Africa Women & Youth Empowerment Group:
Pathways to Trade for Women Under the AfCFTA

27 September 2022

Session 2: Mainstreaming Gender in Trade Policy

- Introduction to ITC and SheTrades

- ITC Tools and Resources

- Good practices related to gender-mainstreaming in trade policy

- Promoting an inclusive AfCFTA

- Discussion

Introduction
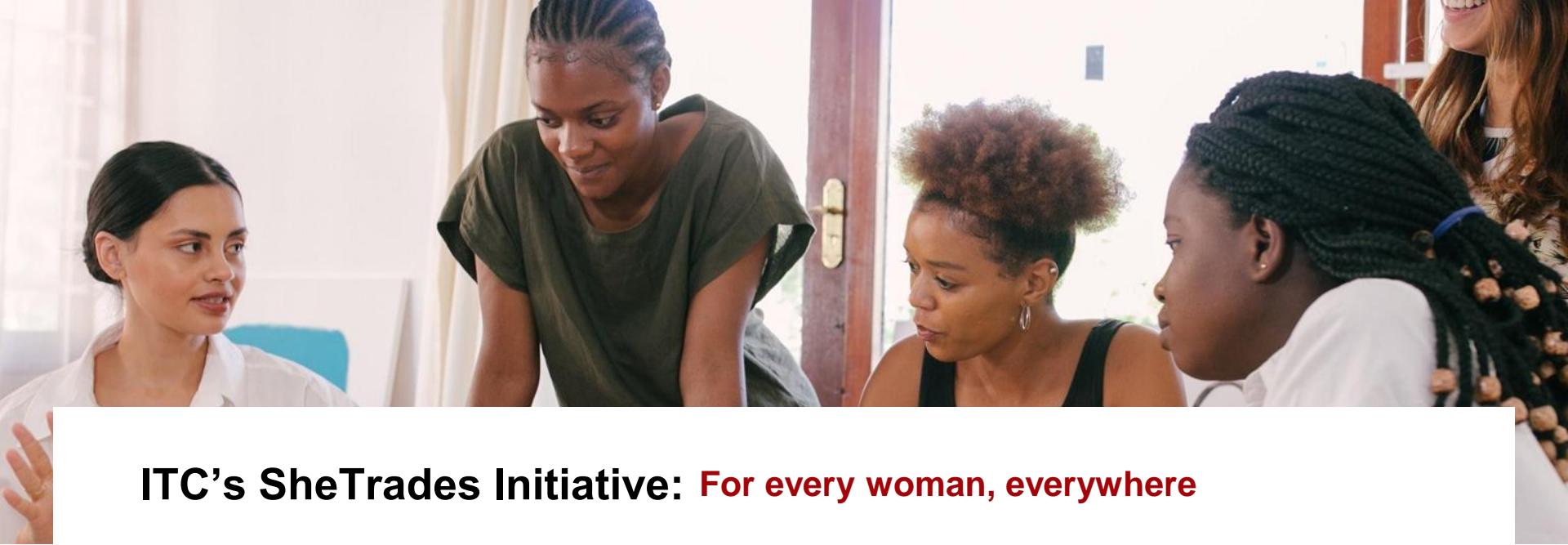
ITC's SheTrades Initiative: For every woman, everywhere

ITC's SheTrades Initiative is a global platform that **empowers women to engage in business**, creating value for both them and their communities. The Initiative **ensures the right capacities and conditions** are present to foster inclusive and sustainable trade.

SheTrades delivers activities and training that **improve women traders' ability to do business successfully**. At the same time, SheTrades works to **remove inequalities** that hinder women's participation in trade and **foster a better trade environment for all.**

SheTrades Initiative: Highlights

UN and WTO joint agency initiative **connecting women to market**

US$382 million in trade and investment opportunities enabled

40,000 women-led businesses directly supported

Global network of **350 partner organisations** from 65 countries

Technical expertise in facilitating trade, improving competitiveness of women and integrating the business sector of developing countries into the global economy

Partners with private sector and governments to improve services and policies for women and build a **conducive ecosystem** for women to trade and foster gender equality

ITC SheTrades Approach
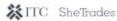
- **Methods:** In-Country Projects, Partnerships, National Hubs, and Global Support

- **Partners:** International organizations, governments, private sector corporations, etc**.**

- **SheTrades.com:** Digital platform to connect women to buyers, investors, and new market opportunities

ITC Tools and Resources

What do we know about women in trade?

Six main conclusions:

1. Only one in five exporting firms is owned and/or managed by a woman

2. Women-led companies directly participating in international trade are likely to be smaller enterprises engaged in export operations only

3. Women and men own and manage companies in different export sectors.

4. Women-led exporting companies may tend to employ proportionally more women

5. The share of women employees is higher in large exporting businesses.

6. Female and male employees work in different sectors.

Gender-mainstreaming

Incorporation of a gender equality perspective in all policies, strategies, and activities at all levels and at all stages. Considering both men's and women's wishes, needs, and experience in design, implementation, monitoring and evaluation of policies and efforts.

- Need to inform policymaking decisions with data to ensure relevance

- Gender data is lacking and fragmented, making it difficult to understand barriers that need to be addressed for women to benefit equally

- Adding a gender lens to data collection can allow for analysis based on gender structures, roles, and expectations

- Such indicators can help to monitor progress over time

SheTrades Outlook: Target and Objectives

- Launched in July 2020

- Available on www.shetrades.com/outlook

- **Purpose:** Help unlock markets for women by identifying and eliminating obstacles in the policy ecosystem

- **Target:** policymakers, women entrepreneurs, associations, researchers, and NGOs

- **Objectives:**
  - Map the environment for women in trade
  - Examine data gaps
  - Identify areas for potential inclusive policy reform

SheTrades Outlook: Pillars and Indicators

01	Trade Policy
02	Legal and Regulatory Framework
03	Business Enviroment
04	Access to Skills
05	Access to Finance
06	Work and Society

- Comprises **6 pillars and 82 indicators**

- Has **80% new data** collected through an institutional survey, complemented with existing data

- The tool **does not provide a ranking** of countries' performance

SheTrades Outlook: Highlights

- **46** developing and developed countries

- **80+** good practices

- Includes **24 African countries:**

#	Country	#	Country
1	**Botswana**	13	**Mozambique**
2	**Cameroon**	14	**Namibia**
3	**Côte d'Ivoire**	15	**Nigeria***
4	**Eswatini**	16	**Rwanda**
5	**Gambia***	17	**Senegal**
6	**Ghana***	18	**Seychelles**
7	**Guinea**	19	**Sierra Leone***
8	**Kenya***	20	**South Africa**
9	**Lesotho***	21	**Uganda***
10	**Liberia**	22	**Zambia***
11	**Malawi**	23	**Zimbabwe**
12	**Mauritius***	24	**Union of Comoros**

Note: *ITC has provided technical assistance to these countries

Explore a Country Profile

Compare Results

Learn from Good Practices

Repository of good practices

This repository of Good Practices aims to exchange experiences and lessons learned from various initiatives that are working to improve women's participation in trade. Each Good Practice provides background about the policy or project, key success factors, challenges and measures taken, achievements and links to more information. The Good Practices have been categorized into 10 topics, focused on most common barriers that women face when participating in trade. To explore the Good Practices of an individual country, select the country in the dropdown above or visit the corresponding country profile page.

SHOW FOR ALL COUNTRIES ⌄	ⓘ There are no good practices from Ghana	SEARCH... 🔍

|		
	Access to Skills	9 ✚
	Access to Finance	8 ✚
	Policies, laws and regulations that support women in trade	2 ✚
	Access to Networks	3 ✚

SheTrades Outlook: Key Findings and Lessons
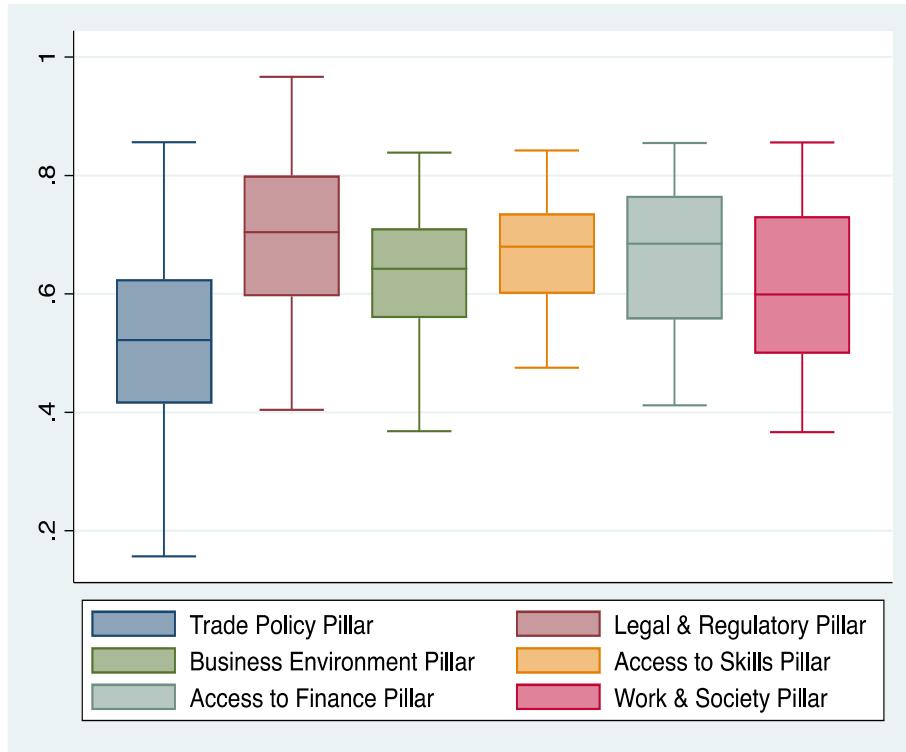
1. Countries tend to score higher in Legal and Regulatory Framework Pillar, and score lower in Trade Policy Pillar

2. Countries that collect gender-disaggregated data tend to have higher overall SheTrades Outlook score

3. Countries from different levels of development have success stories on promoting gender equality

4. Countries tend to do better in establishing laws than implementing programmes

Supporting Policy Reforms

- Bangladesh
- Gambia
- Ghana
- Kenya
- Lesotho
- Mauritius
- Nigeria
- Sierra Leone
- Uganda
- Zambia

- National AfCFTA Implementation Strategies
- Public Procurement Acts, Policies, Regulations
- National Export Strategies
- MSME Policy gender-responsive implementation plan
- Developing a definition of "women-owned business"
- COVID-19 Economic Stimulus Packages

3 Guides for Inclusive Policy Reform

Mainstreaming Gender in Free Trade Agreements (2020)

Provides toolkit to assess gender-responsiveness of free trade agreements and offers a menu of model clauses
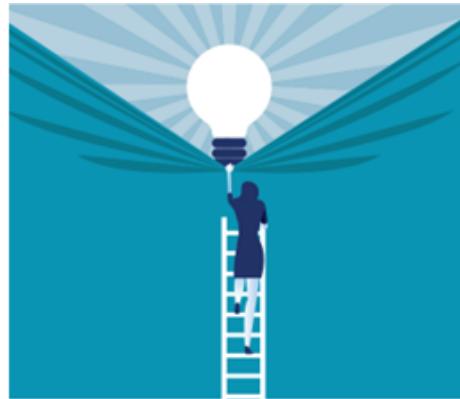
Making Public Procurement Work for Women (2020)

Advises on how to design a roadmap, implement preferential policies and other measures, and monitor progress

From Design to Evaluation: Making Trade Policy Work for Women (2021)

Shares a menu of policy options, questionnaires, and recommendations for data collection, stakeholder consultations, action plans, and M&E

Mainstreaming Gender in Free Trade Agreements (July 2020)

- Provides a framework to help countries measure the gender-responsiveness of their free trade agreements

- Shares recommendations to support countries in achieving their desired level of gender-responsiveness

- Available here: https://www.intracen.org/publication/mainstreaming-gender-FTA/

1. Craft a gender-explicit preamble
2. Highlight access to skill development
3. Encourage research and impact assessment
4. Include minimum legal standards
5. Explore reservations, waivers and exemptions
6. Consider a gender-focused exception
7. Encourage corporate social responsibility
8. Set up gender committees for monitoring
9. Provide a binding and compulsory dispute settlement mechanism
10. Offer enforcement remedies

From Design to Evaluation: Trade Policy for Women (August 2021)

- Provides policy makers with a menu of policy options

- Shares questionnaires and suggestions for data collection and stakeholder consultations

- Includes recommendations for a gender-responsive action plan and monitoring and evaluation framework

- https://www.intracen.org/publications/Trade-Policies-for-Women/

Step-by-Step: Making Trade Policy Work for Women

Step 1 : Consider and select from the menu of policy options

Step 2 : Collect data to guide the policy-making process

Step 3 : Coordinate with relevant stakeholders

Step 4 : Implement a gender-responsive action plan

Step 5 : Put in place an M&E framework

Step 1: Consider and select from the menu of policy options

Trade policy options

1. Taking advantage of policy space at the WTO

2. Supporting the Buenos Aires Declaration on Women and Trade

3. Harnessing Aid for Trade

4. Enhancing Gender Considerations in FTAs

5. Optimizing trade liberalization through Gender Impact Assessments

6. Implementing organizational changes

Trade support options

7. Empowering women through export promotion and SME development

8. Leveraging government procurement

9. Mobilising corporate partnerships

Implementing Organizational Changes

Recommendations	Practical Steps
1. Improve the **gender balance and work opportunities for women**	• Avoid tokenism or the symbolic appointments of women to senior positions • Adopt a gender-parity strategy for all staff (e.g. UN's System-wide Strategy on Gender Parity)
2. Enhance **gender awareness and gender mainstreaming capacity** of all staff	• Organize departmental training on gender sensitivity • Incorporate and monitor gender targets within departments
3. Appoint **gender focal points** who will advocate for women in and outside of the organizations	• Clarify the mandate of the focal point (scope and scape of responsibility) • Develop clear narrative about the mandate of gender focal points and communicate this narrative throughout the trade and development ministry • Remind organization members of the role of gender focal points • Provide adequate financing arrangements to support the work of gender focal points

Good Practice: Cameroon

Recommendations for implementation:

1. Identify **effective trade and investment support institutions** (TISIs) – export promotion agencies, chambers of commerce, services sector alliances, and women's business associations, and ministries for gender equality

2. Incorporate **gender concerns in operational plans and budgets**

3. Strengthen existing TISIs or establish new ones

Good practice: Nigeria

Leveraging Government Procurement

Government procurement accounts for approx. 20% of global GDP. Women-owned businesses account for less than 1%.

Barriers for women:

- Inadequate information about tender processes

- Limited tendering skills

- Limited feedback on unsuccessful bids

- Time constraints in the development of tender proposals

- Lack of experience

- Not on list of approved suppliers

- Unable to handle large volumes

- Difficult to compete on price alone

Good Practice(s): Zambia, Liberia

Through inclusion of women-owned businesses there is:

fiercer competition (more contenders)

more diverse competition

This leads to benefits at country level including:

Economic empowerment of women

More gender equality

Economic growth

And to benefits at procurement entity level such as:

Higher value for money

Innovative solutions

- **Improve intra-governmental coordination**
  - Engage **all relevant ministries and agencies** and **support each other's priorities and objectives** towards women's economic empowerment
  (e.g. Ministries responsible for trade, MSMEs, women's affairs/gender, labour, social policy, finance, education, agriculture, and environment)

- **Engage women entrepreneurs and producers**
  - Ensure that **policy consultations include women**, especially those in the informal economy and not represented by unions or business associations
  - Use **small working groups and participatory techniques**
  - Employ a **variety of consultation approaches** (e.g. informal consultations, public meetings, workshops, and e-consultations)

Good Practice: Malawi

Lessons Learned

- **Government commitment is key:** It is important to have the dedicated participation of stakeholders across ministries that may be involved as each may have a critical role to play

- **It is important to be on the same page:** Collecting baseline data and developing national definitions related to women's entrepreneurship can help

- **Multi-faceted approaches:** In addition to promoting a more inclusive environment through gender-responsive policies/programmes, it is also important to provide direct training to women entrepreneurs to take advantage of opportunities

Promoting an Inclusive AfCFTA

ONE TRADE AFRICA

Empowering and Enabling MSMEs, women and youth entrepreneurs to benefit from the AfCFTA

55 countries are **AfCFTA** signatories

41 countries from 8 RECs ratified the Agreement

67% of intra-African trade is within regional economic communities (RECs)

Intra-African trade is only 14% due to high tariff and non-tariff trade costs

tariffs with **African countries** **11.8%**

tariffs with **non-African partners** **6.3%**

63% of exporters are affected by trade obstacles related to NTMs

ITC analysis shows that the **AfCFTA** represents a pivotal opportunity to change this

$22 billion intra-African export potential

94 promising continental value chains

EMPOWERING AFRICAN BUSINESS

ONE TRADE AFRICA: three-pronged delivery to compete, connect, change

ENTERPRISE level	BUSINESS ECOSYSTEM level	POLICYMAKING level
MSMEs, women and youth entrepreneurs can identify and access AfCFTA opportunities	Actors in the business ecosystem (e.g., business support organizations) can deliver relevant, tailored services to MSMEs	National, regional, and continental policymakers and regulators receive on-demand, technical support to set respective rules under which MSMEs can thrive

OTA IN ITC

Adapting ITC tools for an integrated African market

Improved MSME firm-level capacities to trade

- SME Trade Academy: "How to Export with the AfCFTA"
- Quality Champions and Quality Hubs
- MSME Financing Gateways
- GreenToCompete Hubs

A more supportive business ecosystem for MSMEs

- ecomConnect
- SheTrades AfCFTA
- Lean Digital Transformation
- Ye! Community Platform

A more conducive policy and regulatory environment for MSMEs

- Assistance to negotiate African trade agreements
- National Trade and Investment Strategies
- Public Private Dialogues on the AfCFTA
- Regional and Continental Value Chain Roadmaps

Improved business, trade and market intelligence

- Africa Trade Observatory and REC Competitiveness Observatories
- Mapping Tools: Trade, Market Access and Standards
- SheTrades Outlook
- SME Competitiveness Outlook and Surveys

SheTrades AfCFTA Project

Objectives:
- To support women's business associations to identify, understand, and act on priority issues related to the AfCFTA

- To foster dialogue between women's associations and policy-makers to agree on commitments for the AfCFTA

Timeframe: 2019-2022

Coverage: AfCFTA signatories (54 countries)

Beneficiaries: Women's Business Associations (WBAs) and policymakers

Collaborators: AUC, RECs, UNECA, WIPO, UNCTAD, Tralac, among others

Contribution to SDGs:
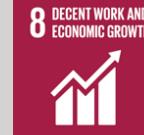
Survey of 70 African Women's Business Associations

Are most of your members taking advantage of regional trade agreements?

29
([PERCENTAGE])

37
([PERCENTAGE])

■ Yes ■ No
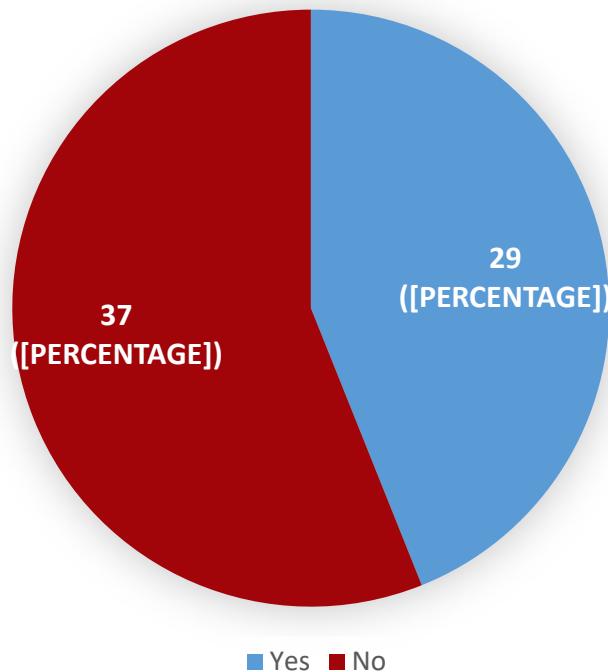
1. Strengthen export-readiness

Training topics:

- AfCFTA opportunities—understanding of AFCFTA and opportunities wrt country and sector
- Preparation for export—export requirements, procedures, logistics, packaging, marketing, etc.
- Construction of an export canvas– assessing the readiness of participants to enter regional markets and become aware of their potential export strategy, SWOT analysis

Countries:

- Benin
- Liberia
- Malawi
- Niger
- Nigeria
- Rwanda
- Togo

2. Join the Network and Collaborate

Needs assessment:

- Exchange experiences
- Create a sound lobby group
- Facilitate access to market and networks
- Share information

Purpose of network: Vehicle for knowledge-sharing, capacity-building and collaboration in order to strengthen links between women's associations and create new business opportunities.

Achievements (ongoing):

- Africa-wide stakeholder workshop
- Tools for consultations
- Sub-regional consultations

3. Stay Informed

Resources:

- 9 policy briefs on trade facilitation, non-tariff barriers, standards, trade in services, ICTs and digital trade, strengthening women's associations, investment, competition, and intellectual property

- 44 validated recommendations on Phase I issues

- Reforming Public Policy Step-by-Step: An Introduction to Dialogue and Advocacy for Women's Business Associations

- Developed 3 Virtual Learning Space Modules on the AfCFTA, COMESA, ECCAS in partnership with RECs

- Institution strengthening training
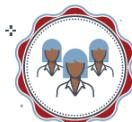
4. Identify and advocate for women's priorities

1. Ensure equitable representation of WBAs on AfCFTA national committees and on trade facilitation committees – and improve effectiveness of representatives through

   a) Providing accessible and affordable training for WBA representatives

   b) Ensuring that all trade facilitation requirements are listed on the NTB monitoring tool

   c) Providing simple explanations for all trade facilitation policies and requirements in advance of discussions at meetings

   d) Allowing ample time for representatives to consider issues prior to meetings

2. Digitise all cross-border documentary requirements – and provide support to enable WBA to raise awareness amongst women traders

3. Improve the briefing and training provided to customs officials and implement measures to hold customs officials to account

4. Strive for continent-wide agreement on both common quality standards (for goods) and on mutual recognition of professional qualifications (for trade in services)

Examples of country-level gender-inclusive implementation

- The NTB and TF tools have been put into place in Rwanda to help women report market access procedure barriers

- The National Trade strategy from Sierra Leone that is being validated and incorporates the recommendations

- The Gambia and Lesotho's new National Trade Strategy's include recommendations as well (validated)

- The AfCFTA implementation strategy in Zambia which includes women and aims to be aligned with the recommendations discussed

- The Exporter Development Programme South Africa which builds the capacity of business to be export ready and access new markets

Ongoing Work

Networking

Operationalizing and strengthening the network

AfCFTA Phase II Issues

Discussing and developing recommendations on investment, competition, and intellectual property

Supporting Women in Agriculture under the AfCFTA

Working with FAO to carry out value chain mapping studies in West and Southern Africa to identify opportunities for women and discuss policy options

Discussion
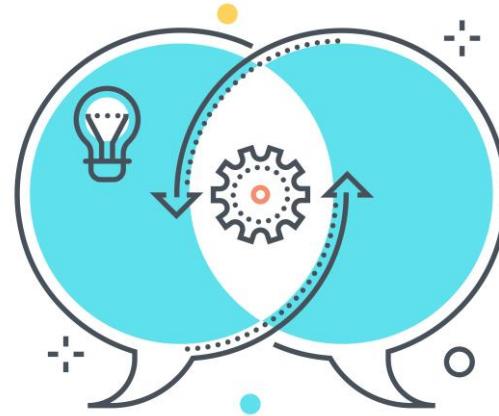
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United States Department of Commerce
Commercial Law Development Program
(CLDP)

Africa Women and Youth Empowerment
Working Group (AWYEG)

Pathways to Trade for Women Under the AfCFTA Standards

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PLAN

Introduction

I.   Brief reminder of the creation of the AfCFTA

II.   Standards and technical regulations –AfCFTA

III. Sanitary and Phytosanitary Measures (SPS)

IV. Opportunities and Challenges of Standards for Women's Enterprises

V.   Recommendations

- Some guidelines for companies
- Some sources of information on markets acces / Standards-Technical Regulations

INTRODUCTION

➢ Africa contributes to the height of **3%** global Trade ; In 2019, the **intra-african merchandise exports** represented **14%** of the **Africa's total exports**, for this purpose, it was the region whose **share of intraregional exports** was here weaker except Oceania (UNCTAD, 2021).

- In 2020, the **intra-african trade** amounted to **$62 billion** (tralac, 2020).

➢ **77%** of World Trade Affected by NTMs/ UNCTAD-World Bank Report (11ᵗʰWTO MC)

- More **3000 notifications from WTO members** on product requirements for commercial goods to the Committee on Technical Barriers to Trade (TBT) in 2020.

- The region of **East Africa**: especially the **Kenya**, the **Rwanda**, the **Tanzania** and the **Uganda** is among those who present the **more notifications**.These notifications represented **26% notifications submitted in 2020**. The measures they notified mainly concerned the **food products** and the **drinks**.

➢ The **AfCFTA** is a **regional trade agreement** to meaning on the regulatory dispositions of **the World Trade Organization (WTO)** (Article XXIV of GATT 1994)

- Elimination of **customs duty** for the essential of the trades that them **technical barriers to trades**.

I. Brief reminder of the AfCFTA

- Signed by **44 States** during the AU Extraordinary Summit in Kigali (Rwanda), March 21, 2018

- Today, the Accord is signed by **54 States**/ 55 African States

- Ratified by **43 States** (to date)

- Covers:

    - trade in goods;
    - trade in services;
    - intellectual property rights;
    - competition policy;
    - investments ;
    - the dispute settlement mechanism.

- **Effective date**: May 30, 2019 (ratifications by 22 States)

- **Operationalization/ implementation**:1erJanuary 2021

II. <u>Standards and technical regulations –AfCFTA</u> :

Gradual elimination of non-tariff barriers

<u>Regulatory provision</u>: **Article 4 (a)** of **Agreement Establishing the AfCFTA** and **Article 2 (b)** of the Protocol on Trade in Goods.

❖ **Annex 5** on the **Non-Tariff Barrier Protocol (BNT)**

❖ **Annex 6** on the Protocol **Technical Barriers to Trade (TBT)**

❖ **Annex 7** on the **Protocol for Sanitary and Phytosanitary measures (SPS)**

These annexes highlight the elimination of NTBs **to facilitate trade** between states.

Need for an effective and efficient Quality Infrastructure (including Standardization)

1.<u>Standards</u>:

<u>A Standard</u> : « document approved by a **recognized organization** which provides for common and repeated use rules, guidelines or characteristics for products or related processes and production methods with which compliance it's not mandatory », ISO/IEC Guide 2
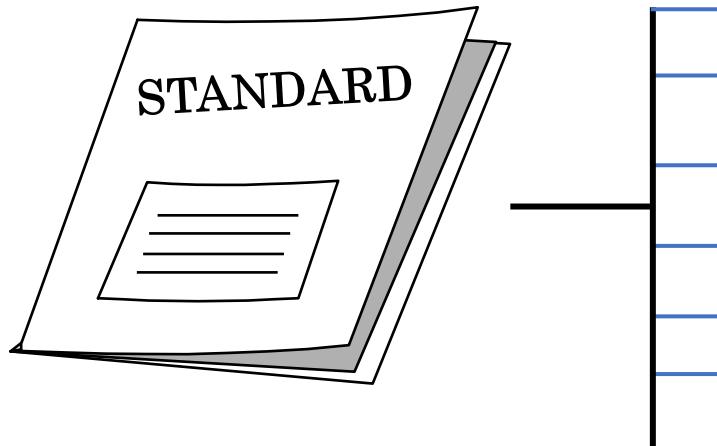
STANDARD

- Specification Products;
- Test method;
- Code of practice;
- Guides;
- Terminology;
- Symbol ;
- Sampling and inspection etc..

Standardization levels

STANDARD

National (produced by an national standardization body, SON, AMANORM, ABNORM, KEBS, SABS etc.)

Regional (produced by an regional standardization body, ex **ORAN**,**ECOSHAM)**

International (produced by an international standardization organization, Ex ISO, IEC, Codex alimentaruis)

Company

International Trade Centre

Owit INTERNATIONAL

AWYEG
Africa Women & Youth Empowerment Group

CLDP
COMMERCIAL LAW DEVELOPMENT PROGRAM

Standards –AfCFTA

Regulatory provision: Article **6 of Annex 6 « Standardization cooperation**……….. »

« States parties are responsible for promoting the adoption of the standards developed by **ARSO** and **AFSEC** »

➡️ Important role of **regional standards** bodies such as **the African Organization for Standardization (ARSO)**

❑ Creation: 1977 by OAU (AU) and ECA

❑ Members: Currently 42 members

- **Extraordinary Summit of AU Heads of State in 2014 "all member states should become members of ARSO"**

❑ Number harmonized standards: 1234

❑ Number of Technical Harmonization Committees (THC): 87
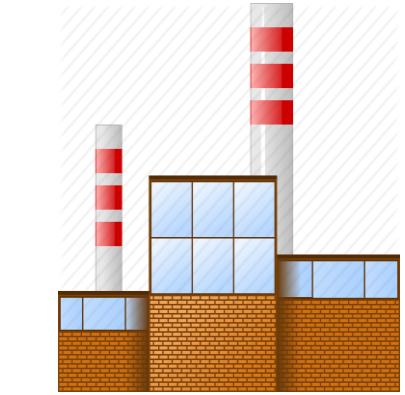
Regional/international
Company

STANDARDS

Difference of ability in terms of :

- Quality(Standards)
- volumes
- Technologies
- skills

Supply of good sand services

SMEs
local

2. Technical regulations :

Measures which lay down **product characteristics** or related **processes** and **production methods**, compliance with which is obligatory.

Article 7 of **Annex 6** « Cooperation in technical regulations »
"In the development and **implementation of technical regulations**, States Parties are responsible for promoting:

- compliance with the WTO TBT Agreement
- the use of international standards and/or parts there of as the basis for technical regulations

3. Non-tariff barriers (NTBs):

NTBs are generally defined as policy measures other than them ordinary customs duties, which can have an economic impact on trade.

Annex 5 on NTBs of the Protocol on Trade in Goods identified among others: **Technical Barriers to Trade (TBT), Sanitary and Phytosanitary Measures (SPS)** .

The **AfCFTA** recognizes seven (7) Categories of NTBs
(**Annex 5 Protocol Trade in Goods**) :

<u>Category 1</u>: Government participation in trade and restrictive practices tolerated by Governments

<u>cat 2</u>: Administrative formalities at the entrance

<u>cat3</u>: Technical Barriers to Trade

<u>Cat4</u>: **Sanitary and Phytosanitary Measures (SPS)**

<u>Cat5</u>: Specific limitations

<u>Cat6</u>: Import taxes

<u>Cat7</u>: Others

Establishment of online NTB monitoring mechanism
<u>Site link</u> : https://tradebarriers.africa/about

III. Sanitary and phytosanitary (SPS) measures:

Sanitary and phytosanitary (SPS) measures are governed by **Annex 7** of the Protocol on Trade in Goods.

The **Goals** (article 4) of Annex 7 are :

   a. **facilitate trade**, all in **protecting life** and the **health human being**, **animals** and in **preserving plants** on the **territory of the States parties** ;

   b. strengthen the **cooperation** and the **transparency** in **elaboration** and the implementation of SPS measures so that they do not become **unjustifiable barriers to trade** ;

   c. improve the **Technical capacity** States Parties for the implementation and monitoring of SPS measures while **encouraging the use of international standards** regarding the elimination of barriers to trade.

Definition (Annex A of the WTO SPS Agreement) of SPS measures :

Measures taken to:

Protect the health of the people and of the animals → *of the* → Risks arising **additives**, **contaminants**, **toxins** **organisms pathogens** wherepresent in them foodstuffs, them drinks, them food for animals
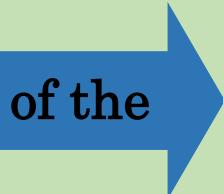
Protect the life of the people → *of the* → **diseases** carried by **animals** or **plants**
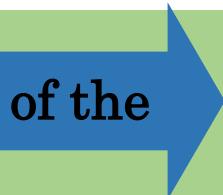
Protect the life of the animal and preserve the plants → *of the* → **parasites**, **diseases** and **organisms** **pathogens**
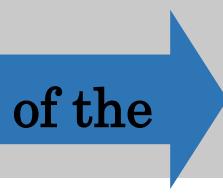
Protect the territory from Member → *of the* → other **damage** caused by entering, the establishment or **spread of parasites**
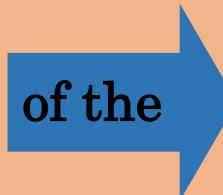
Example of SPS measures:

1. One measure aiming at define them **requirements** and **methods test** for **Milk**, regarding the process such as **pasteurization**, **additives**, **ingredients** and **compositional requirements**.

2. A Prohibition measure of the sale **peanuts Nope** compliant to **standards** and establishment of **quality standards**, requirements concerning the **packaging** of **groundnuts intended** for sale

Opportunities

➢ Development of value chains at the regional level (harmonized standards and recognized conformity assessment systems);

➢ Conquest of **new markets** ;

➢ Gain in competitiveness with resource savings (resumption of quality controls at the entrance)

➢ Demarcation from the **competition** ;

➢ **Increase in exports** under the effect of the elimination of tariff and non-tariff barriers ;

➢ Dissemination of knowledge, know-how and technology (harmonized standards) etc.

Challenges

➢ **Application/implementation of normative requirements** within women-owned businesses ;

➢ **Understanding** normative requirements (need to translate standards into local languages) ;

➢ **Knowledge** (information) standards of partner countries ;

➢ Compliance with partner country standards ;

➢ Availability of **financial resources**, **human** and **material** for the application of standards etc.

V. <u>Recommandations</u> :

➢ Sensitize women entrepreneurs on standards and quality ;

➢ Encourage women entrepreneurs, especially association leaders, to participate in standardization work;

➢ Develop manuals and guides adapted to understanding for women;

➢ Strengthen the technical capacities of women on standards and quality;

➢ Support women's businesses in setting up a quality approach and certifying their products/services.

- Some guidelines for companies :

❖ **Organize your company by implementing a quality approach:**

The goal is to develop the organization to achieve the best performance in terms of products and services, while helping all staff progress. It is about promoting quality inside and outside the company.

❖ **Find out from the National Standards Body about the relevant standards for your activities :**

The goal is to know the standards of your products and services and ac

❖ **Apply the relevant standards for your activities :**

The goal is to optimize your processes, products and services.

❖ **Seek to certify your products:**

The aim is to give the guarantee that your products and services comply with standards

❖ **Set up normative and regulatory monitoring**

- Some sources of information on markets access / Standards & Technical Regulations

ITC Trademap, Eping alert (WTO), Global Trade Help Desk (ITC)

These platforms provide useful market access information such as : applicable standards and regulations, export opportunities, prices, product attractiveness, etc.

Link:https://globaltradehelpdesk.org/fr

Link:https://macmap.org/

Source of information (continued)

Alert system for SPS and TBT notifications developed by WTO, ITC and UNCTAD

Link:https://epingalert.org/fr

Conclusion :

« Quality is remembered long after the price is forgotten » Gucci

Thank you for your attention !!!

United States Department of Commerce
Commercial Law Development Program
(CLDP)

Africa Women and Youth Empowerment
Working Group (AWYEG)

Pathways to Trade for Women Under the AfCFTA Standards

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PLAN

Introduction

I.   Bref rappel de la création de la ZLECAf

II. Dimension Normes et règlements techniques – ZLECAf

III. Les Mesures Sanitaires et Phytosanitaires (SPS)

IV. Opportunités et défis des normes pour les entreprises de femme

V.   Recommandations

- Quelques orientations pour les entreprises
- Quelques sources d'information sur l'accès aux marchés / Normes-Règlements techniques

INTRODUCTION

➤ L'Afrique contribue à hauteur de 3% du commerce mondial ; En 2019, les **exportations intra-africaines de marchandise** représentait 14% des **exportations totales de l'Afrique**, à cet effet, elle était la région dont la **part des exportations intrarégionales** était la plus faible à l'exception de l'Océanie (CNUCED, 2021).

- En 2020, les **échanges intra-africains** s'élevaient à **62 milliards de dollars** (tralac, 2020).

➤ **77%** du Commerce mondial affecté par les MNT/ Rapport CNUCED-Banque Mondiale (11ème CM de l'OMC)

- Plus de **3000 notifications des membres de l'OMC** concernant les prescriptions relatives aux produits pour les biens commerciaux au Comité des obstacles techniques au commerce (OTC) en 2020.
- La région de **l'Afrique de l'Est** : en particulier le **Kenya**, le **Rwanda**, la **Tanzanie** et l'**Ouganda** compte parmi celles qui présentent le **plus de notifications**. Ces notifications ont représenté 26% **des notifications soumises en 2020**. Les mesures qu'ils ont notifiées concernaient essentiellement les **produits alimentaires** et les **boissons**.

➤ La **ZLECAf** est un **accord commercial régional** au sens des dispositions réglementaires de l'**Organisation Mondiale du Commerce (OMC)** (Article XXIV du GATT de 1994)

- Elimination des **droits de douane** pour l'essentiel des échanges ainsi que les **barrières techniques aux échanges**.

I. Bref rappel de la ZLECAf

- Signé par **44 Etats** lors du Sommet Extraordinaire de l'UA à Kigali (Rwanda), le 21 mars 2018

- De nos jours, l'Accord est signé par **54 Etats** / 55 Etats africains

- Ratifiée par **43 Etats** (à date)

- Couvre:

    - le commerce des marchandises ;
    - le commerce des services ;
    - les droits de propriété intellectuelle ;
    - la politique de la concurrence ;
    - les investissements ;
    - le mécanisme de règlement de différends.

- **Date d'entrée en vigueur**: 30 mai 2019 (ratifications de 22 Etats)

- **Opérationnalisation/ mise en œuvre** : 1er janvier 2021

II. <u>Dimension normes et règlements techniques – ZLECAf</u> :

Elimination progressivement des barrières non tarifaires

<u>Disposition règlementaire</u> : **Article 4 (a)** de **l'Accord cadre** et **Article 2(b)** du Protocole sur le commerce des marchandises.

❖ **Annexe 5** sur le **Protocole Barrières non Tarifaires (BNT)**

❖ **Annexes 6** sur le Protocole **Obstacles Techniques au Commerce (OTC)**

❖ **Annexe 7** sur le **Protocole les mesures Sanitaires et Phytosanitaires (SPS)**

Ces annexes mettent en exergue l'élimination des BNT **pour faciliter les échanges commerciaux** entre les Etats.

Besoin d'une Infrastructure Qualité efficace et efficiente
(notamment la Normalisation)

Une Norme : « document approuvé par un **organisme reconnu** qui fournit pour des usages communs et répétés des règles, des lignes directrices ou des caractéristiques pour des produits ou des procédés et des méthodes de production connexes dont le respect n'est pas obligatoire », ISO/CEI Guide 2

NORME

- Spécification Produits ;
- Méthode de test ;
- Code de pratique ;
- Guides ;
- Terminologie ;
- Symbole ;
- Echantillonnage et inspection etc.
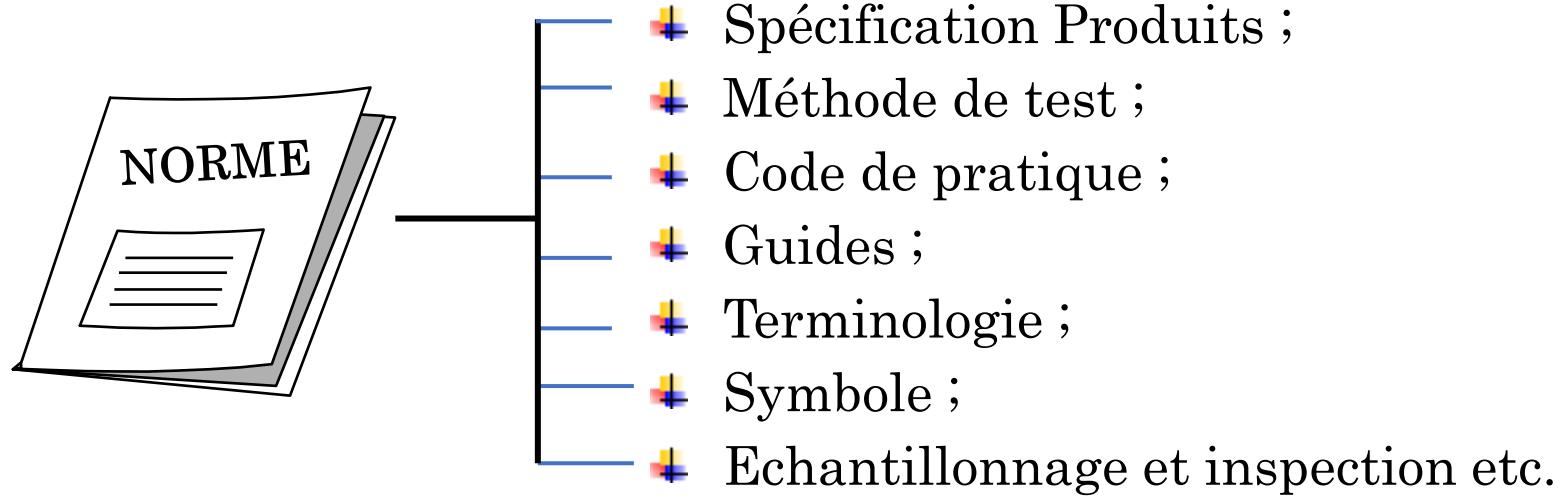
Niveaux de normalisation

NORME

Nationale (élaborée par un organisme national de normalisation, SON, AMANORM, ABNORM, KEBS, SABS etc.)

Régionale (élaborée par un organisme régional de normalisation, ex **ORAN**, **ECOSHAM**)

Internationale (élaborée par un organisme international de normalisation, Ex ISO, IEC)

Entreprise

Normes – ZLECAf

Disposition règlementaire : Article 6 de l'Annexe 6 « Coopération en matière de normalisation »………..

« Les Etats parties sont chargés de promouvoir l'adoption des normes développées par **ARSO** et **AFSEC** »

Rôle important des organismes régionaux de normalisation tels que **l'Organisation Africaine de Normalisation (ORAN)**

❑ Création : 1977 par l'OUA (UA) et la CEA

❑ Membres : Actuellement 42 membres

- Sommet extraordinaire des Chefs d'Etat de l'UA en 2014
   « tous les Etats membres doivent devenir membres de ARSO »

❑ Nbre de normes harmonisées : 1234

❑ Nbre de Comités techniques d'harmonisation (THC) : 87

Chaines de valeur régionale, importance des normes harmonisées

Enterprises regionales/internationales

STANDARDS

Écart de capacité en termes de:
- Qualité (Normes)
- volumes
- Technologies
- competences

Fourniture de biens et services

PMEs locaux
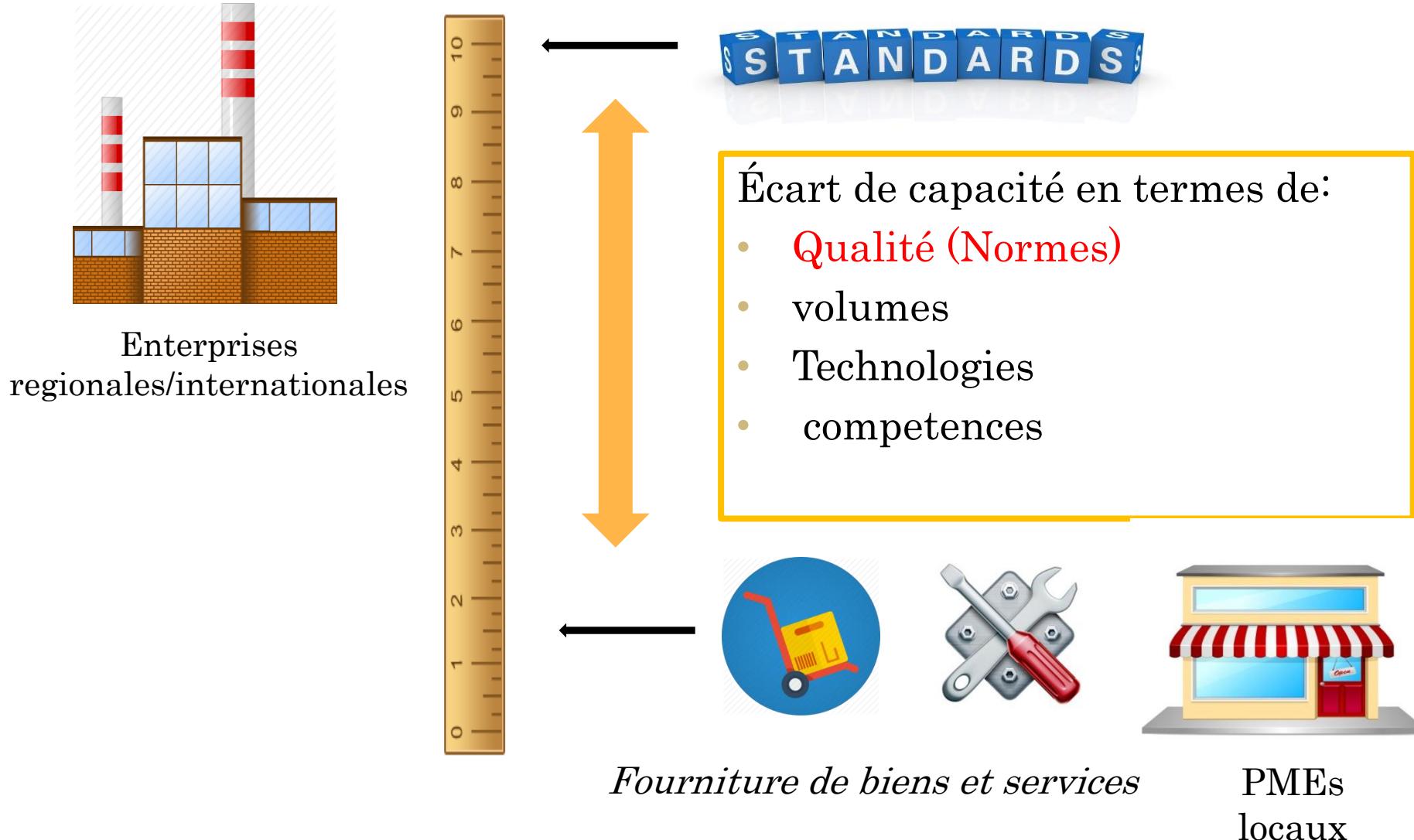
2. Règlements techniques :

Mesures qui énoncent les caractéristiques d'un produit ou les procédés et méthodes de production s'y rapportant, dont le respect est obligatoire.

Article 7 de **l'Annexe 6** ˮ Coopération en matière de règlements techniques"
« Dans l'élaboration et la **mise en œuvre des règlements techniques**, les États parties sont chargés de promouvoir :

- la conformité à l'Accord de l'OMC sur les OTC
- l'utilisation de normes internationales et / ou des parties de celles-ci comme base des règlements techniques

3. Barrières non tarifaires (BNT) :

Les BNT sont généralement définies comme étant des mesures de politique générale autres que les droits de douane ordinaires, qui peuvent avoir une incidence économique sur les échanges commerciaux.

L'Annexe 5 sur les BNT du protocole sur le commerce des marchandises a identifié entre autres : les **obstacles techniques au commerce (OTC),** les **mesures sanitaires et phytosanitaires (SPS).**

Sept (7) Catégories de BNT identifiées

La **ZLECAf** reconnait sept (7) **Catégories de BNT** (**Annexe 5 protocole Commerce des marchandises**) :

<u>Cat 1</u>: Participation du gouvernement dans les pratiques commerciales restrictives tolérées par les gouvernements.

<u>Cat 2</u> : Formalités administratives à l'entrée

<u>Cat 3</u> : Obstacles techniques au commerce

<u>Cat 4</u> : Mesures sanitaires et phytosanitaires

<u>Cat 5</u> : Limitations spécifiques

<u>Cat 6</u> : Taxes à l'importation

<u>Cat 7</u> : Autres

Mise en place Mécanisme de suivi des BNT en ligne
<u>Lien du site</u> : https://tradebarriers.africa/about

III. Les mesures sanitaires et phytosanitaires (SPS) :

Les mesures sanitaires et phytosanitaires (SPS) sont encadrées par **l'Annexe 7** du Protocole sur le commerce des marchandises.

Les **objectifs** (article 4) de l'Annexe 7 sont de :

a. **faciliter le commerce**, tout en **protégeant la vie** et la **santé des êtres humains, des animaux** et en **préservant les végétaux** sur le **territoire des États parties** ;

b. renforcer la **coopération** et la **transparence** dans l'**élaboration** et la mise en œuvre de mesures SPS afin qu'elles ne se transforment pas en **barrières injustifiables au commerce** ;

c. améliorer la **capacité technique** des États parties pour la mise en œuvre et le suivi des mesures SPS tout en **encourageant l'utilisation des normes internationales** concernant l'élimination des barrières au commerce.

Définition (Annexe A de l'Accord SPS de l'OMC) des mesures SPS :

Mesures prises pour :

| Protéger la santé risques découlant des additifs, contaminants, des personnes et des animaux | **des** → | toxines ou organismes pathogènes présents dans les produits alimentaires, les boissons ou les aliments pour animaux |

| Protéger la vie des personnes | **des** → | maladies véhiculées par des animaux ou des plantes |

| Protéger la vie des animaux et préserver les végétaux | **des** → | parasites, maladies et organismes pathogènes |

| Protéger le territoire du Membre | **des** → | autres dommages découlant de l'entrée, de l'établissement ou de la dissémination de parasites |
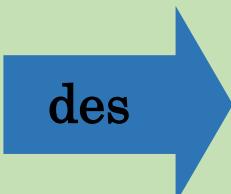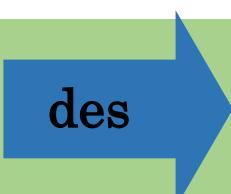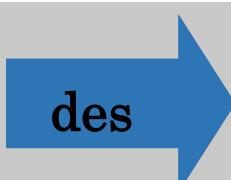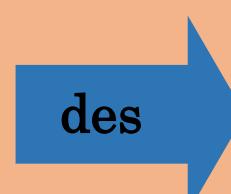
Exemple de mesures SPS :

1. Une mesure visant à définir les prescriptions et méthodes d'essai pour le lait, concernant le processus tels que la pasteurisation, les additifs, les ingrédients et les prescriptions relatives à la composition.

2. Une mesure visant l'Interdiction de la vente d'arachides non conforme aux normes et établissement de normes de qualité, des prescriptions concernant le conditionnement des arachides destinées à la vente.

IV. Opportunités & défis pour les entreprises appartenant à des femmes :

Opportunités	Défis à rélever

Opportunités

➢ Développement des chaines de valeurs au niveau régional (normes harmonisées et systèmes d'évaluation de la conformité reconnus);

➢ Conquête de **nouveaux marchés ;**

➢ Gain en compétitivité avec des économies de ressources (reprise des contrôles qualités à l'entrée)

➢ Démarcation par rapport à la **concurrence** ;

➢ **Augmentation des exportations** sous l'effet de l'élimination des barrières tarifaires et non tarifaires ;

➢ Diffusion des connaissances, savoir-faire et la technologie (normes harmonisées) etc.

Défis à rélever

➢ **Application/mise en place des exigences normatives** au sein des entreprises appartenant à des femmes ;

➢ **Compréhension** des exigences normatives (nécessité de traduction des normes dans les langues locales)

➢ **Connaissance** (information) des normes des pays partenaires;

➢ Conformité aux normes des pays partenaires;

➢ Disponibilité des **ressources financière, humaine** et **matérielle** pour l'application des normes etc.

V. Recommandations :

➢ Sensibiliser les femmes entrepreneures sur les normes et la qualité ;

➢ Encourager les femmes entrepreneures notamment les leaders d'association à participer aux travaux de normalisation ;

➢ Elaborer des manuels et guides adaptés à la compréhension pour les femmes ;

➢ Renforcer le capacités techniques des femmes sur les normes et la qualité ;

➢ Accompagner les entreprises de femme à la mise en place d'une démarche qualité et la certification de leurs produits/services.

❖ **Organiser votre entreprise en mettant en place une démarche qualité :**

Le but est de faire évoluer l'organisation pour réaliser les meilleures prestations en matière de produits et services, tout en faisant progresser l'ensemble du personnel. Il s'agit de promouvoir la qualité dans et hors de l'entreprise.

❖ **Renseigner vous auprès de l'Organisme National de Normalisation sur les normes pertinentes de vos activités :**

Le but est de connaitre les normes de vos produits et services et les acquérir pour l'implémentation

❖ **Appliquer les normes pertinentes pour vos activités :**

Le but est d'optimiser vos processus, produits et services.

❖ **Chercher à certifier vos produits :**

Le but est de donner la garantie que vos produits et services respectent les normes

❖ **Mettre en place la veille normative et règlementaire**

- Quelques sources d'information sur l'accès aux marchés / Normes & Règlements techniques

ITC Trademap, Eping alert (OMC), Global Trade Helpdesk (ITC)

Ces plateformes fournissent des informations utiles d'accès aux marchés tels que : les normes et règlements applicables, les opportunités d'exportation, les tarifs, l'attractivité du produit etc.

<u>Lien</u> : **https://globaltradehelpdesk.org/fr**

<u>Lien</u> : **https://macmap.org/**

Source d'information (suite)

Système d'alerte pour les notifications SPS et OTC développé par l'OMC, ITC et CNUCED

« Quality is remembered long after the price is forgotten », Gucci

Je vous remercie de votre attention !!!

# Trade Policy in Services and AfCFTA: Implications for Gender issues

Sékou Falil Doumbouya

Director of GRADES-Consulting

Issues to be covered in the presentation

- What is the state of gender gap in Africa?

- What are the key channels proposed by the litterature on the impact of TiS liberalization on the reduction of gender inequality?

- Are there some evidences and/or simulations relevant for Africa?

- If TiS liberalization is good for gender equality,
  - how we can appreciate the current state of TiS liberalization in Africa?
  - how we can appreciate the response of AfCFTA to achieve progressively TiS liberalization in Africa?

Africa and The Global Gender Gap Index

- The Global Gender Gap Index measures gender-based gaps based on four dimension:
  - Economic Participation and Opportunity,
  - Educational Attainment,
  - Health and Survival, and
  - Political Empowerment.
- The highest possible score is one, which signifies total equality between women and men.
- As of 2022, Sub-Saharan Africa had closed 67.9 percent of its gender gap. This means females were, on average, some 32 percent less likely to have the same opportunities as males in the region.

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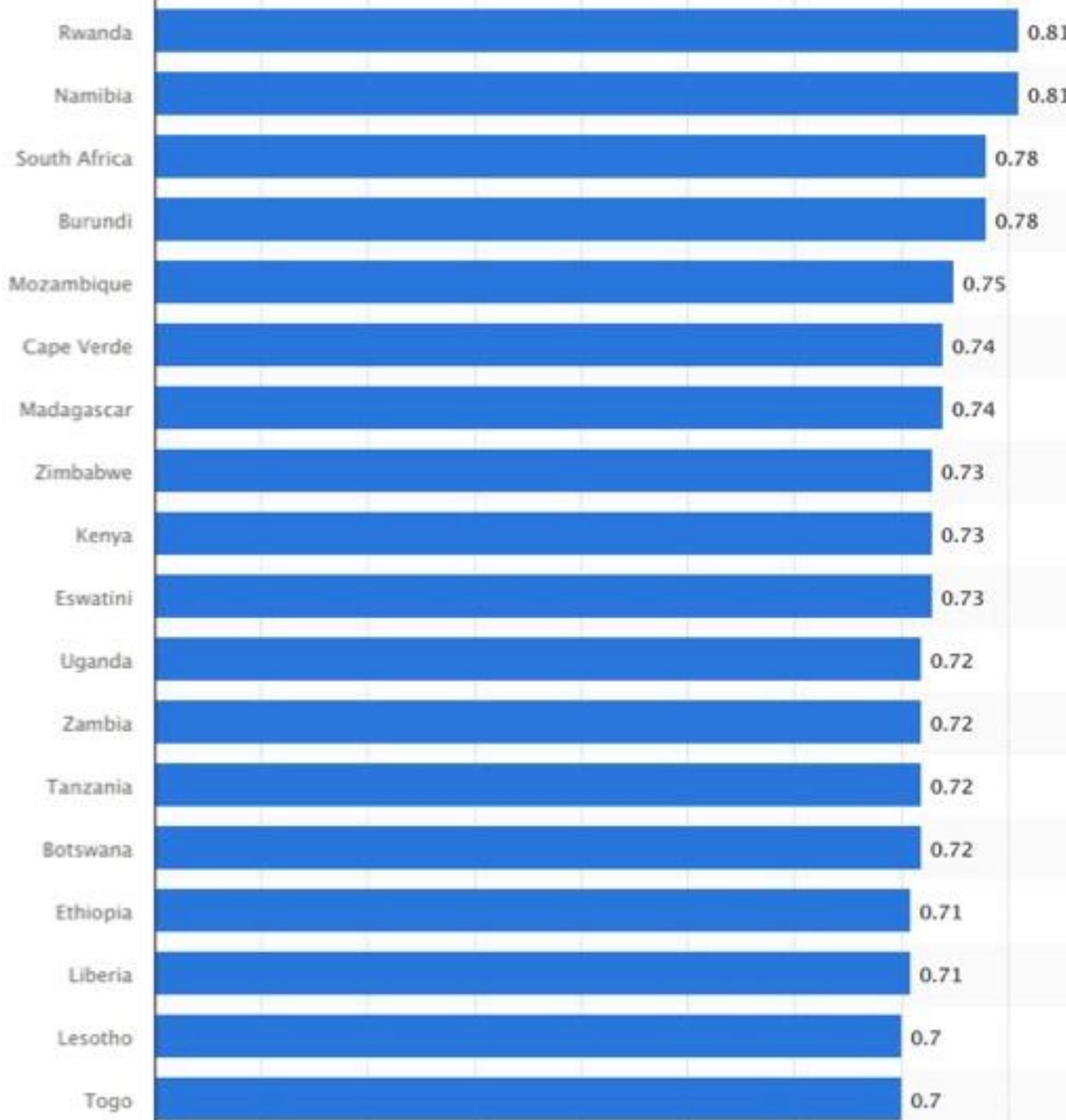
The top countries in Sub-Saharan Africa in the Gender Gap Index

Source: https://www.statista.com/statistics/1220485/gender-gap-index-in-sub-saharan-africa-by-country/

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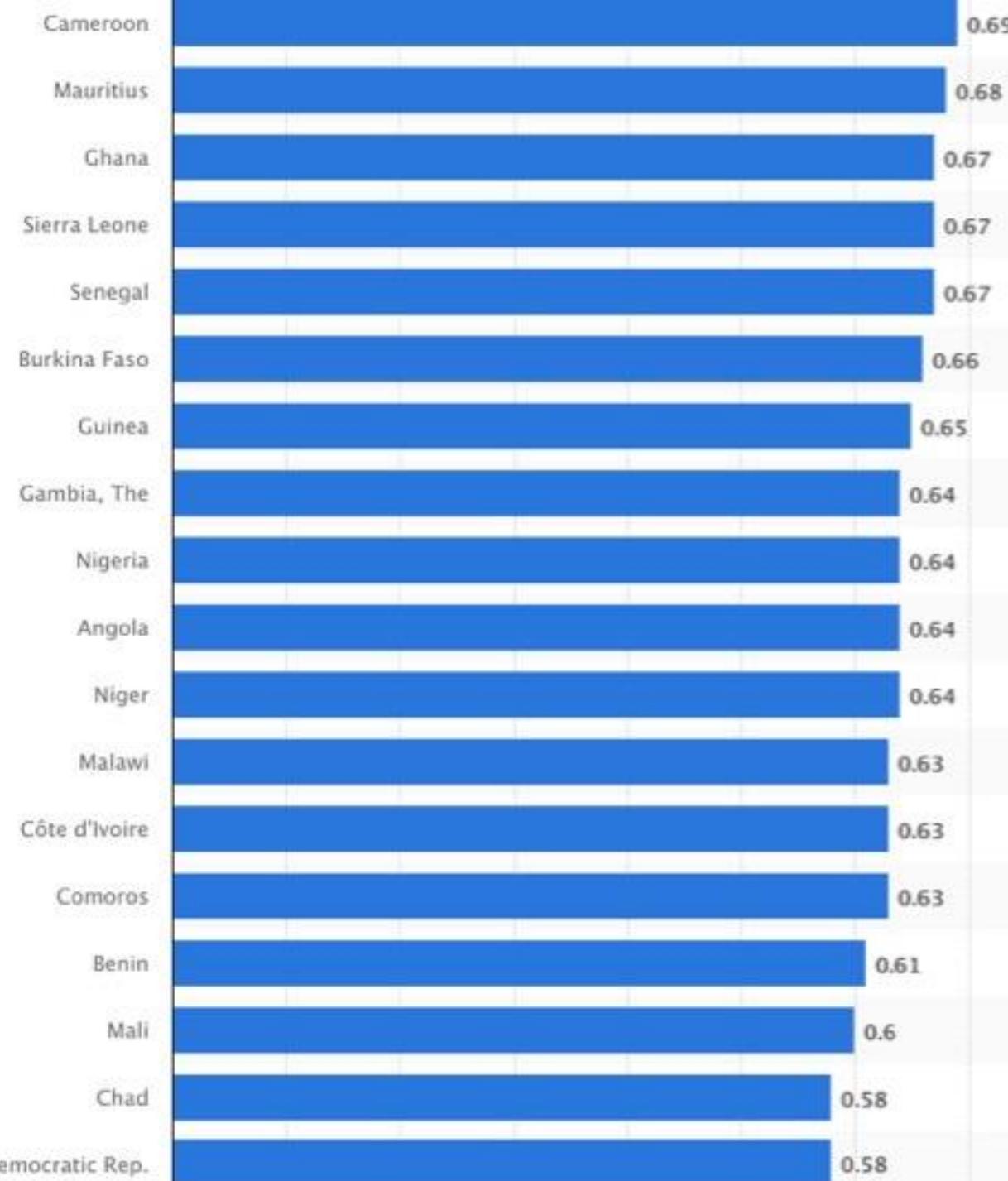
The bottom countries in Sub-Saharan Africa in the Gender Gap Index

Source: https://www.statista.com/statistics/1220485/gender-gap-index-in-sub-saharan-africa-by-country/

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A Conceptual framework to understand the link between TiS Liberalisation and gender inequality reduction
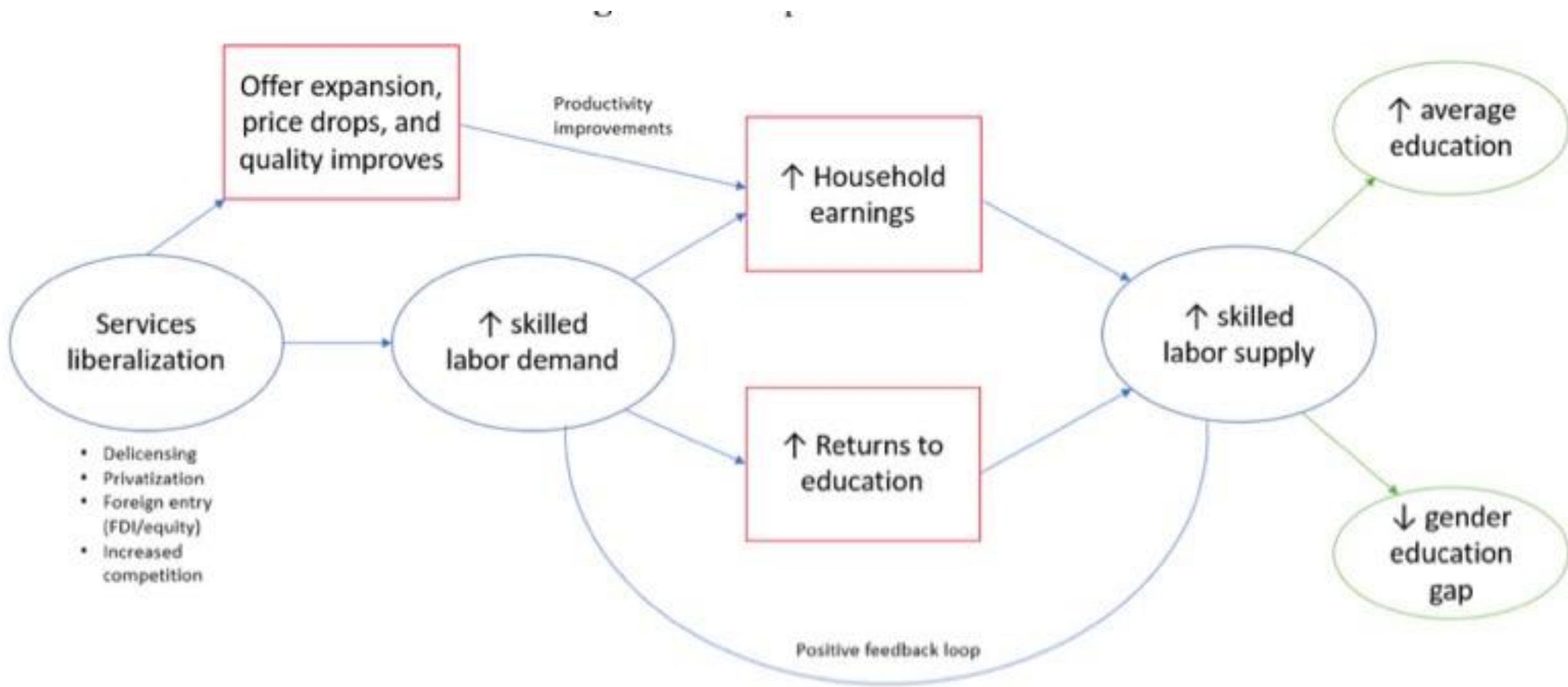
Evidence from Research

- We find that the employment share of liberalized services sectors is a consistently significant determinant of both the average number of years of education (positively) and the gender education gap (negatively) at the district level

- Liberalizing key services sectors is a crucial policy to boost human capital accumulation and lower the gender education gap in a developing country like India

Employment reallocation in Africa due to AfCFTA in 2035
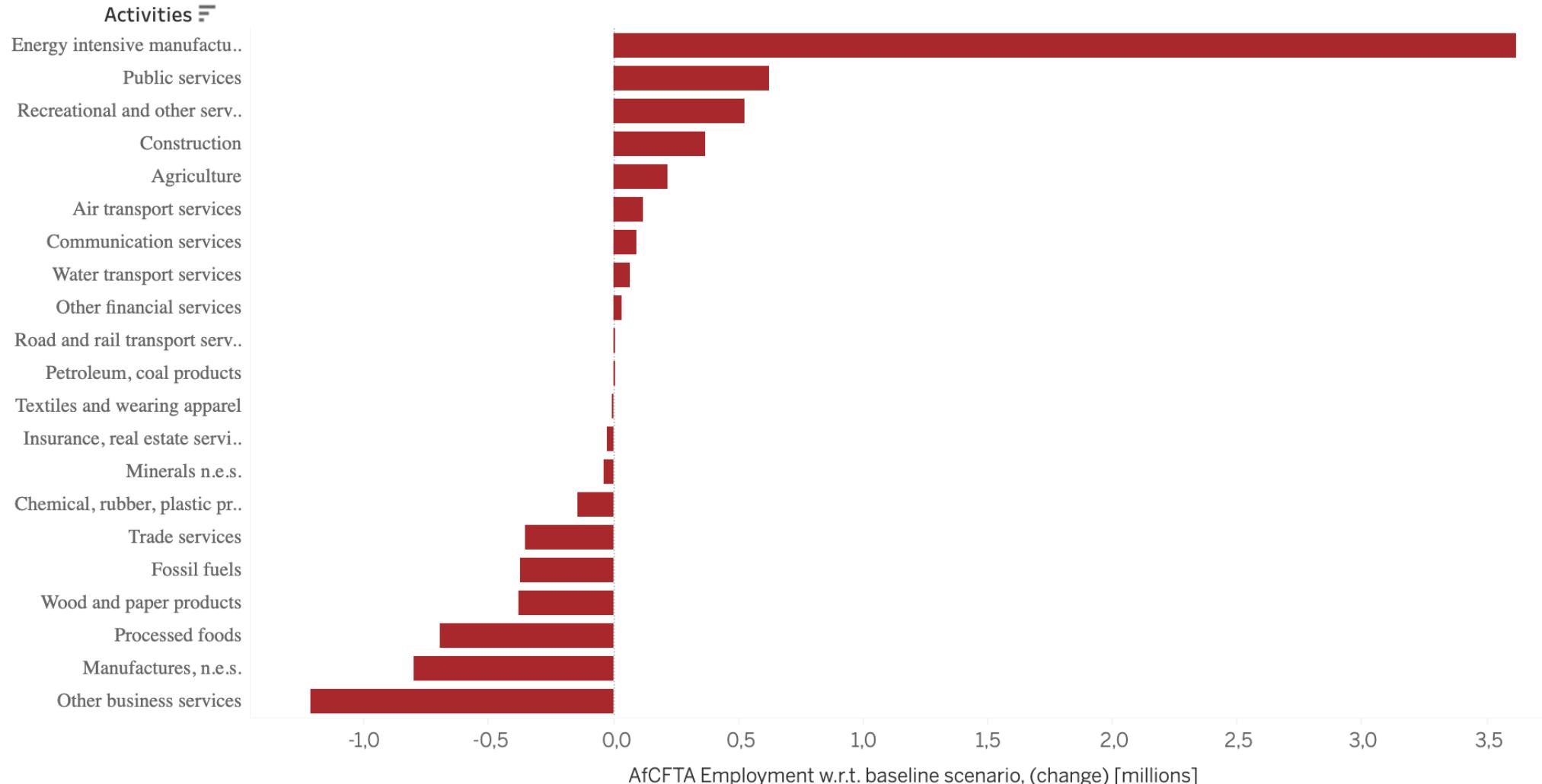
Services Trade Policy in Africa

- Work carried out by the World Bank and WTO on 27 African economies

- 27 African countries

- 5 sectors covered
  - Distribution, financial (banking and insurance), professional, telecom, transport

- Other sectors (full survey) and other AU economies will be added during 2022

| Pays	Mode			
	M1	M3	M4	Total
Ethiopie	8	9	9	26
Angola	7	4	4	15
Algerie	5	5	2	12
Soudan	7	3	1	11
Côte d'Ivoire	7	2	1	10
Mali	5	2	3	10
Burkina Faso	5	2	1	8
Zambie	2	3	3	8
Gabon	5	2	0	7
Maroc	5	2	0	7
Sénégal	5	1	1	7
Cameroun	5	1	0	6
Rép. Dém. du Congo	4	2	0	6
Kenya	4	2	0	6
Niger	4	1	1	6
Zimbabwe	3	3	0	6
Guinée	4	1	0	5
Eswatini	2	3	0	5
Mozambique	0	3	1	4
Somalie	0	3	1	4
Tanzanie	4	0	0	4
Namibie	0	3	0	3
Ghana	2	0	0	2
Ouganda	2	0	0	2
Nigeria	1	0	0	1
Sierra Leone	0	1	0	1
Maurice	0	0	0	0

Number of closed subsector-mode of supply combinations

Services Trade Restrictivity Index (STRI) in Africa
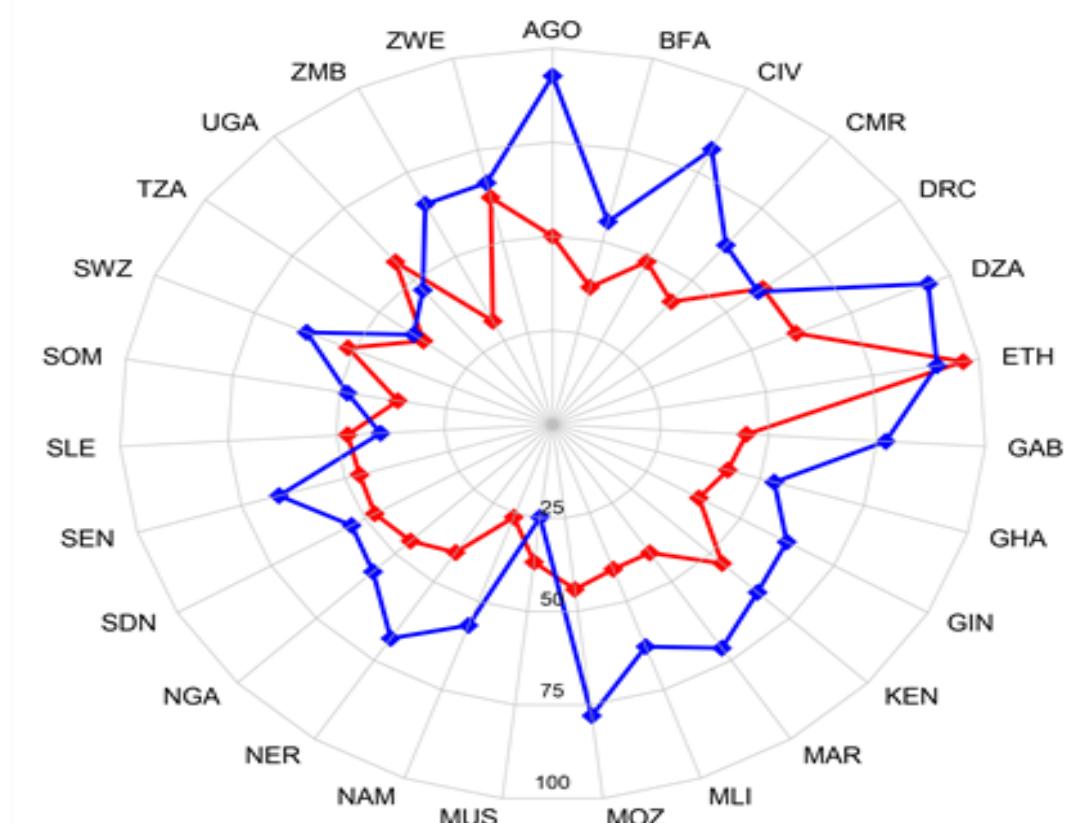
Substantial policy variation between modes of supply in different sectors in Africa

Substantial policy variation between modes of supply in different sectors in Africa

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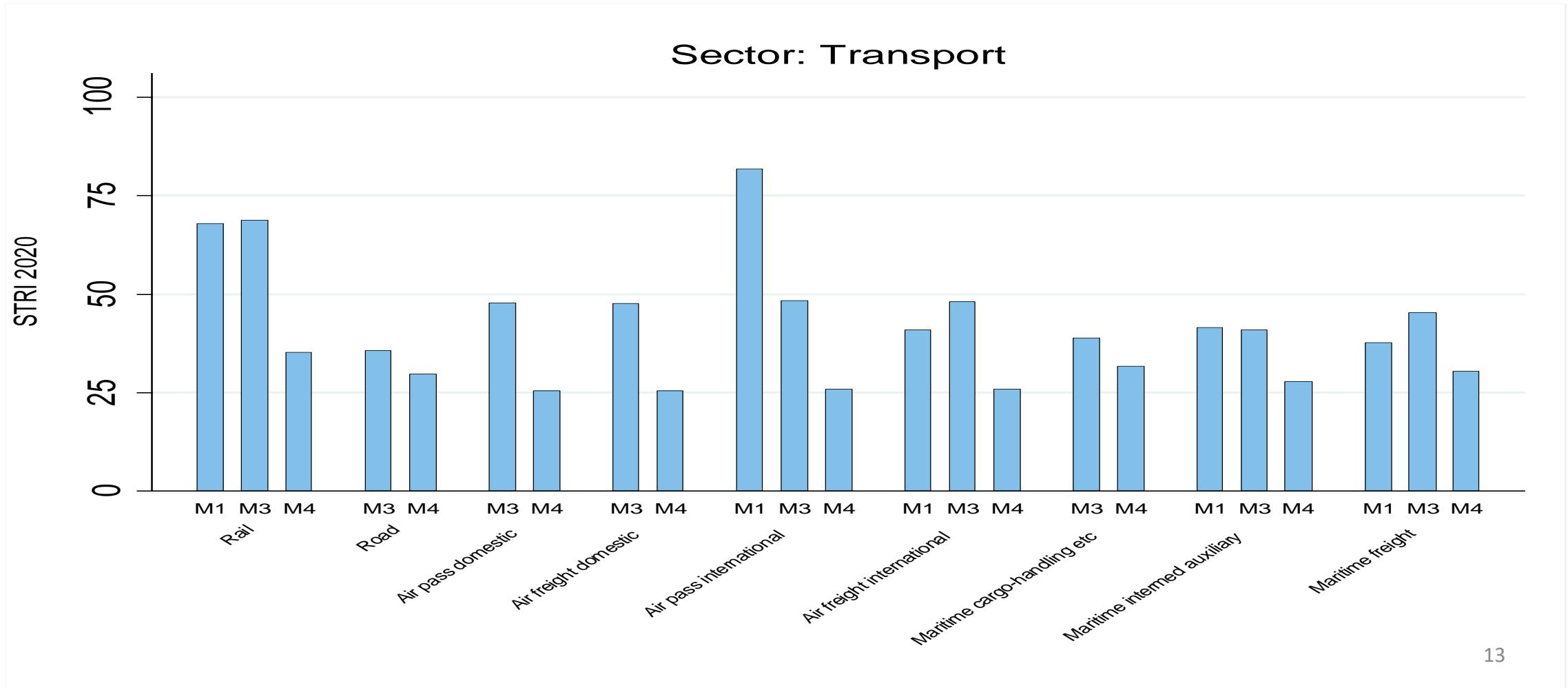
AfCFTA provisions and Gender issues

Gender issues	Part, Title and Chapter	Provision
Gender equality	Preamble	
Gender equality	Part II : Establishment, objectives, principles and scope	Article 3.e
Women participation in economic/development activities	Protocol on Trade and Service Part VI: Instutional provisions	Article 27.2

AfCFTA TiS Prorocol response to Market failures is an opportunity to liberalize Trade in services in Africa

Market failures	Services sectors	AfCFTA TiS Protocol response
Monopoly/ Oligopoly	Network services: telecommunications; transport (terminals and infrastructure), and energy services (distribution networks)	Transparency (Articles 5 and 9) Non-discrimination (Articles 4 and 20) No quantitative restrictions (Article 19) + Rules on Monopolies and Exclusive Service Suppliers (Article 11) + Notional rules on (anti-competitive) business practises (Article 12)
Information problems	Intermediation and knowledge based services: e.g. financial and professional services.	Transparency (Articles 5 and 9) Non-discrimination (Articles 4 and 20) No quantitative restrictions (Article 19)
Externalities	Transport, tourism, etc.	

Article 18.2 of the Protocol on Trade in Services calls on Member States to negotiate additional norms and disciplines guiding domestic regulation in various specific services sectors.

AfCFTA response to contribute to the liberalization of TiS in Africa

- Article 18 of the AfCFTA Protocol on Trade in Services states that:
  - the trade in services liberalization process shall reflect the "best practices and acquis from the RECs [regional economic communities]" (Article 18:2)
- Examples of best practices from RECs are horizontal standstill commitments
  - EAC: Article 16.5, Common Market Protocol: « the Partner States shall **progressively remove existing restrictions and shall not introduce any new restrictions on the provision of services in the Partners States**…. »
  - SADC: Article 16.4, Protocol on Trade in Services: « During the negotiations, States Parties **shall not introduce new and more discriminatory barriers to trade in services**
  - COMESA: Article 10, Protocol on the free movement of persons, labor and services: « Save as otherwise provided in the Treaty, member **States shall not, from the date of entry into force of this Protocol, introduce any new restrictions on the freedom to provide services** »

Challenges of AfCFTA response to contribute to the liberalization of TiS in Africa

- The fundamental challenge is how to remove the uncertainty that traders and investors face regarding the potential introduction of new barriers
- The AfCFTA parties have not yet agreed on a cross-sector standstill commitment.
- Thus, governments are free to introduce new discriminatory or market access restrictions in any sector despite the aspirational commitment to foster gradual liberalization.
  - The only limitations are the specific terms and conditions that each AfCFTA member includes in its respective schedule of specific commitments to the Protocol on Trade in Services (article 19.2 and 20.1).
- The absence of a standstill commitment on new discriminatory and market access restrictions seems contrary to the spirit of Article 18 of the AfCFTA Protocol on Trade in Services
- There is a need for Public-private Dialogue on these issues with the participation of womens as stakeholders

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