done within a workshop format. It is important to specify that the national negotiation document drawn up by Benin as part of its involvement in the Fifth WTO Ministerial Conference derived from the dynamism of the work of the Commission.

53. The Commission is aware that the national consultation process can be useful only if all national economy players have a better knowledge of the WTO Agreements. This is why, with the cooperation of the network of trainers created under JITAP, namely the Multilateral Trade and Development Research Centre, it supports the dissemination seminars of the WTO Agreements and their impact.

54. Concomitant with knowledge on the WTO Agreements acquired by the members of the Commission over the years, a dynamism has been established within this Commission, as it becomes better equipped to express its opinion on the subjects of negotiation. In this connection, for example, the members of the Commission have contributed to work undertaken by members of the Inter-Professional Cotton, Association (IPCA) and certain NGOs in introducing to the WTO the sectoral initiative in favour of cotton whose aim is to galvanize the opinion of the international community and seek redress from the WTO for losses incurred by West and Central African countries as a result of subsidies given to cotton producers in developed countries.

## B. Burkina Faso's National Committee for the Follow-up and Coordination of Implementation of WTO Agreements

55. A two-level pyramid mechanism has been put in place to manage the multilateral trade system. At the first level is the National Committee for the Follow-up and Coordination of Implementation of WTO Agreements. At the second level is the Ministerial Committee for Monitoring Multilateral Trade Negotiations, created by decree of by the Council of Ministers.

56. As regards the National Committee for the Follow-up and Coordination of Implementation of WTO Agreements, a working group was set up by the Ministry of Commerce in 1993 to follow and manage the Uruguay Round negotiations and their results. This working group was subsequently transformed into the Committee for the Follow-up and Coordination of Implementation of WTO Agreements (CNSC/OMC) by Ministerial decree No. 97 038/MCIA/SG/DGC of 18 August 1997. In order to strengthen the National Committee, its legal status was consolidated by a presidential decree of 13 September 2000 (Decree No. 2000-400/PRES/PM/MCIA). The National Committee is composed of members of the Government, parastatals, private sector, the civil society and academia (see box 2) .

<b>Box 2. Membership of the National Committee for the Follow-up and Coordination of Implementation of WTO Agreements</b>	
<p><i>Administration:</i> Ministries whose activities are international-trade-related and are responsible for:</p> <ol style="list-style-type: none"> <li>1. Trade, Industry and Crafts</li> <li>2. Economics and Finance</li> <li>3. Agriculture</li> <li>4. Animal Industry</li> <li>5. Transport and Tourism</li> <li>6. Communications</li> <li>7. The Environment</li> <li>8. Foreign Affairs and Regional Cooperation</li> <li>9. Justice</li> <li>10. Culture and The Arts</li> <li>11. Relations with Parliament</li> <li>12. Health</li> </ol> <p><i>Support bodies to the private sector:</i></p> <ol style="list-style-type: none"> <li>13. National Foreign Trade Office</li> <li>14. Chamber of Commerce</li> <li>15. Burkinabe Shippers Council</li> </ol>	<p><i>Private sector professional organizations:</i></p> <ol style="list-style-type: none"> <li>16. The Professional Industrialists Group</li> <li>17. The Importers and Exporters Union</li> <li>18. The National Management Council</li> <li>19. The Professional Banks and Financial Institutions Association</li> <li>20. The Professional Insurance Companies Association</li> </ol> <p><i>Civil society organizations:</i></p> <ol style="list-style-type: none"> <li>21. Representatives of central labour unions and consumer defence organizations</li> </ol> <p><i>Specific bodies:</i></p> <ol style="list-style-type: none"> <li>22. Burkinabe Copyrights Office</li> <li>23. National Telecommunications Office</li> <li>24. National Tourism Office</li> <li>25. Textile Industries</li> </ol> <p><i>Academia:</i></p> <ol style="list-style-type: none"> <li>26. University of Ouagadougou</li> </ol>

57. The decree establishing the National Committee identifies its aims as follows:

- (1) To solicit and facilitate the exchange of ideas on trade policy issues and trade negotiations, and monitor and coordinate institutional and legislative changes necessary for the implementation of WTO Agreements;
- (2) Address issues regarding notification and transparency;
- (3) Provide trade information;

- (4) Exploit the special and differential provisions for developing countries and LDCs available in WTO Agreements;
- (5) Undertake periodic evaluation of the implementation of WTO Agreements, the resultant benefits and the difficulties encountered;
- (6) Sensitize and train economic operators about the MTS;
- (7) Lead national debate and reflection on questions regarding the multilateral trading system, including on using and managing WTO Agreements: and
- (8) Coordinate WTO activities.

58. To accomplish its mission, the National Committee is structured into three committees on market access, trade in services and TRIPS.

59. The Committee on Market Access is essentially responsible for the 1994 GATT agreements (trade in goods). Given the importance of these agreements, the Committee has been subdivided into three subcommittees to address specific agreements or issues. Sub-Committee 1 on Issues relating to Agriculture deals with the Agreement on Agriculture, the Agreement on Sanitary and Phytosanitary Measures, the Agreement on Technical Barriers to Trade, the Agreement on Subsidies and Countervailing Measures and the Agreement on Textiles and Clothing. Sub-Committee 2 on Issues relating to Customs deals with the Agreement on Customs Valuation, the Agreement on the Rules of Origin, the Anti-dumping Agreement, the Agreement on Import Licensing, and the Agreement on Pre-shipment Inspection. Sub-Committee 3 on Other issues on Trade in Goods deals with the Dispute Settlement Mechanism, Trade Policy Review Mechanism, the Agreement on Trade-Related Investment Measures (TRIMs), the Agreements on Safeguards, and the Singapore issues.

60. The Committee on Trade in Services is responsible for the GATS, while the Committee on TRIPS deals with intellectual property issues.

61. The National Committee meets once a quarter and validates the work of the committees. The latter meet once a month to (a) monitor and assess the different agreements; (b) assess the state of implementation of the WTO Agreements, the necessary legislative and regulatory adjustments to be made, the notifications to be satisfied, and the opportunities to be seized in terms of market access, special and differentiated treatment, and technical assistance; and (c) define national interests and positions in trade negotiations and strategies in exploiting trading opportunities.

62. The Ministerial Committee for Monitoring Multilateral Trade Negotiations was created to deal with the multiplication of trade negotiations and the scope of norms, which are making the negotiation process complex. The negotiation stakes are considerable as they have an impact on the development objectives of members of the WTO.

63. The Ministerial Committee is under the authority of the Prime Minister. It brings together the members of the Government directly involved with WTO Agreements. It is responsible for (a) defining the national negotiation mandate and strategies based on national development objectives; (b) giving the National Committee guidelines to follow for preparing trade negotiations; and (c) strengthening

the capacities of government and non-governmental players for engaging in trade negotiations.

**C. Côte d'Ivoire's National Inter-Institutional Committee on the Follow-up to WTO Agreements**

64. The National Inter-Institutional Committee on the Follow-up to WTO Agreements (CNIS/OMC) originates from a public sector/private sector liaison Committee. It was created by Inter-Ministerial Decree No. 2001-748 of 22 November 2001, reinforcing its legal base. Its role is to:

- (1) Monitor and implement WTO Agreements;
- (2) Examine issues relating to the multilateral trading system;
- (3) Prepare and participate in multilateral trade negotiations;
- (4) Prepare drafts of legislative and regulatory measures on WTO Agreements;
- (5) Disseminate and "localize" information and publications provided by the WTO;
- (6) Monitor and coordinate subregional and regional trade negotiations concerning current or future treaties and international agreements;
- (7) Reinforce national expertise on MTS issues through training and dissemination of information to the Government and economic operators.

65. The Consultative Committee comprises various agencies (see box 3).

<b>Box 3. Membership of National Inter-Institutional Committee on the Follow-up to WTO Agreements</b>	
<ol style="list-style-type: none"> <li>1. The Prime Minister's Office</li> <li>2. Ministry of Trade</li> <li>3. Ministry of the Economy and Finance</li> <li>4. Ministry of Agriculture</li> <li>5. Ministry of Transport</li> <li>6. Ministry of Culture</li> <li>7. Ministry of Industry</li> <li>8. Ministry of Health</li> <li>9. Ministry of Animal Industries</li> </ol>	<ol style="list-style-type: none"> <li>10. Ivorian Industrial Property Office</li> <li>11. General Customs Department</li> <li>12. Chamber of Commerce and Industry</li> <li>13. Association for Promoting Ivory Coast Exports</li> <li>14. Ivory Coast Investment Promotions Centre</li> <li>15. National Federation of Ivory Coast Industries and Services</li> <li>16. National Technical Studies and Development Office</li> </ol>

66. The Consultative Committee has four working Sub-Committees, namely the Sub-Committee on Trade in Services, the Sub-Committee on Goods and New Issues, the Sub-Committee on Agriculture and the Sub-Committee on TRIPS.

67. The Consultative Committee examined the issues on the Doha agenda and their impact on the national economy. With a view to preparing negotiations at the WTO and participating in the Fifth WTO Conference in Cancún, the Consultative Committee organized a number of meetings to sensitize national stakeholders and prepare national positions: (a) sensitization meeting for economic operators on the stakes of negotiations at the WTO (April 2002); (b) participation of the members of the Sub-Committee on Trade in Services in a seminar organized at the Department of Foreign Trade by UNCTAD (August 2002); (c) national retreat to prepare for the WTO General Council meeting (November 2002); (d) participation of two members

in that General Council meeting in Geneva; and (e) sensitization meeting on WTO negotiation stakes and Economic Partnership Agreements with the EU (December 2002). In 2003, other preparatory meetings were convened which have also contributed to the active participation of the private sector in the preparatory work for the Fifth WTO Ministerial Conference.

**D. Ghana's Inter-Institutional Committee on Follow-up of WTO Agreements**

68. Immediately after the Uruguay Round, a National Committee on Multilateral Trade Issues was constituted on the instructions of Cabinet. Its mandate was to carry out comprehensive studies of the Uruguay Round Agreements and to design appropriate policies to mitigate the perceived negative impact of the Agreements on Ghana. More importantly, the Committee was tasked to design the necessary trade policies aimed at taking advantage of the market access openings generated by the Uruguay Round, including through the diversification of product and markets. The Committee was also to ensure that obligations and commitments entered into under the WTO Agreements are complied with. It is made up of ministries, departments and agencies, the private sector, civil society, academia, economic journalists and parliamentarians (see box 4). This intersectoral membership allows cross-fertilization of ideas, transparency in setting negotiation directives and the incorporation of stakeholders' interests.

69. With the inception of JITAP, the name of the National Committee was changed to the Inter-Institutional Committee (IIC) on Follow-up of WTO Agreements. The IIC serves as a coordinating and consultation forum for national discussions and analysis of issues relating to the multilateral trading system and their impact on Ghana's trade and trade policy. The IIC also serves as a platform for assessment of its own work programmes and those of its subcommittees under their specific terms of reference from which national positions and negotiating strategies are developed. The IIC assists Ghana in defining areas and priorities in which action can be taken within the national framework, helps the country to rationalize work on WTO, and assists national trade policy formulation machinery to prepare for effective participation in WTO.

<b>Box 4. Membership of the Inter-Institutional Committee on Follow-up of WTO Agreements</b>	
1. Ministry of Trade and Industry	13. Institute of Social, Statistical and Economic Research
2. Ghana Export Promotion Council	14. Ghana Institute of Management and Public Administration
3. Ministry of Food and Agriculture	15. Registrar-General's Department
4. Ghana Standards Board	16. National Development Planning Commission
5. The Ghana National Chamber of Commerce and Industry	17. Ministry of Tourism
6. Copyright Office	18. Association of Ghana Industries
7. Federation of Association of Ghanaian Exporters	19. Ministry of Science and Environment
8. Attorney-General's Department	20. Trade Union Congress
9. The Ghana Shippers Council	21. Economic Journalists Association
10. Ministry of Finance	
11. Customs, Excise and Preventive Service	
12. Private Enterprise Foundation	

70. The IIC has seven sub-committees, namely:

1. Sub-Committee on Market Access;
2. Sub-Committee on TBT/SPS;
3. Sub-Committee on TRIPS;
4. Sub-Committee on Services;
5. Sub-Committee on Agriculture;
6. Sub-Committee on Environment;
7. Sub-Committee on ACP/EU Trade Relations.

71. The Ministry of Trade and Industry is the focal point, lead agency and coordinating institution for the IIC. As part of sustaining activities and interest in the WTO and other multilateral trade issues and to enhance consultations and effective communications channels, all institutions members of the IIC have established WTO desks. These are regularly supplied with relevant documentation, information and requisite data on multilateral trade issues.

72. At the intragovernmental level, there are regular meetings between ministries. Regular briefing sessions are also held to inform members of developments within the MTS. Background documents, including technical papers, are prepared by the sub-committees with a view to stimulating discussions in specific areas.

73. There is ongoing coordination between Geneva and the capital. Representatives from the capital attend important meetings in Geneva. There is also a regular flow of documentation and information between the capital and Geneva.

74. In order to solicit views and comments from all stakeholders and to get them actively involved in multilateral trade issues, public trade debates are held with participants and resource persons drawn from the public trade policy formulation institutions, private sector operators, civil society, parliament, economic journalists and academia. To sustain the coordination and consultation process, workshops and seminars on current developments in the MTS are held for IIC members.

75. Parliamentary briefing sessions in the form of ministerial statements on trade and trade policy issues also form another major channel of national consultations.

76. Strengthened private-public sector networking is being encouraged to ensure that the determination of national positions on negotiating issues reflects national consensus and captures the perspective of businesses.

#### **E. Kenya's National Committee on WTO**

77. Kenya established a Permanent Inter-Ministerial Committee in 1995 to handle WTO issues. After representatives from the private sector became members, the name was modified to the National Committee on WTO (NCWTO). The National Committee on WTO provides a platform for analysing trade issues and coordinating development of national policy and negotiating positions relating to multilateral trade issues. Work on the various trade policy issues and the preparation of negotiating positions are undertaken at the subcommittee level. There are 11 subcommittees, which meet monthly or as is necessary. These are:

1. Agriculture including TBT and SPS;
2. Services;
3. TRIPS;
4. Trade and Competition Policy;
5. E-Commerce;
6. Trade and Investment;
7. Trade and Environment;
8. Trade and Labour Standards;
9. Trade Facilitation;
10. Government Procurement;
11. Industrial Tariffs.

78. The NCWTO meets once every two months, and it is during these meetings that the subcommittees table their reports on the work undertaken. The NCWTO has held many meetings and several National Retreats. The NCWTO played a key role in Kenya's effective participation in the Fourth WTO Ministerial Conference in Doha in 2001 and in preparing Kenya's position papers. It did the same for Kenya's preparation for the Fifth WTO Ministerial Conference in Cancún.

79. The NCWTO has been acting as an advisory body to the Government on trade policy and negotiation issues. In this regard, it has been supported by other international agencies or local governmental and non-governmental organizations.

80. The membership of the NCWTO has been expanded to ensure adequate representation from the major stakeholders (see box 5). This includes drawing membership from the public sector, academic institutions, the business community and civil society, as well as from JITAP's network of persons trained in MTS issues.

<b>Box 5. Membership of the National Committee on WTO</b>	
<ol style="list-style-type: none"> <li>1. Ministry of Trade and Industry</li> <li>2. Ministry of Agriculture and Rural Development</li> <li>3. Ministry of Road and Public Works</li> <li>4. Ministry of Finance and Planning</li> <li>5. Ministry of Transport and Communications</li> <li>6. Kenya Law Reform Commission</li> <li>7. Kenya Association of Manufacturers</li> <li>8. Kenya National Chamber of Commerce &amp; Industry</li> <li>9. Kenya International Freight and Warehousing Association</li> <li>10. Private Sector Foundation</li> <li>11. Kenya Bureau of Standards</li> <li>12. Export Promotion Council</li> <li>13. Association of Professional Societies of East Africa</li> <li>14. Central Bank of Kenya</li> <li>15. Kenya Tourism Board</li> <li>16. Association of Consulting Engineers</li> <li>17. Investment Promotion Centre</li> </ol>	<ol style="list-style-type: none"> <li>18. Capital Markets Authority</li> <li>19. National Environmental Management Authority</li> <li>20. Kenya Ports Authority</li> <li>21. Department of Immigration</li> <li>22. Kenya Plant Health Inspectorate Services</li> <li>23. Attorney General Chambers</li> <li>24. Export Processing Zones Authority</li> <li>25. Consumer Information Network</li> <li>26. Kenya Industrial Property Institute</li> <li>27. Action-Aid</li> <li>28. University of Nairobi</li> <li>29. Jomo Kenyatta University of Agriculture and Technology</li> <li>30. Federation of Kenya Employers</li> <li>31. Ministry of Labour &amp; Human Resource Development</li> <li>32. Ministry of Health</li> <li>33. Central Organisation of Trade Unions</li> </ol>



81. Specialized workshops have been organized by the NCWTO with the support of UNCTAD, WTO and ITC, for example national workshops on agriculture and on services, and on professional services at the subregional level for East Africa.

82. Efforts have been made in the NCWTO to integrate the discussion and negotiation topics in the framework of WTO with those taking place in other international negotiation frameworks, such as the multilateral dimensions of ACP-EU negotiations and for sub-regional and regional integration schemes. A greater exchange of experiences is being encouraged in order to build on the regional dimension and to foster the adoption of common regional strategies and positions.

83. The NCWTO has *inter alia*:

- a. Substantially increased the level of public debate on MTS issues by incorporating civil society in its membership;
- b. Substantially increased its analytical capacity by incorporating more members from academia;
- c. Through consensus defined Kenya's negotiating agenda at the WTO and other bodies, particularly in 2000;
- d. Institutionalized the formulation of work plans as well as the overall monitoring of implementation of these work plans;
- e. Enhanced capacity at the Geneva WTO Mission by having the Government post two additional negotiators while at the same time increasing the frequency of capital-based technical staff travelling to Geneva to support the Geneva team in negotiations;
- f. Mandated the Network of Trainers to disseminate information on trade negotiations and their results to the extent allowed by the availability of funds;
- g. Established very close links with IICs in Uganda and the United Republic of Tanzania, and shared experiences on matters of mutual importance both in the WTO context and in the EAC context;
- h. Sought increased participation in the national economic development planning process (and its inputs can have greater impacts in future development plans and economic activities).

#### **F. Tunisia's National Commission on Relations with the WTO**

84. With a view to strengthening its capabilities to face the demands of the multilateral trading system, a National Commission on Relations with the WTO was established which is responsible, in particular for:

- (1) Ensuring coordination between the ministries and the public and private bodies concerned with the WTO and the multilateral trading system;
- (2) Monitoring Tunisia's commitments in terms of multilateral trade as well as preparing for multilateral negotiations; and
- (3) Drawing up recommendations relating to the issues and negotiations linked to the multilateral trading system.

85. The National Commission is assisted in its work by departmental committees, depending on the specific expertise of each department.

86. The National Committee is composed of representatives from different ministries and bodies affected by trade-related issues, as well as representatives from professional organizations (see box 6). It also makes use of resource persons nationally and internationally.

<b>Box 6. Membership of the National Commission on Relations with the WTO</b>
<ol style="list-style-type: none"><li>1. Ministry of Trade</li><li>2. Ministry of Industry</li><li>3. Ministry of Agriculture</li><li>4. Ministry of Foreign Affairs</li><li>5. Export Promotion Centre</li><li>6. Tunisian Union for Industry, Trade and Crafts (TUITC)</li><li>7. Tunisian Union for Agriculture and Fisheries (TUAF)</li></ol>

87. In addition, a Department responsible for relations with the WTO was created within the Ministry of Trade in 1995. Its mandates were redefined in 2001, and it became a Department responsible for the multilateral trade system and relations with the WTO in terms of negotiation, preparation and monitoring of the National Commission's meetings.

88. The work of the National Commission in terms of coordination and consultation concerning the Doha Work Programme has had an impact on:

- a. Broadcasting information on the results of the Doha conference;
- b. Organizing sensitization meetings on the opportunities and challenges of post-Doha multilateral trade negotiations;
- c. Promoting consultation and coordination to identify priority areas and interests in trade negotiations. In this process, professional organizations, civil society and academia provide their proposals on national actions on the Doha Work Programme and the JITAP support desired for developing national capability;
- d. Organizing a series of meetings with the stakeholders concerned in order to study and discuss the proposals and areas of interest to them;
- e. Establishing a negotiations work programme for various working groups in line with the actual negotiations. More than 17 groups have been set up;
- f. Organizing meetings which bring together all the parties concerned to coordinate and refine specific national interests and decide on the approach to be followed and the negotiation strategy;
- g. Launching technical cooperation actions in collaboration with UNCTAD, WTO and ITC. These activities, particularly technical workshops, have an impact on the negotiations in the services sector and the agricultural sector.

89. JITAP and the successful implementation of its first phase in Tunisia have enabled the role and efforts of the National Commission to be consolidated at the management level of government, energized the involvement of stakeholders, especially the private sector and academia in identifying needs, and established priority issues and activities to be undertaken.

## **G. Uganda's Inter-Institutional Trade Committee**

90. In Uganda, an Inter-Institutional Committee (IIC) to address WTO issues was established administratively in 1998, with a membership drawn from public/government institutions, private sector institutions, academicians/researchers and civil society representatives. Subsequently, the mandate of the IIC was expanded to include all trade policy issues. Hence, in 2002, it was renamed the Inter-Institutional Trade Committee (IITC).

91. The IITC is limited to 40 Members representing the stakeholders and acts as a policy adviser to the Government (see box 7). This number is considered large enough to cover all interests, and small enough to conduct serious business effectively. All members are required to show commitment in various forms and in terms of a donating a certain amount of their time. This is reflected in the contributions of different members in terms of analysis of issues, and financial and other contributions to the preparation of working papers and understanding of issues.

<b>Box 7. Membership of the Inter-Institutional Trade Committee</b>	
<ol style="list-style-type: none"> <li>1. Ministry of Tourism, Trade and Industry</li> <li>2. Ministry of Finance, Planning and Economic Development</li> <li>3. Ministry of Foreign Affairs</li> <li>4. Ministry of Health</li> <li>5. Ministry of Agriculture, Animal Industry and Fisheries</li> <li>6. Ministry of Justice</li> <li>7. Uganda Exports Promotion Board</li> <li>8. Uganda National Bureau of Standards</li> <li>9. Uganda Revenue Authority</li> <li>10. Uganda Law Reform Commission</li> <li>11. Bank of Uganda</li> <li>12. Uganda Investment Authority</li> <li>13. National Agricultural Research Organization</li> <li>14. Makerere University Business School</li> </ol>	<ol style="list-style-type: none"> <li>15. Law Development Centre</li> <li>16. ACTIONAID</li> <li>17. Advocates Coalition for Development and Environment</li> <li>18. DENIVA</li> <li>19. Food Rights Alliance</li> <li>20. Uganda National Farmers Association</li> <li>21. Uganda Law Society</li> <li>22. Private Sector Foundation</li> <li>23. Uganda Manufacturers Association</li> <li>24. Uganda National Chamber of Commerce and Industry</li> <li>25. Uganda Fish Exporters Association</li> <li>26. Uganda Consumer Protection Association</li> <li>27. Uganda Service Exporters Association</li> <li>28. Uganda Clearers and Forwarders Association</li> </ol>

92. The IITC is chaired by the Permanent Secretary in the Ministry of Trade and Industry, the JITAP Focal Point. It has a secretariat within the Department of Trade and Industry, and holds meetings on a quarterly basis. It also holds an annual retreat. It receives reports from its subcommittees, where the technical work is done. In undertaking its work, the IITC consults frequently with Uganda's WTO trade negotiators and when positions are adopted they are immediately communicated to the policy makers and the trade negotiators.

93. The IITC is assisted by several subcommittees. Originally, there were five such committees dealing with specific sectors. However, because the mandate of the IIC was expanded to include all trade policy issues, additional subcommittees were set up from time to time to address new areas of interest. Currently, the following seven Sub-Committees function:

1. The Sub-Committee on Agriculture and Related Agreements: chaired by the Ministry of Agriculture with the Uganda National Farmers Association as the alternate Chair;
2. The Sub-Committee on TRIPS and Legal Aspects: chaired by the Ministry of Justice with the Uganda Law Society as alternate Chair;
3. The Sub-Committee on Services: chaired by the Bank of Uganda with Uganda Services Exporters Association as the alternate Chair;
4. The Sub-Committee on Trade Remedy and Trade Facilitation Agreements: chaired by the Ministry of Finance with the Uganda manufacturers Association as the alternate Chair;
5. The Sub-Committee on New Issues: chaired by the Ministry of Tourism, Trade and Industry with the Uganda National Chamber of Commerce as the alternate Chair;
6. The Sub-Committee on Regional Integration: chaired by the Ministry of Foreign Affairs with the Private Sector Foundation as the alternate Chair;
7. The Sub-Committee on Bilateral Opportunities and Domestic Initiatives: chaired by the Ministry of Tourism, Trade and Industry with the Uganda Importers and Exporters Association as the alternate Chair.

94. Ideally, a subcommittee should meet once a month. It has a core membership of 10 and has the latitude to co-opt another 10 technical or interested parties depending on the issue under discussion. An official from the Department of Trade, normally the desk officer for the subject concerned, guides the subcommittees' discussion and helps in preparing working papers along with other interested stakeholders and members of academic/research institutions.

95. The work of the IITC was originally hampered by lack of resources, both human and financial. Through JITAP, financial and technical support has been extended to the IITC. Also, a National Consultant was engaged to supervise the work of the IIC. Both the Government and stakeholders who are Members of the IIC, recognizing the usefulness of the forum and having a commitment to it, are making financial as well as other contributions necessary for its effectiveness. The Cabinet has been considering a WTO Implementation Bill that will also lead to institutionalizing the IITC.

#### **H. United Republic of Tanzania's Inter-Institutional Technical Committee of the WTO**

96. The Inter-Institutional Technical Committee (IITC) of the WTO has evolved as the main vehicle for consultations, raising awareness, dissemination of information, undertaking analysis of WTO issues and drawing up recommendations for government decision-making. It draws its membership from a broad spectrum of the trade policy community (see box 8). In order to carry out its functions effectively, the IITC at a meeting in July 2002 reconstituted itself into five subcommittees as follows:

- Subcommittee 1: Agreements on Agriculture and SPS;
- Subcommittee 2: Coverage of issues on Agreements on PSI, Customs Valuation, Rules of Origin and Import Licensing;

- Subcommittee 3: Agreements on TRIPS and TRIMS and to include the new issues, i.e. competition policy, environmental and labour issues etc;
- Subcommittee 4: Agreement on Services (GATS);
- Subcommittee 5: Agreements on Textiles and Clothing, TBT, Subsidies and Countervailing Duties, Anti-dumping and Safeguards.

<b>Box 8. Membership of the Inter-Institutional Committee</b>	
1. Ministry of Industry and Commerce	15. Tanzania Chamber of Commerce Industry and Agriculture
2. Ministry of Agriculture & Cooperatives	16. Confederation of Tanzania Industry
3. Ministry of Foreign Affairs	17. Tanzania Association of Exporters
4. Ministry of Finance	18. Ministry of Home Affairs Immigration Department
5. Ministry of Communication and Transport	19. Tanzania Commission for Science and Technology
6. Ministry of Natural Resources and Tourism	20. Tanzania Communications Commission
7. Ministry of Energy and Minerals	21. Tanzania Association of Non-Governmental Organizations
8. Ministry of Trade, Industry and Marketing, Zanzibar	22. Zanzibar Chamber of Commerce Industry and Agriculture
9. Bank of Tanzania	23. Engineers Registration Board
10. National Development Corporation	24. National Construction Council
11. Tanzania Bureau of Standards	25. Medical Association Board
12. Small Industries Development Organization	26. Tanzania Tourist Board
13. Tanzania Investment Center	
14. Tanzania Private Sector Foundation	

97. It was also resolved that the representations in the subcommittees should be expanded to include academia, NGOs and civil society. As a result, the institutional representation in the five subcommittees now reflects these changes.

98. The IITC at its meeting in July 2002 approved the workplans and indicative budgets for each of the subcommittees on the basis of the following:

- Need to review the relevant WTO agreements with a view to identifying particular interests, concerns and priorities for the United Republic of Tanzania, in the context of the Declaration of the Fourth WTO Ministerial Conference;
- For the relevant WTO Agreements, the review should address the status of implementation in terms of:
  - Notifications;
  - Adaptation of the implied laws/regulations;
  - Market access opportunities; and
  - Technical assistance needs.

- Establishment of the United Republic of Tanzania’s position on the ongoing negotiations for the priority areas identified and providing advice to relevant authorities on the same;
- The foregoing analysis would indicate areas of WTO agreements and new agenda items that are not of immediate concern to the United Republic of Tanzania and as such do not require attention or allocation of scarce resources;
- Undertaking sensitization seminars/workshops for stakeholders through the utilization of the National Network of Trainers and professionals in the various fields with supplementary expert support from the executing agencies as appropriate.

99. The implementation of the work plan has concentrated largely on activities of Sub-Committee 1 and Sub-Committee 4. This ensures the implementation of the Doha Ministerial Declaration on the basis of the national interests and priorities. Some of the key achievements are outlined in box 9.

#### Box 9. IITC's KEY ACHIEVEMENTS

- The preparation of the the United Republic of Tanzania’s position for the Fourth WTO Ministerial Conference held in Doha Qatar, from 9 to 13 November 2001, which included positions prepared for the LDC Trade Ministers' meeting in Zanzibar from 22 to 14 July 2001 and those for the SADC Ministerial meeting, held in Mauritius on 4 and 5 September 2001.
- Assisted in building up the United Republic of Tanzania’s position with respect to the ongoing negotiations on GATS and Agriculture. This included:
  - Analysis of the initial bilateral requests to the United Republic of Tanzania made on trade in services by the United States, Australia, China, Japan and the European Union;
  - A review of the existing laws and regulations for selected service sectors including financial, tourism, tele-communications, marine transport and construction.
  - Preparation of the actual draft position on the possible new commitments under GATS;
  - Drawing up a “National Negotiation Position Paper” on agriculture based on selected priority product-clusters, work on which is still in progress;
  - Contributed to the planning and undertaking of sensitisation seminars/workshops on WTO for stakeholders by utilizing the National Network of Trainers and other experts in the various fields.

## Chapter III

### A SIX STEP IMPLEMENTATION GUIDE

#### STEP 1: DEFINING CAPACITY-BUILDING OBJECTIVES

100. The first step in building multilateral trading system institutional capacity is to define the broad objectives of MTS capacity building on the basis of national development priorities and goals, and JITAP's programme focus. At the *development objective level*, in most countries, sustainable economic, social and human development, buttressed by job creation and poverty alleviation, are primary development objectives, consistent with the Millennium Declaration. JITAP can contribute to achieving these objectives by building and strengthening African capacities to integrate beneficially into the MTS and trade negotiations. African countries are facing a complex trade agenda. Under JITAP I, national impact assessments of the WTO Agreements were undertaken to assist in the identification of national objectives and capacity-building requirements. They set out the impact of the MTS on the national economy and delineated areas for external trade policy adaptation. An example is the study for Kenya on the "Multilateral Trading System Impact on National Economy and External Trade Policy Adaptation". This is a major activity in the initial stages of the formation of MTS institutional capacity.

101. At the *trade policy level of objectives*, African countries are engaged in increasing number of complex and overlapping trade negotiations at the multilateral, interregional and regional levels. Most countries are in the process of implementing the WTO Agreements, while participating in the ongoing negotiations, currently under the Doha Work Programme. At the same time they are involved in simultaneous and parallel processes of economic integration and liberalization under various subregional integration groupings such as COMESA, SADC, EAC, UEMOA, ECOWAS, UMA and CEMAC under the umbrella of the African Union, and in regional negotiations with the European Union for Economic Partnership Agreements under the ACP–EU Partnership Agreement. These parallel and continuous sets of trade negotiations require African countries to ensure that all of them and their agreed results are mutually supportive and coherent in a manner that advances their development objectives. To that end, national trade policy-making structures are required that are provided with sound human and institutional capacities, supported by sustained national knowledge bases and networks.

102. Accordingly, a major target area for capacity building is the strengthening of the human, institutional and trade policy capacity to meet the demands of international trade negotiations and trade agreements, formulate and adjust trade policy, and mobilize national stakeholders to be involved in decision-making affecting the country's participation in the MTS. Such capacity-building objectives could include: (i) coordinated development of trade policy linked to development strategies; (ii) identification of national negotiation objectives and positions relating to multilateral trade agreements and negotiations and promoting them in the negotiations to shape the results into reflecting national priorities; and (iii) monitoring and assisting in the adaptation of trade laws and regulations to meet the country's obligations under the WTO rules and taking advantage of the rights therein. The practical experiences outlined in chapter II mention some of the MTS objectives identified by countries.

103. At the *institutional level of objectives*, the mechanism envisaged by JITAP for an effective national consultative mechanism and for coordinating all substantive work relating to the MTS and other trade agreements is the Inter-Institutional Committee (IIC). The key goal of an IIC is to set up a trade policy process that helps each country identify its trade interests in the framework of its national development strategy and at the same time ensure that national development priorities are mainstreamed into national trade priorities and into the MTS (see details in Step 2).

104. Relations with donors are important, both in Geneva in the management of JITAP and at the bilateral level nationally. This can help with developing complementarities with other trade-related technical assistance programmes, such as the Integrated Framework in the case of LDCs. It can also help develop linkages between the trade policy and negotiation programmes, and those targeted at developing and improving supply capacities and competitiveness. The latter brings into greater focus the role of the private sector.

105. The primary role of the Ministry of Trade in driving the institutional capacity building process and the trade policy process requires that the Ministry's capacity be built and strengthened. The Ministry of Trade in many countries is a relatively weak institution when compared with other key economic ministries. Thus, a key institutional objective would be to enhance the capacity of the Ministry of Trade.

## **STEP 2: ESTABLISHMENT OF THE IIC**

106. The second step in building MTS institutional capacity is to establish an Inter-Institutional Committee (IIC). The IIC is a forum for consulting and coordinating different trade and trade-related policy issues and negotiations among domestic stakeholders, and acts as a formal advisory body to the Government. The key goal of the IIC is to set up a trade policy process that helps each country identify its trade interests in the framework of its national development strategy. Trade is crucial in economic policy and planning as it increasingly impinges on almost every sector of the economy, rendering the involvement of key local partners a necessity at the policy level. Trade-related issues are addressed by the Ministry of Trade and other economic and social ministries such as the Ministries of Finance, Planning, Foreign Affairs, Agriculture, Health, Education and Culture. Such agencies in turn need to consider the establishment of WTO desks to facilitate their engagement in MTS issues and relate to the IIC. Likewise, the private sector and civil society can make important contributions in dealing with the effects of trade on businesses and peoples. The engagement of a wider local constituency is needed to ensure a comprehensive, participatory and inclusive approach to the trade policy process. The daily operation of the IIC can have a visible "on the job" pedagogical value in making people from various institutions work together under a single set of integrated, coherent approaches and activities on issues of common interest (often traditionally dealt with separately).

107. In pursuing its objectives through strategic partnerships, the core responsibility of the IIC is to identify national interests and negotiating objectives in trade negotiations, coordinate implementation of resulting trade agreements, and develop



recommendations in the formulation of trade policy framework and instruments. The IIC undertakes these tasks by facilitating dialogue between various governmental departments, and between government and key stakeholders. In order to be effective and viable, the IIC should be established through a formal legal instrument such as a government decree or legislation.

## **1. Legal mandate**

108. *The IIC should be legally established.* A formal legal mandate is essential for the sustainability of the IIC. It establishes its status as a legitimate advisory body to government, which means that the Government should take on board its recommendations. This would also allow for the IIC to access governmental budgetary outlays. Such a mandate would also facilitate the active and regular participation of governmental institutions. The legal instrument should provide for the IIC's composition, the responsibilities of the participating governmental entities, the nature of private sector and civil society participation, its functions, terms of reference and its jurisdiction.

109. Under JITAP I, many countries adopted a government decree to formalize the status of the IICs, formalizing the legal standing of their inter-ministerial coordination and stakeholder consultation mechanisms (see discussion in chapter II). Benin, Burkina Faso and Côte d'Ivoire legalized their IICs through ministerial or presidential decrees. Burkina Faso has further raised the profile of the IIC at the national level by placing the committee under the direct supervision of the Ministerial Committee for Monitoring Multilateral Trade Negotiations under the authority of the Prime Minister. In Uganda, a WTO Implementation Bill has been proposed which would include legal provisions for an IIC. In Uganda, Kenya and the United Republic of Tanzania, the IICs were formed by the Ministries of Trade.

110. The appellation of the IIC is important, and should be detailed in the legal mandate. It should provide a sense of the nature and scope of work of the IIC. The IICs in the eight countries of JITAP I had various names, as follows:

- Inter-Institutional Commission Responsible for Follow-up and Implementing the WTO Agreements of Benin;
- National Committee for the Follow-up and Coordination of Implementation of WTO Agreements and the Ministerial Committee for Monitoring Multilateral Trade Negotiations of Burkina Faso;
- National Inter-Institutional Committee on the Follow-up to WTO Agreements of Côte d'Ivoire;
- Inter-Institutional Committee on Follow-up of WTO Agreements of Ghana; National Committee on WTO of Kenya;
- National Commission on Relations with the WTO of Tunisia;
- Inter-Institutional Trade Committee of Uganda; and
- Inter-Institutional Technical Committee of the WTO of the United Republic of Tanzania.

## **2. Terms of reference**

111. *The terms of reference of the IIC define the nature and scope of its activities - that is, the role and responsibility of the IIC. This should be integrated into the legal instrument creating the IIC. The IIC can be responsible for the following:*

- (1) Defining, through coordination with all relevant actors, the national negotiating position and strategy in the multilateral, regional and interregional negotiations in which the country participates, as well as facilitating trade policy formulation and adaptation;
- (2) Undertaking the follow-up of all negotiations and reviewing the application of the different agreements; evaluating the impact of the results of the agreements for the economy and coordinating with their implementation;
- (3) Coordinating with the country delegation in Geneva and the African Group to the WTO concerning WTO issues;
- (4) Disseminating information regarding trade negotiations and their results;
- (5) Establishing and developing a national research and training agenda on MTS issues;
- (6) Coordinating, as appropriate, with other governmental institutions on actions and strategies in relation to public policy areas related to the issues on the trade negotiation agendas;
- (7) Coordinating all trade-related technical assistance being provided to different institutions of the public and the private sector;
- (8) Developing an annual work plan for the activities that should be undertaken to provide inputs to the negotiations and for capacity building, (studies, technical assistance, training).

112. Increased attention has been given to coordination of parallel negotiations at multilateral, regional and subregional levels. For example Côte d'Ivoire's IIC has included among its tasks, the monitoring and coordination of subregional and regional trade negotiations. Efforts have been made in Kenya's NCWTO to integrate ACP-EU negotiations as well as subregional and regional integration schemes to foster a coherent approach to the various negotiations. Uganda's IIC deals with all international trade negotiations issues.

113. Boxes 10 and 11 provide examples of the terms of reference of two existing IICs (further details are provided in the country briefs in chapter II).

**Box 10. The terms of reference for the IIC of the United Republic of Tanzania**

1. To undertake in-depth study and analysis of the provisions of the WTO Agreements and their likely effects on the national economy;
2. To initiate and expedite changes required for compliance with the provisions of the WTO agreements and fulfilment of resulting obligations in three areas:
  - (i) Initiation and implementation of compliance measures;
  - (ii) Fulfilment of notification and transparency obligations;
  - (iii) Identification of obligations that require new changes in domestic legislation or administrative practices in the process of implementing the WTO Agreements and adapting the resulting international economic environment.
3. To identify all provisions on special and differential treatment in favour of developing and least developed countries in the WTO Agreements and recommend ways and means, including strategies for maximizing the opportunities offered by them to the United Republic of Tanzania;
4. To monitor on a continuous basis the implementation of the WTO Agreements by the

WTO and other member countries with a view to identifying emerging market access and trading opportunities, and disseminate the findings to stakeholders in the public and private sectors;

5. Draw up recommendations on appropriate responses by Tanzanian public and private sector stakeholders regarding the opportunities, benefits and reciprocal obligations emerging from implementation of the Agreements under WTO, regional groupings and other bilateral trade arrangements;
6. Carry out continuous review to identify impediments faced by the business community in undertaking measured steps towards effective utilization of market access opportunities emerging from implementation of the WTO Agreements, and draw up recommendations on appropriate measures by the public and private sector in addressing those impediments;
7. Provide a forum for analysing the country's negotiating positions, preparation and support for the country's trade negotiations based on the United Republic of Tanzania's priorities and negotiating objectives while ensuring consistency between regional and multilateral trade policy objectives;
8. Identify and raise awareness within the Government and in the private sector regarding institutional and legislative measures available for safeguarding Tanzanian rights deriving from the multilateral trading system through ensuring fair trade practices and safeguard of industry threatened by unfair trade practices;
9. Making recommendations on policy options and initiatives on all issues related to the WTO Agreements, including the issues of consistency between bilateral, regional and multilateral policy objectives.

#### **Box 11. The terms of reference for the IIC of Uganda**

The Bill for a statute on the World Trade Organization Implementation Act, prepared by Uganda's Law Reform Commission, proposed to formally establish the IIC with the following terms of reference:

##### **“Section 8 Inter Institutional Committee for Trade.**

(1) There is hereby established a Committee to be known as the Inter Institutional Committee for Trade to implement the World Trade Organization Agreement in accordance with this Act and the implementing statutes.

(2) The committee will be under the chairmanship of the Ministry responsible for trade. It will have a small secretariat and under an autonomous budget draw directly from the consolidated fund.

(3) The Committee shall have the following functions:

- a) undertake all trade negotiations and handle all issues relating to trade at national, regional, bilateral and multilateral level;
- b) assist and advise the Minister on the World Trade Organization sectors;
- c) facilitate and sustain awareness of the impact of the World Trade Organization and globalization on the national and regional economies;
- d) promote market access opportunities under bilateral, regional and multilateral trading systems;
- e) carry out research and disseminate research findings on trade and trade related issues through seminars, workshops and publications;
- f) develop trade policy on national, regional and international trade and advise government on harmonizing these with political and socio-economic integration activities;
- g) advise and act on matters of disputes related to the Agreements or arising out of this Act;
- h) ensure expedient understanding and implementation of international obligations arising from trade agreements; and
- i) perform any functions and carry out any activity as maybe conducive or incidental to the efficient discharge of its functions or as the Minister may, by statutory instrument direct.

(4) The Committee may establish subcommittees for the efficient performance of its functions under this Act.

(5) The procedures of the Committee and subcommittees established under this section shall be prescribed by the Committee.”

### **STEP 3: OPERATIONALIZATION OF THE IIC**

114. The third step in the MTS institutional capacity building is to set up the foundation for the actual functioning of the IIC. This step involves designating its membership, defining its structure and composition, and setting up its technical secretariat to service its operations.

#### **1. Membership**

115. *The membership of the IIC should facilitate the required transparency and degree of participation of key stakeholders*, which is a growing demand these days in many democracies. The IIC needs to obtain its members from economic and social ministries, private sector associations, professional societies, academia and civil society. Participation of the media, as well as parliamentarians, should be encouraged. The IIC should give due regard to the participation of women and gender balance and related issues. Multi-stakeholder participation in the IIC can make important contributions to the definition and implementation of a negotiating strategy and position, and to trade policy. However, not all institutions can participate in all levels of decision-making if efficacy is to be attained. Thus membership of the IIC and its subcommittees has to be rationalized so as to be manageable yet allow for participatory and inclusive national dialogue and consultations. IICs in JITAP I countries have a membership that includes up to 40 organizations.

#### **2. Structure**

116. *The IIC could operate a two-layer structure*, consisting of the plenary committee of all members and its specialized subcommittees composed of restricted membership dealing with key technical thematic issues or specific trade agreements. The *Plenary Committee* is an assembly of all members of the IIC. It could be convened and chaired by the JITAP National Focal Point, normally the Ministry of Trade, and also the national focal point for WTO matters. The Plenary Committee assumes the responsibility for the tasks defined in the terms of reference of the IIC.

117. The Plenary Committee is responsible for the work on trade negotiations, implementation of trade agreements and formulation of trade policy. It provides overall guidelines for the subcommittees in pursuance of its work. It can meet periodically to be informed of the specifics of the negotiations, to review progress, and to take necessary actions and decisions, including on national objectives, priorities and strategy.

118. Under the Plenary Committee, subcommittees can be established following national priorities under the MTS and other trade agreements. They would be composed of a restricted number of members to pool existing national expertise and meet more regularly than the plenary, often on a monthly basis. They would carry out

specialized work as required. The IICs in JITAP I countries have between four and six subcommittees (or more in some cases). Various countries have chosen to establish subcommittees on thematic issues according to their national interest, such as agriculture, services, market access and TRIPS. Membership of the subcommittees or working groups should be limited in order to permit the pooling of existing national expertise and to ease coordination problems. The structure of working groups should provide for flexibility to address the changing nature of the negotiations.

119. Some IICs in JITAP countries have specifically provided subcommittees to address other international trade agenda. For example, Ghana has set up a subcommittee which specifically deals with the ACP/EU trade negotiations. Uganda has a subcommittee dealing with regional integration.

120. An additional ministerial layer could be set up if deemed necessary. Burkina Faso has set up a ministerial committee to relate to and monitor its IIC.

### **3. Secretariat of the IIC**

121. *Setting up a technical secretariat for the IIC to provide backstopping support for the activities of the IIC and maintain files on the IIC's operations* is important. The secretariat supports the work of the IIC and subcommittees, including the members, liaises with the JITAP National Focal Point and, through the Focal Point, with international agencies and providers of trade-related technical assistance. The effectiveness of the IIC will depend, to a large extent, on the capacities of the technical secretariat.

122. The *designation of the institution* that will act as the technical secretariat of the IIC is necessary. In JITAP I countries, the Ministries of Trade have been undertaking this function, as they are the government agency with responsibility for WTO and international trade. Wherever the secretariat is located it must be *equipped with adequate resources to operate and political weight to facilitate decision-making* by the IIC. A senior trade official within the Ministry of Trade should be designated as the head of the technical secretariat for the IIC. This official would manage the work of the secretariat. In some JITAP I countries, it was apparent that the Ministries of Trade did not have enough personnel to provide dedicated support to the IIC or the required weight in the decision-making process within the Government; this inhibited the effectiveness of the IIC. The political weight issue could be addressed through the IIC having a legal mandate and maintaining close links with the Minister of Trade and between the latter and other key economic ministers. Dedicating personnel to the technical secretariat, starting with designation of a senior trade official as its head, could address the personnel issue. In addition, where necessary, a national technical adviser to the IIC could be appointed to provide substantive and administrative support to the head of the technical secretariat and the JITAP National Focal Point in facilitating the functioning of the secretariat. This has proved useful in some JITAP I countries, such as the United Republic of Tanzania.

123. The technical secretariat has to be provided also with the required financial means. The financing of the secretariat should in the medium term be totally financed through regular budgetary outlays of the Government and other stakeholder members

of the IIC. In the start up phase for the establishment of the IIC and its technical secretariat, support from technical cooperation can be provided.

124. A costly alternative to a technical secretariat in the Ministry of Trade would be to have an independent secretariat of the IIC, almost equivalent to an independent institution entrusted with trade negotiations, namely a national trade representative. A high-ranking officer, interacting preferably at ministerial level, would head the trade representative's office. The trade representative would be the main adviser to the IIC and the trade representative's office would serve as the technical secretariat for the IIC. This option was not broached by any of the JITAP I countries.

125. Box 12 provides an example of the scope and method of work of the IIC. Country briefs on the IICs in chapter II provide relevant information for the operationalization of IICs. Case studies on the operationalization of the IICs are available, such as the one for Uganda on “Setting up and Operationalization of Inter-Institutional Committees: The Uganda Inter-Institutional Trade Committee”.

**Box 12. Scope and method of work of the IIC of the United Republic of Tanzania**

“In the performance of its functions, the IITC is expected to work through five working groups or sub-committees specializing in specific WTO Agreements. Each subcommittee is chaired by an official representing the lead ministry responsible for issues covered by Agreements placed under its mandate. Each subcommittee is also serviced by a Secretariat headed by staff drawn from the Ministry of Industry and Trade and a minimum of two other personnel drawn from key institutions from the public sector, academic/research institutions, private sector and /or civil society.

The Secretariats of the Subcommittee are expected to provide the nucleus of analytical capacity on WTO issues and to spearhead the initiative on convening analytical working sessions, arranging meetings and organizing forums for the dissemination of knowledge and information.

The Sub-committees are expected to prepare and adopt work plans to facilitate the implementation of the IITC functions. For the sake of resource savings, considerations are well advanced to merge the management of the JITAP National Steering Committee and that of the Integrated Framework Programme (IFP).”

**STEP 4: WORK PLAN OF THE IIC**

126. The fourth step in the MTS institutional capacity building is the elaboration of an annual work plan by the IIC for its work and those of its subcommittees in fulfilling its terms of reference and achieving national capacity development objectives (defined under Step 1). The annual work plan should *indicate the activities and outputs, time frame, national and international inputs, resource implications and requirements for each activity*, drawing on the priorities detailed in the country's JITAP project document. It should draw on the results of any evaluation conducted (see Step 6).

127. The activities defined would encompass national preparations for trade negotiations (regular meetings, technical workshops, national retreats, participation in regional and international preparatory events); monitoring and coordination of the implementation of WTO Agreements; and review and adaptation of trade policy. The scheduling of activities needs to ensure coherence in their implementation. For

example, when preparing for a WTO Ministerial Conference, a retreat to map out the national position would need to be undertaken before attending subregional, regional and ministerial meetings in preparation for the WTO Ministerial Conference. Prior to the retreat, each subcommittee should prepare and submit its views to the IIC.

128. An example of an annual work plan is set out in table 1.

129. The annual work plan would provide an estimate of national and international inputs, resource implications and requirements for each activity. The budget would depend on the activities planned. The Government, IIC members, JITAP and other trade-related technical assistance programmes would meet these needs.

130. An example of the structure of an annual budget is given in table 2.

131. Research, training and dissemination activities for and by the IIC and its subcommittees need to be reinforced to support its trade negotiations and trade policy formulation role. Holding sporadic workshops will not produce the required results. A permanent programme of research, training and dissemination in trade-related and negotiation issues could be established by the IIC in close collaboration with the national and regional trainers network on MTS issues (established under JITAP Module 3). The research would provide the analysis needed by the IIC on the implications of trade negotiations and trade policy issues. An example of the terms of reference for an assessment of the services sector is provided in box 13.

132. The work plan and resource requirements should preferably be prepared in advance of national budget sessions so that these could be integrated into the budgetary process through the Trade Ministry. The IIC should be a key activity in the presentation by the Trade Ministry to the national planning processes. The Trade Ministry needs to ensure that the medium-term development plans integrate the IICs and trade policy generally.

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
1. The negotiating capacity of the country will be strengthened in trade negotiations in the WTO under the Doha Work Programme (DWP) and the ACP-EU negotiations and other trade negotiations.	1.1. Articulation and formulation of a country position for the WTO Ministerial Conferences and other trade negotiations	1.1.1. A national retreat of the IIC, ahead of the regional and AU Trade Ministers meeting to discuss and coordinate negotiation objectives and national positions on the agenda of the WTO Ministerial Conferences	- Funds for the retreat - Resource persons for the workshop	- Funds for the retreat - Resource persons for the workshop - Relevant reports - in-kind support	A national position for the WTO Ministerial Conferences and for other trade negotiations	Before the regional meetings
		1.1.2. Subcommittee workshops in preparation for the retreat and national positions on the different issues of interest to the country	- Funds for the workshop - Resource persons for the workshop	- Funds for the workshop - Resource persons for the workshop - Relevant publications	Subcommittee reports as inputs to the national retreat and positions on specific issues	Workshops to be held before the retreat so as to contribute effectively



**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
		1.1.3 Liaise and maintain contacts with trade negotiations in Geneva and Brussels, and with other IICs	<ul style="list-style-type: none"> <li>- Prepare &amp; provide regular reports</li> <li>- Provide resource persons</li> </ul>	<ul style="list-style-type: none"> <li>- Negotiation briefs</li> <li>- Funds for travel of country resource persons</li> </ul>	<ul style="list-style-type: none"> <li>- Improving participation in negotiations.</li> <li>- Developing common negotiation positions</li> </ul>	Continuous
	1.2. Sensitization of the IICs and subcommittee members on MTS issues and the ongoing WTO negotiations under the DWP	1.2.1. National workshop on the DWP in general and on specific issues such as agriculture, services and non-agricultural market access	<ul style="list-style-type: none"> <li>- Funds for the workshop</li> <li>- Resource persons for the workshop drawn from IIC members &amp; local/regional researchers' &amp; trainers' network</li> </ul>	<ul style="list-style-type: none"> <li>- Funds for the workshop</li> <li>- Resource persons for the workshop</li> <li>- Relevant publications</li> </ul>	Improved understanding and appreciation on the part of government officials and other stakeholders with regard to negotiating issues of interest to the country under the DWP	<ul style="list-style-type: none"> <li>- Continuous</li> <li>- Prior to meetings of WTO bodies concerned with particular agreements</li> </ul>

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
		1.2.2. Preparation & dissemination of studies and briefs on the ongoing negotiations on issues of national interest	Distribution of the studies to IIC and sub-committee members	Engagement of local & regional consultants; Publishing the studies and briefs	Building local expertise and stock of analytical materials on the MTS for the IICs and sub-committees	Continuous
		1.2.3. Training workshops on selected DWP issues for IIC and subcommittee members	- Funds for the workshop - Resource persons for the workshop	- Funds for the workshop - Resource persons for the workshop - Relevant publications	Trained officials and stakeholders on MTS issues and negotiations	Continuous

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
2. Strengthening the analytical capacity of IIC and subcommittee members on trade policy and regulatory issues of national interest	2.1. Enhanced institutional capacity of IIC and subcommittee members in reviewing policies and regulatory frameworks on international trade and investment that are consistent with poverty reduction and sustainable development objectives at the national level	2.1.1. Studies on mainstreaming trade into development, and development into trade at national, international, interregional and regional levels	- Experts to undertake the studies and provision of information	- National consultants' fees - Publishing and printing - Available information and publications	Improved understanding by national government officials and other stakeholders of trade and trade-related policies, and their interaction with human development	Prior to review of trade policies, or as input to preparation of medium-term development plans
	2.2. Increased involvement of national researchers and academicians in the analysis of national trade and investment policies and negotiating	2.2.1. Conduct studies on current policies and reforms in the country	- Experts to undertake the studies and provision of information	- National consultants' fees - Publishing and Printing - Available information and publications	Better understanding of the state of play on trade and investment policies in the country and the domestic reforms undertaken and those that are necessary	Continuous

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
	strategies for the sub-regional, regional and multilateral negotiations.	2.2.2 Build linkages between national and regional research networks	- Researchers from the local network on MTS issues	- Contract research to national & regional research networks	Coordinate research and analysis; share findings; & increase research expertise	Continuous
3. Strengthening the capacity of the IIC to monitor the implementation of WTO agreements	Enhanced institutional capacity of the IIC and subcommittee members in reviewing and monitoring the implementation of WTO agreements	Conduct studies on issues related to implementation of WTO Agreements  Meet regularly to monitor & coordinate implementation	Experts to undertake the studies  Reporting on progress in implementation	-National consultants' fees - Available information and publications - Advice on implementation, such as notifications	Better understanding by national government officials and other stakeholders of issues related to implementation of WTO Agreements	Continuous

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
4. Increasing the awareness of the IIC and sub-committee members about the interlinkages between the MTS, ACP-EU negotiations and regional groupings agreements that the country is a member	4.1. Increased understanding by IIC and subcommittee members of the WTO negotiations, ACP/EU negotiations and capacity in formulating coherent negotiating strategies	4.1.1. Analytical studies on WTO and ACP-EU negotiations.	- Experts to undertake the studies and provision of information	- National consultants' fees - Publishing and Printing - Available information and publications	Increased awareness and appreciation of the implications of the interface between DWP and ACP-EU negotiations  Development of local & regional analytical expertise	Linked to ACP-EU negotiations on EPAs, and WTO negotiations on rules affecting regional trade agreements.
		4.2.2. Preparation & dissemination of briefing notes on WTO negotiations and on the ACP-EU negotiations to IIC and sub-committee members	Preparation and distribution of the studies to IIC and sub-committee members	Support preparation by local experts of negotiation briefs	Informed IIC and sub-committee members on the developments under the DWP and ACP-EU negotiations  Development of local & regional analytical expertise	Linked to ACP-EU negotiations on EPAs, and WTO negotiations on rules affecting regional trade agreements

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
	4.2. Involvement of the private sector and civil society at the national level regarding issues related to the WTO and the ACP-EU negotiations	4.2.1. Involve private sector and civil society in IIC work, including in research and training activities	- Mobilize and provide roles for the private sector & civil society	- National consultants' fees - Publishing and Printing - Available information and publications	Better private sector advocacy, and integration of civil society issues into trade negotiations and trade policy	Continuous
		4.2.2. Consultative workshops with businesspersons and civil society on business-enabling and human enabling trade and investment policies	- Funds for the workshop - Resource persons for the workshop - Prepare papers	- Funds for the workshop - Resource persons for the workshop - Relevant publications	Integration of the private sector and civil society views into the formulation of national negotiating positions and trade policies	Continuous and especially prior to WTO Ministerial Conferences
		4.2.3 Engagement with parliamentarians	- Organize briefings for parliamentarians	Provide resource persons	Parliaments sensitized on the results and impacts of trade agreements & trade negotiations	Continuous

**Table 1. Example of an annual work plan for the IIC**

<b>Immediate objectives</b>	<b>Output</b>	<b>Activities</b>	<b>National inputs</b>	<b>Inputs from implementing agencies, other TRTA programmes &amp; IIC members</b>	<b>Expected results</b>	<b>Time frame</b>
		4.2.4 Integrating trade and gender issues	Providing policy briefs and issues papers	Provide policy advice, and funding	Enhancing opportunities for women in trade negotiations and trade agreements	Continuous

<b>Table 2. Possible structure of the IIC annual budget</b>					
<b>Description</b>	<b>Total</b>	<b>1<sup>st</sup> quarter</b>	<b>2<sup>nd</sup> quarter</b>	<b>3<sup>rd</sup> quarter</b>	<b>4<sup>th</sup> quarter</b>
International consultants					
National consultants					
National technical adviser for IIC					
Regular meetings of the IIC					
Regular meeting of the IIC's sub-committees					
Technical & consultative workshops					
Training & dissemination workshops in outside capitals (with trainers' network)					
National retreat of the IIC					
Briefing meetings for parliamentarians					
Operation of the technical secretariat					
Travel to regional & international negotiation events					
Equipment					
Publications					
Miscellaneous					
<b>Grand total</b>					



**Box 13. Example of terms of reference for a paper on assessment of trade in services**

**Country:** Uganda  
**Duration:** 30-40 days  
**Project:** JITAP

The consultant is assigned to prepare a study on the assessment of trade in services in Uganda in overall terms, giving special emphasis to selected services sectors, illustrated by reference to certain sectors, for example tourism in the country and the region (COMESA, EAC). The study will be carried out according to the following terms of reference, and will assess:

- The role of services in the Ugandan economy and the impact of GATS liberalization on the trade in services in Uganda;
- Means of strengthening the capacity of the services sector in Uganda and its efficiency and competitiveness, *inter alia*, through access to technology on a commercial basis, the improvement of their access to distribution channels and information networks;
- Identification of sectors of interest for Uganda and the extent to which GATS has resulted in the liberalization of market access in sectors and modes of supply of export interest to Uganda, and identification of barriers that Uganda services suppliers face when exporting services at the subregional, regional and multilateral levels.

In the conclusion of the paper, the consultant should highlight the key services sectors and national objectives and suggest a strategy for the negotiations on trade in services at the subregional, regional and multilateral levels for the country. The paper should also provide technical elements for the formulation of negotiating scenarios and proposals for the ongoing WTO-GATS negotiations on trade in services.

## **STEP 5: IMPLEMENTATION**

133. The fifth step in the MTS institutional capacity building is the *actual implementation of the work plan of the IIC and its subcommittees*. In the implementation process, the IIC and its subcommittees can request such support from the implementing and other agencies as they deem necessary in terms of providing resource persons for workshops, studies and publications, technical advice, financial support and so forth. The IIC can liaise closely and continuously with Geneva-based and Brussels-based trade representatives. Exchanging experiences and coordinating views with other African countries particularly other IICs are important elements. As regards training and information dissemination, training materials would be provided by the implementing agencies for local adaptation by the IIC and network of trainers. Examples of such materials can be made available and would be provided under Module 3. Other trade analysis and negotiation tools can be made available to the IIC. These include, from UNCTAD, the Trade Analysis and Information System (TRAINS), the World Integrated Trade Solution (WITS), the Agriculture Trade Policy Simulation Model (ATPSM); from the WTO, the Integrated Data Base (IDB); and from ITC, the Market Access Map and Lega Carta.

134. In the implementation of the work of the IIC and the subcommittees, the following three main areas can be highlighted:

### *1. Strengthening participation in trade negotiations*

135. It is necessary to stress the importance of the internal institutional arrangements that are established for adequate and effective participation in the WTO and other trade negotiation processes. The quality and the effectiveness of the participation in negotiations will depend on the national institutional organization that is defined. With regard to WTO negotiations, four main domestic actors can be identified: (i) the Ministries of Trade which have the legal mandate as regards trade negotiations, being responsible for the definition of the national position and strategy; (ii) the Ministries of Foreign Affairs, which through their national representation in Geneva and Brussels participate in the day-to-day negotiation process, and are responsible for carrying out the instructions received from capitals; (iii) the technical ministries (Agriculture, Finance, Transport etc), which are responsible for undertaking the necessary technical studies and analyses to sustain the negotiation process and to elaborate proposals on negotiating positions; and (iv) the private sector and civil society which should provide the necessary inputs and elements regarding their concerns in order to contribute to the definition of the negotiating position. The participation of the media, as well as parliamentarians, should be encouraged and attention given to gender balance and opportunities.

136. The quality and effectiveness of the participation of the countries in the negotiations will depend on how, at least, these four actors are able to coordinate under the institutional framework of the IIC and effectively participate in the national definition and international defense of the national goals, position and strategy.

### *2. Mobilizing private sector and civil society participation in IIC work*

137. A special effort is required in order to raise business advocacy due to the low level of institutionalization and representation of the private sector in trade policy processes, and scarcity of knowledge of WTO norms and disciplines, and of the negotiation process among the business community. It will necessitate permanent pedagogical work and diffusion of the evolution of the negotiations to guarantee an appropriate participation by the private sector. This task should receive high-priority attention, so as to guarantee the effective participation of private sector associations in the IIC, and ensure the necessary national consensus regarding the commitments that could be adopted in the negotiations. Equally, civil society organizations, including women's groups, the media and academia should be well integrated into the IIC and see to it that issues that are pertinent to their constituents are well incorporated in the national negotiating position and defended in international negotiations.

### *3. Monitoring and ensuring implementation of WTO Agreements*

138. Under the WTO Agreements, each member is directed to ensure the conformity of its laws, regulations and administrative procedures with its obligations as provided in the Agreements incorporated in the annexes. The implementation of the WTO Agreements has not been an easy task for a large number of developing countries. The problems faced by African countries in implementing the agreements have been an issue raised in the WTO. The implementation of WTO Agreements in African countries demands actions in three main areas, namely: (i) drafting and enactment of new legislation and procedures, or amendments to existing legislation;

(ii) meeting notification requirements; and (iii) repealing of non-compatible norms and regulations and determination of policy adjustments. The implementation of agreements such as TRIPS, customs valuation, TBT and SPS are resource-intensive in terms of regulatory changes, administrative machinery and institutional capacities.

139. In most cases the implementation of the WTO Agreements requires institutional capacity building, which is an issue that should receive adequate attention and should be addressed and included in the work programme of the IIC.

140. Under JITAP 1 studies were undertaken on strategies for the multilateral trade negotiations and implementation aspects of the WTO agreements with the aim of providing the IICs with the necessary elements to enable the countries to participate effectively in ongoing multilateral trade negotiations. An example of one such study is for Ghana on "Strategies for the Multilateral Trade Negotiations and Implementation Aspects of the WTO Agreements." Box 14 provides the terms of reference for the study.

**Box 14: TERMS OF REFERENCE: NATIONAL CONSULTANT  
JITAP CLUSTER 2: Study on**

**Negotiating strategies for the multilateral trade negotiations, including implementation aspects of the WTO Agreements and the implication of the expirations of transitional periods and special and differential treatment**

<b>Duration:</b>	Initial three months with possibility of extension for three months.
<b>Country covered:</b>	Ghana
<b>Qualification:</b>	The national consultant should have wide experience of MTS-related matters and the implementation of WTO Agreements by the country, and team leadership skills
<b>Duty station:</b>	Home-based
<b>Deadlines:</b>	Early September 2000 for start of duty

*The national survey and findings will serve as inputs for the elaboration of the study to be carried out by the international consultant, which will be the basic document for a brainstorming workshop to support and activate the WTO Inter-Institutional Committee (IIC). In addition, the national consultant will be attached to the JITAP National Focal Point to assist it in reactivating the IIC.*

*Objective:* The survey and findings of the national consultant should aim at providing the IIC with the necessary inputs to participate more effectively in trade policy adaptation and in trade negotiations as well as to assist the JITAP Focal in building up the capacity for an effective functioning and method of work of the IIC as follows:

- (1) To support the JITAP National Focal Point in enhancing the functioning and working methods of the IIC, including coordinating the meetings of the IIC and producing meeting notes highlighting the action that needs to be taken; ensure timely implementation of the IIC work programme; discuss with IIC members MTS issues that need to be addressed; and ensure that policy adjustment efforts are co-ordinated between the IIC and individual public/private sector institutions;
- (2) To conduct a survey at country-specific level on the difficulties and obstacles identified during the implementation of WTO obligations (i.e. prohibition of utilizing minimum customs values according to article 7 of the WTO Agreement on Customs Valuation), as well as to identify obstacles at national level encountered in exercising the rights and market access opportunities deriving from the WTO Agreements (i.e. the country has not availed itself of the opportunity of notifying the Customs Valuation Committee of the possibility of maintaining minimum customs value after the expiry of the transitional period);
- (3) To provide specific cases and examples of how intended national policy measures are being influenced or affected by multilateral trade obligations (i.e. a country wishes to raise tariffs on second-hand clothing but cannot do so because of bindings);

- (4) To conduct extensive consultations with the private sector aimed at helping domestic industries and stakeholders to address their concerns on MTS to the IIC for forthcoming negotiations on agriculture and services and to assist the international consultants in these consultations; and
- (5) To identify concrete trade policy issues arising from an overlapping of multilateral, regional and subregional commitments, namely UEMOA and ECOWAS, as respectively applicable and assist the international consultant in formulating appropriate follow-up actions for the consideration of the IIC.

The survey by the national consultant may draw from the proposal made by their respective countries in the preparation for Seattle WTO Ministerial Conference and ongoing negotiations in the WTO contrasting them with national trade policy issues and ongoing debate at national trade level on trade policy measures.

The national consultant will have to work strictly with the JITAP Focal Point, the IIC and the international consultants, bearing in mind that one of its essential tasks is to provide the latter with the necessary inputs. The national consultant will consult closely and regularly with JITAP officers in ITC, WTO and UNCTAD and the JITAP Programme Co-ordinator.

## **STEP 6: EVALUATION**

141. The sixth step in the MTS institutional capacity building is to *periodically as and when required and annually assess the activities undertaken by the IIC* and their achievements in the light of objectives defined and activities agreed in the annual work plan. The purpose of the evaluation is to provide insights into the efficiency, effectiveness and relevance of the various activities undertaken in relation to the outputs and results attained and propose improvements.

142. The IIC could undertake an annual evaluation of its activities at the end of the year, and draw lessons for the preparation of the next year's annual work plan. Indeed, when preparing the annual work plan for the subsequent year, it would be crucial to take into account the results of the evaluation.

143. The effectiveness of the activities undertaken during the year can be analysed by answering some questions. For example, to what extent have the outputs achieved contributed to the realization of the intended objectives? Have they contributed to an increase in the awareness of MTS issues at the national level? Do the results match the expected outputs? Has the country's participation in trade negotiations improved? Has the country developed national negotiating positions and submitted proposals to the WTO? Has there been an improvement in national awareness about WTO trade negotiations and trade policy, and their impact? How far has the gender dimension of trade been integrated by the IIC? Has civil society actively participated in the IIC? Has consultation with Parliament provided concrete gains? Has the stock of negotiation briefs and analytical material been developed? Have laws and regulations been promulgated or adapted to reflect WTO obligations?

144. In addressing such questions, developing a clear assessment criterion would assist in identifying the strengths and weaknesses of the work plan established, particularly the activities in achieving the set objectives at the national level. The identification of an expert to carry out the evaluation is necessary, in consultation with the IIC and its subcommittees and the membership. The evaluation would be assisted by the preparation of regular or periodic reports on activities by the IIC and its

subcommittees. The Geneva agencies can provide advice and coaching regarding the evaluation and follow-up on its results.

145. Box 15 contains excerpts from the terms of reference for the summative evaluation of JITAP.

**Box 15. Excerpts from the terms of reference of the summative evaluation of JITAP I**

**Purpose and scope of the summative evaluation**

Further to the recommendation of the Steering Group, following the detailed mid-term evaluation, the present summative evaluation will only be a light evaluation exercise to assess the impact and draw the lessons from the Programme's implementation since the Mid-Term Evaluation particularly for any kind of activities which could be launched as a follow-up to this present phase. It has the objective of providing all stakeholders (intermediate and ultimate beneficiaries of the technical assistance, donors, and the three executing organizations) with an assessment of the Programme, particularly with respect to its impact in four priority areas highlighted in the Mid-Term Evaluation.

Specifically, the current summative evaluation is to be forward-looking and aimed at giving clear guidance on how best to build capacity in the areas covered by the programme in any future endeavour to do so. It will specifically address the following points:

**1. Programme concept and design**

- Review of the development problematic that JITAP programme was to address and determining the continued relevance of its objectives to the trade development efforts of the countries concerned.
- Assessment of the stakeholders' capacity and their commitment to programme implementation and sustainability.

**2. Programme implementation**

- The effectiveness of activities implemented, including quality and timeliness of inputs, with respect to the priority areas as set out by the Mid-term evaluation.
- The degree of collaboration among all parties, particularly between the main counterparts and the three Geneva-based executing organizations.
- The quality, relevance and usefulness of the various materials and tools developed during the programme.
- The quality and timeliness of monitoring and backstopping by all parties to the programme and the modus operandi between the field and the three executing organizations and between ITC, WTO, and UNCTAD themselves.
- The current administrative, management and coordination arrangements, their effects on the three executing organizations, on relations between headquarters and the field, and in particular on ITC's capacity for taking on the role of managing and coordinating the programme.

**3. Programme results**

Assess the impact, current or potential, of the programme on the capacity of the countries to participate more effectively in the Multilateral Trading System, including the improvement of their export readiness. The evaluation mission should record the following:

- The actual results as compared with the stated objectives and their corresponding performance indicators, particularly in the four areas identified as priority by the Mid-Term Evaluation.
- Their effects on the capacity of the countries covered to integrate with the globalizing economy.
- The extent to which local capacity has been built in the various areas covered by the programme, compared with what existed before the programme commenced and what exists in similar countries that did not benefit from JITAP.