



REFORMING PUBLIC POLICY — STEP BY STEP

# An Introduction to Dialogue & Advocacy for Women's Business Associations

SHE TRADES IN THE AFRICAN CONTINENTAL FREE TRADE AREA | 2021



## About the paper

All businesses want public policies that will make doing business easier rather than harder. Business associations thus engage with policy makers to seek reforms through dialogue and advocacy. This guide, prepared in the context of the SheTrades African Continental Free Trade Area (AfCFTA) project, outlines a 5-step approach to advocacy and suggests strategies so that women's business associations can make a difference.

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## Contents

About the paper	ii
Acknowledgements	iii
Acronyms	vi
Executive Summary	vii
<b>INTRODUCTION</b>	<b>1</b>
<b>GOVERNMENTS AND REGULATION</b>	<b>3</b>
Public Policy	3
The Enabling Environment	4
Regulatory Reform	5
<b>PRIVATE SECTOR ADVOCACY</b>	<b>6</b>
Effective Influencing	6
Public-Private Dialogue	7
<b>THE FIVE-STEP APPROACH TO ADVOCACY</b>	<b>8</b>
Step 1: Establish and frame the issues	8
Step 2: Evidence the Issues	10
Commissioning research	11
Choosing the methods	11
Considering the analysis	12
Considering the presentation	12
Step 3: Express your policy proposal	13
Step 4: Engage with policymakers	14
Dialogue	14
Advocacy Communications	15
Advocacy Techniques	17
Step 5: Evaluate and Follow Up	19
<b>ETHICS AND ADVOCACY</b>	<b>20</b>

## Boxes

Box 1	Case Study – Lobbying for standards for hermetic storage technologies	6
Box 2	Case study – Regulating physiotherapists	11
Box 3	Case study – Framing an issue in two ways	12
Box 4	Case study – Reducing a levy can raise tax revenue	13
Box 5	Case study – Allowing new plant seed varieties	14
Box 6	Case study – Prompt payment for suppliers of supermarket chains in Kenya	15
Box 7	Case study – International lobbying	18
Box 8	Further reading and information	21

## Figures

Figure 1	Government and enabling environment	3
Figure 2	The enabling environment	4
Figure 3	Steps in the planning process	7
Figure 4	Steps in the advocacy process	8
Figure 5	Steps in public relations	16

## Acronyms

Unless otherwise specified, all references to dollars (\$) are to United States dollars, and all references to tons are to metric tons.

ACTIF	African Cotton & Textile Industries Federation
AGOA	African Growth & Opportunity Act
ATE	Association of Tanzania Employers
BMOs	Business membership organisations
COMESA	Common Market for Eastern and Southern Africa
EAC	East African Community
EAGC	East African Grain Council
ITC	International Trade Centre
NGOs	Non-governmental organizations
UNCTAD	United Nations Conference on Trade and Development
WTO	World Trade Organization

## Executive Summary

The private sector is recognised by many governments and organisations such as the World Bank as the engine of growth. However, governments then impose unnecessary costs and administrative burdens on business, often unwittingly, as they create and implement policy through legislation and regulation. As a result, the private sector, usually through representative business associations, seeks to engage with government to persuade Ministers to take action, or in certain cases refrain from taking action, in order to improve the environment for business.

Persuading policy makers, however, requires both a systematic approach and considerable persistence. This guide cannot help you with the persistence, but it will help you to take a systematic approach, breaking down the requirements into five simple steps.

**Step 1: Establish and frame the issue** - Put in place mechanisms to ensure that you get early warning of issues. Members can provide feedback but regular dialogue with government should alert you to proposals for new or reformed regulations or legislation and watching the activities of others may indicate that something that is not yet an issue may quickly become one.

**Step 2: Evidence the issue** - Undertake, or commission, research so that you can really understand the issue, and the causes of the issue. Look at the scale and depth of the impact for an existing law or regulation or else assess the likely impact from a new or reformed law or regulation. You need comprehensive but objective information to support your case, but do not make the mistake of gathering unnecessary information, so think clearly about the questions you are aiming to answer through the research.

**Step 3: Express your policy position** - Set out your policy position clearly, succinctly and persuasively. Explain how the current position arose. Describe the potential impact of the government's proposals. Recommend your ideal course of action. There is no need to write it all down, but you will find that doing so will help you to think through the arguments. Do not see policy reform as a zero sum game: instead try to demonstrate how all parties will benefit. Even reducing a tax can lead to an increase in tax revenue!

**Step 4: Engage with policy makers** - If possible, take the insider approach, meeting directly with policy makers and engaging in dialogue and lobbying to encourage them to move towards your position and then to act on your behalf. Think carefully about your target audiences, why they should be target audiences, what you want them do, and how you are going to persuade them. Prepare a plan. It needs to be flexible, because governments do not move easily or quickly but it also needs responsible people and budgets.

**Step 5: Evaluate and follow up** - It is very easy for business associations that think that they have been successful to stop at the end of step 4. It is too easy for governments to agree to an action and then not to implement it, so monitor them carefully until it has been done. Once a reform is agreed and implemented, if possible, monitor and evaluate the results, since this will give you good evidence either to thank government for doing something or to support your case for the next reform. It is also sensible to spend a few moments to reflect on your own activities and whether anything could have been done more effectively or more efficiently – or whether you have identified any development needs.

Whilst following the five steps is not a complete recipe for success, taking a logical approach, such as outlined here, will mean that you do not overlook requirements and will significantly improve your chances of securing the reforms that you seek. Remember also that policy reform requires commitment and determination and that you will not be successful every time, although the experience of business associations in developing countries suggests that they can be successful very often.





## INTRODUCTION

Business membership organisations (BMOs) engage in public-private dialogue and advocate reforms of public policy intended to improve the business environment generally and specifically for their members. The aim of this handbook is to introduce the concepts of public-private dialogue and private sector advocacy for policy reform. The handbook will:

- Ensure that you understand what is meant by the enabling environment;
- Explain the importance and purpose of dialogue and advocacy;
- Introduce the five-step approach to advocacy which provides a simple and logical framework for your advocacy;
- Introduce you to a range of advocacy techniques; and
- Suggest topics for further personal development



## GOVERNMENTS AND REGULATION

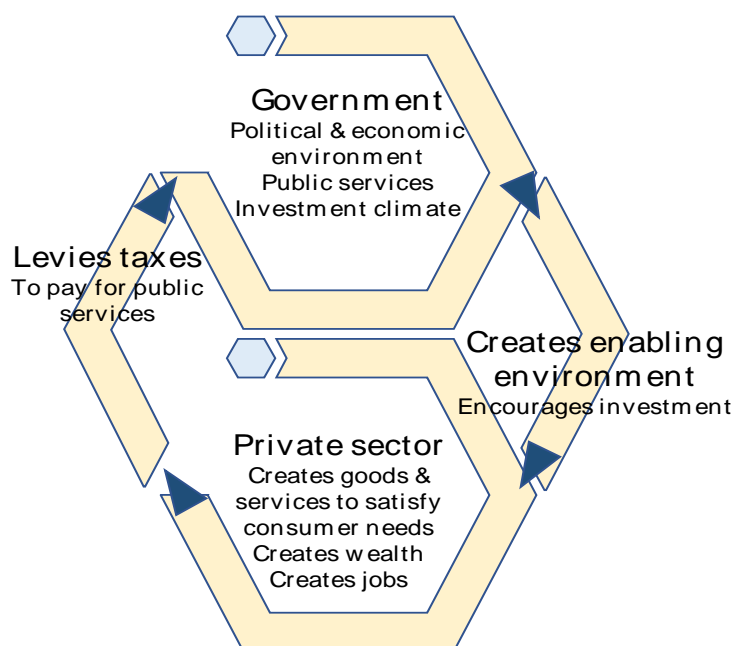
### Public Policy

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Public policy is a course of action adopted and pursued by government,<sup>1</sup> though policy also provides the principles on which decisions are made by government. Governments thus create the political and macro-economic environment in which we all live and work. They legislate and they regulate. Indeed, governments want to legislate – many politicians think that the specific reason that they have been elected is to legislate. Governments legislate, at least in part, as they are responsible for providing, or ensuring the provision, of a range of public services and in order to raise money through taxation.

Regulations are a form of government intervention in the economy. While there are costs associated with regulation, benefits also accrue, though generally it is society that gains from the benefits whilst business pays the costs. For example, setting safety standards for nuclear power stations may impose costs on the operators, but aims to minimise the risk of radioactive pollution of the environment. Regulators, therefore, have to weigh up the advantages and disadvantages of every viable response to a situation that merits government intervention and recommend regulation when it is the best option. This involves balancing stakeholder demands such as public health and safety, environmental protection and sustainable development, economic efficiency and performance, national cohesion and international obligations.

Figure 1 - Government and enabling environment



Governments generally recognise, however, that the private sector is the engine of growth, creating wealth and jobs and providing tax revenue to pay for the public sector. As a result, governments are concerned to demonstrate that they are being responsive to business, are creating an enabling pro-business environment, and that, whilst regulation may be necessary from time to time, they are far more business friendly than other governments.

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<sup>1</sup> Oxford English Dictionary

The problem for business is that regulations impose financial burdens – through the time taken to comply and to demonstrate compliance, through the initial cost, and through recurring costs. Sometimes, it is the financial cost that is the objective (for example, the requirement to pay tax or some sort of levy), imposed in order to stimulate a change in behaviour. Sometimes, limited thought is put into the administrative burden (for example, preparing the paperwork to demonstrate compliance). Inevitably, these burdens are felt disproportionately by smaller businesses. Large businesses can afford to employ people – who then build up expertise – specifically to ensure compliance; in the smallest business, it is usually the entrepreneur who has to do the work – on top of everything else required to generate sales and make a profit.

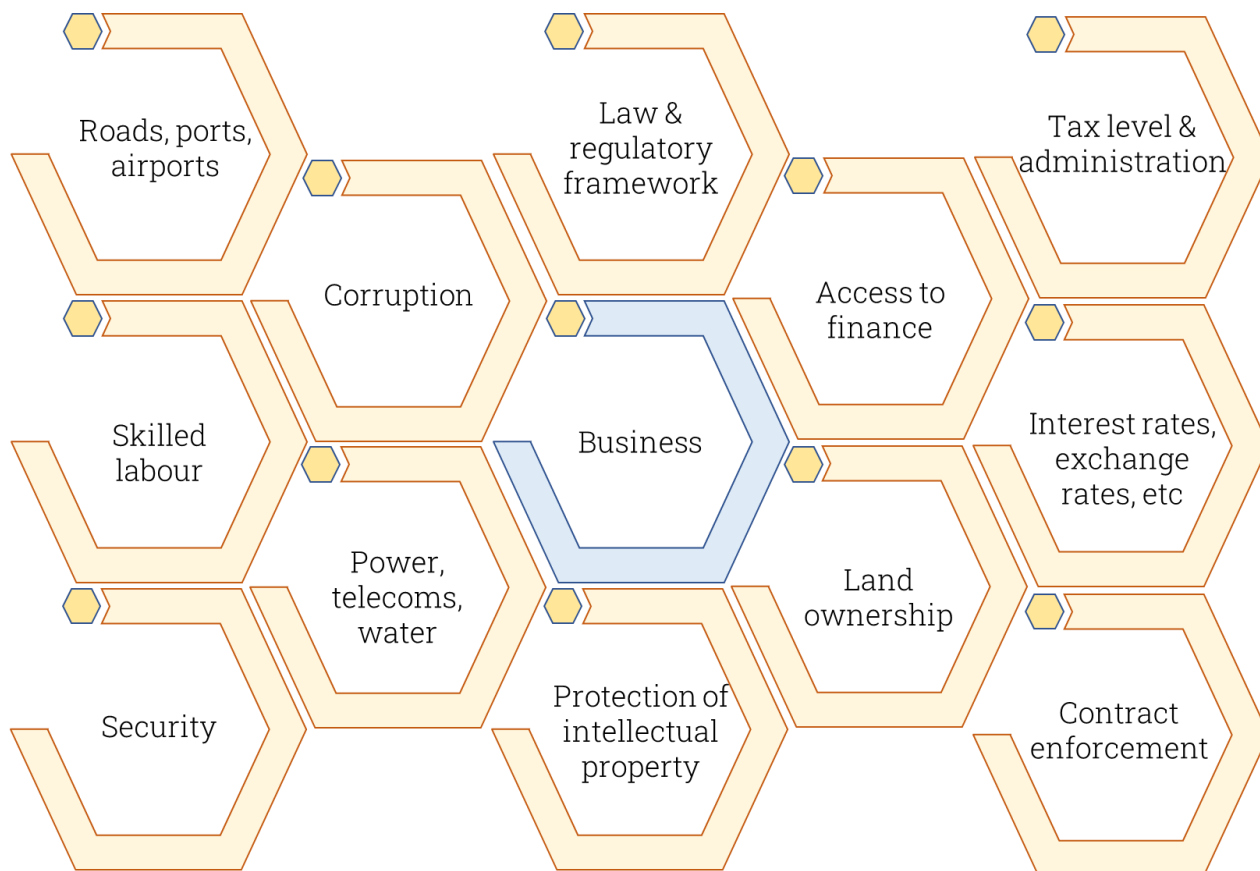
If government gets it right, however, business thrives, investing, creating more jobs, generating more tax and possibly generating foreign exchange.

## The Enabling Environment

You will often hear terms such as ‘enabling environment’ or ‘investment climate’. This simply refers to the environment in which businesses operate and covers a wide range of factors which impact on the ‘cost of doing business’ and make it more or less likely that businesses, both domestic and foreign, will want to invest.

Some of these will take time to change and even longer before there is an impact on business; others may be easier to influence in the short term. Regulation is amongst the easiest to change – and can have a big impact on the burden carried by business.

Figure 2 - The enabling environment



## Regulatory Reform

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Regulation covers “the full range of legal instruments and decisions through which governments establish conditions on the behaviour of citizens or enterprises”.<sup>2</sup> In this handbook, ‘regulation’ is used to define all statutory requirements, whether enacted by Parliament or by local government or additional rules prepared by agencies such as the tax authority.

Businesses are particularly exercised by the regulatory requirements imposed on them. Ideally, both the financial burden and the administrative burden should be mitigated, but focusing on the administrative burden can often provide the biggest dividends. There are several ways in which the burdens can be mitigated:

- Reducing the number of new regulations;
- Improving existing regulations – to reduce the administrative burden, reduce opportunities for corruption, etc.;
- Providing guidance so businesses know exactly what is expected of them; and
- Promoting a culture change so that inspectors are seen as ‘coaches’ not ‘cops’ and so that there are fewer inspections.
- The private sector sees the results of regulation or, in some cases, the results of lack of enforcement of regulation, and is in an ideal position to advocate for reform – provided they can research issues clearly and make compelling arguments.

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<sup>2</sup> OECD, “Improving the Quality of Laws and Regulations: Economic, Legal and Managerial Techniques”, Paris, 1994

## PRIVATE SECTOR ADVOCACY

### Effective Influencing

Quite simply, advocacy is the act of influencing, or attempting to influence, the way that someone else thinks about, and acts on, an issue. Private sector advocacy describes attempts by the private sector to influence public policy in an effort to improve the business environment. 'Private sector advocacy' is an over-arching term that encompasses dialogue, lobbying, and other activities intended to seek policy reform.

#### **Box 1 Case Study – Lobbying for standards for hermetic storage technologies**

Post-harvest losses hinder the achievement of food security and reduce farmer incomes. In Kenya, up to 30 per cent of the country's grain is lost within six months of harvesting. Whilst, there are many ways to preserve grain, the East African Grain Council (EAGC) perceived that hermetic storage – a process in which oxygen is depleted and replaced by carbon dioxide, thus controlling grain storage pests without insecticide – would be the most sustainable and effective method.

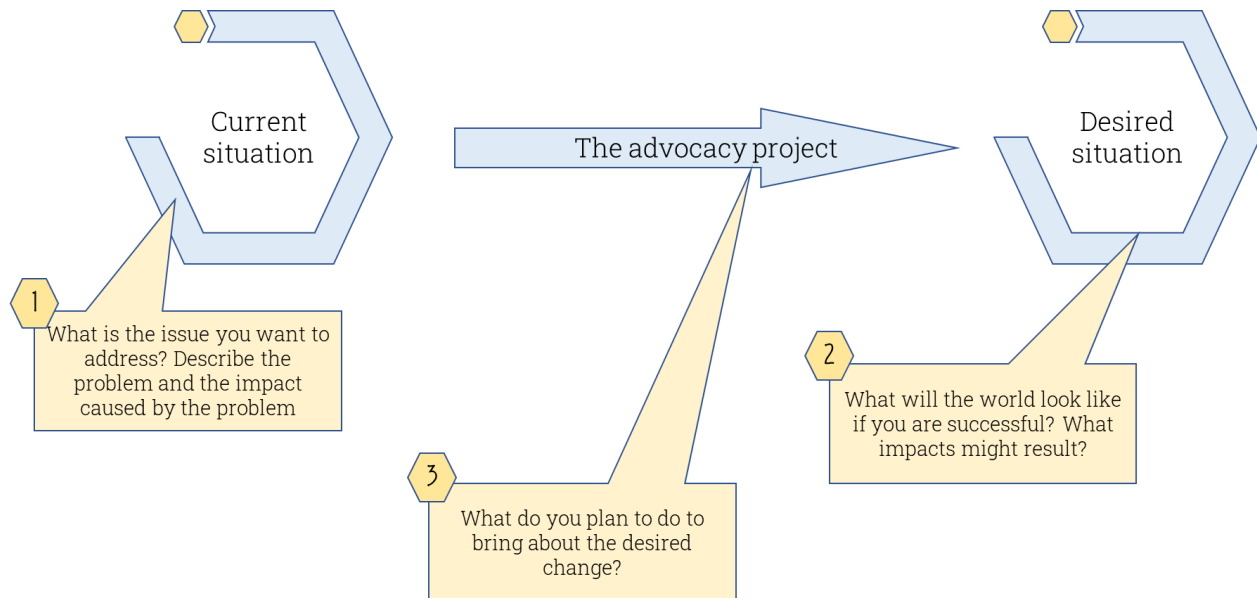
EAGC believed that the lack of a standard in either the East African Community (EAC) or the Common Market for Eastern and Southern Africa (COMESA) would be a barrier and thus worked with the Kenya Bureau of Standards to develop standards for hermetic storage technologies, in order to reduce the use of fumigants and support Kenya's green growth aspirations. As a result, Kenya is the first country ever to adopt standards for hermetic storage, generating much interest from around the region.



In practice, advocacy presents several challenges. The root cause of the problem is not always immediately obvious. Indeed, often BMOs focus more on the symptoms, rather than the cause, of the issue and thus fail to tackle the real problem. There may be competing pressures, for example, from consumers or environmentalists. It is the task of government to balance these pressures whilst ensuring an environment that enables private business to start and prosper. This means that the private sector, when seeking reform of public policy, or reform of the way that regulations are implemented or, occasionally, enforcement of existing legislation, has to marshal the evidence and make cogent and persuasive arguments.

Effective advocacy, therefore, requires a clear vision of the desired outcomes, a thorough understanding of the particular issue being addressed, and the ability to prepare evidence based policy proposals, and the opportunity to meet with and persuade policy makers and implementers to do something differently or, occasionally, not to do it at all. It requires a clear and logical plan. In addition to influencing and communication ability, advocates will require tenacity and persistence.

Figure 3 - Steps in the planning process



## Public-Private Dialogue

You should not wait until an issue springs up. It is far better for trade associations to aim for regular contact with key public sector people and not just when advocating change. Effective dialogue is a pre-requisite for effective advocacy. Dialogue implies regular contact between private and public – sometimes because the private sector wants to influence a particular policy or particular decision, but often just to ensure that each party understands the other. This is important not only because it can provide advance notice when the public sector is thinking of regulating, but also because there are ready channels of communication already established which can be used to ensure that each can quickly understand the position of the other.

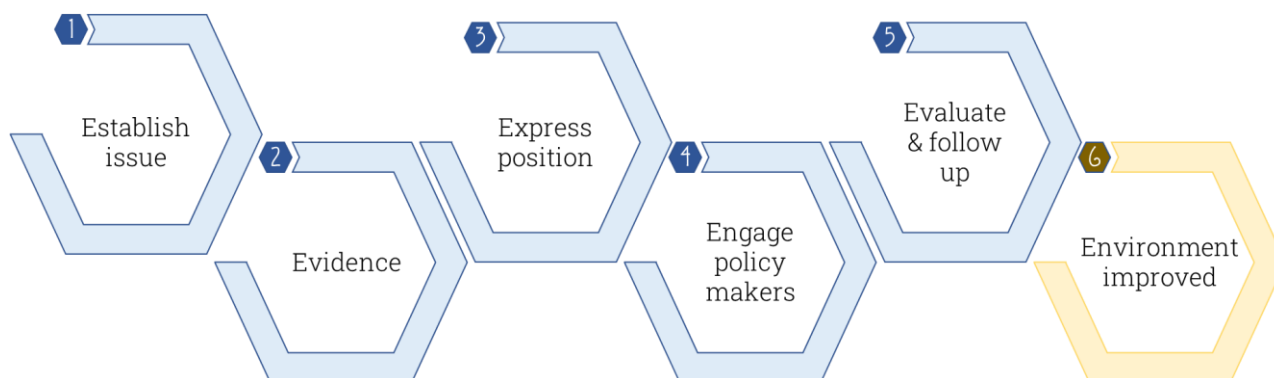
Effective dialogue builds mutual understanding between private and public sectors to address issues of concern such as the capricious nature of taxation, the opportunities for corruption in most regulatory requirements, and the need for consistency and transparency in the implementation of regulations. Many countries have, for example, set up some kind of Presidential Investors' Advisory Council, which meet once or twice a year. Tanzania has its Tanzania National Business Council, with 20 members nominated by the private sector apex, Tanzania Private Sector Foundation, and 20 nominated by the government, with a specific objective "to improve the business environment and attract investment". These councils tend to be unfocused and thus ineffective. In Kenya, the Kenya Private Sector Alliance organises sector specific Ministerial Round Tables, which have been much more focused. Governments also create less formal dialogue platforms. For instance, many countries have set up trade facilitation committees. In Sri Lanka, the National Trade Facilitation Committee brings together 12 government agencies and seven chambers of commerce under the chairmanship of Sri Lanka Customs.

## THE FIVE-STEP APPROACH TO ADVOCACY

The objective of the five step approach is simply to split the process into a number of logical and bite-sized steps, each building on an earlier step. The number of steps does not really matter. The model presented below has five steps – each starting with ‘E’ to help you remember them:

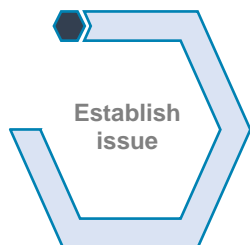
1. Establish the issues – which may come from business, from government, from other stakeholders (such as consumers, employees, non-governmental organizations (NGOs), etc.) and may require effort before a BMO has an idea of the real issues and their priority;
2. Evidence the issues – which requires excellent research, including a systematic gathering of views, the ability to distil objective evidence from reliable sources and to draw logical conclusions and a process for developing consensus internally;
3. Express your policy – which requires the consideration of policy options and the preparation of a compelling argument and justification for the chosen option;
4. Engage appropriate people in Government – including possibly public officials and elected politicians depending on the issue – to influence policy; and
5. Evaluate and monitor progress – to ensure that, when the public sector agrees to changes, they are put into practice.

Figure 4 - Steps in the advocacy process



Following these steps will provide a much better chance of reforming public policy and thus improving the environment. Now let us look at each of these in a little more detail:

### Step 1: Establish and frame the issues



Issues can be identified in any number of ways. Association members may raise a particular issue because they want help and support to address it and, in many cases, it will be possible to take these issues further. It is necessary to note, however, that some businesses will identify issues specific to them, which the BMO may feel appropriate to address as part of its services, but are unlikely to lead to proposals for change in public policy. A good way to identify issues is to ask members – informally, such as when they come to meetings, and formally, such as through surveys.

Hopefully, when the Government has proposals for new regulations, it will want to consult. Sometimes, the Government may not consult, or may not believe that a proposal has implications for the private sector, but the BMO discovers it anyway, and then consults with its members to determine whether it is likely to be an issue.



Searching for issues is not a one-off activity, but something the BMO should be doing regularly. However, it is also important to remember that an association will not be able to fight on too many fronts at once, and so will need to prioritise.

Communicating with members and issue identification are closely linked. Communication can be relatively informal; it might be more regular but mainly one way – generally providing information to members; or it can be regular and two way – obtaining views and priorities from members. This is often the best way of discovering the issues that are currently exercising the minds of your members, though does not of course identify issues of which they are so far unaware.

You should ensure therefore that as far as possible, you put in place processes to seek members' views such as:

- Informal feedback from talking to members or gathered from members at association meetings;
- Contact from member(s) who have identified an issue and need association support;
- Formal survey of participants at meetings;
- Formal survey of all members and, possibly, non-members working in the same sector.

You need, in addition, to be proactive in identifying issues that are not yet widely known, so that you can seek feedback from members about whether there really is an issue and the seriousness of the issue, as well as being able to undertake research and start influencing from an early stage. You should therefore:

- Follow the broadcast media and social media;
- Build relationships with other trade associations and keep in touch with each other;
- Monitor the activities of key public sector organisations; and
- Forge relationships and talk regularly with relevant Ministries, Departments and Agencies.

There will always be some issues that crop up unexpectedly and which require immediate attention. In general, however, associations should not take on too many issues at the same time. The danger is that none of the issues will get the attention that they deserve and all will fail. Issues require effort and resources to undertake research and prepare compelling policy proposals, not to mention the effort required to meet with and influence public officials and politicians. Therefore, it is important to take time to:

- Research the issues that are important to members, as well as for businesses in the sector who are not members;
- Research the scale of impact of the issues (that is, how many businesses are affected); and
- Research the depth of impact of the issues (that is, the financial impact on businesses).

Prioritisation will not require detailed research but knowing the likely impact can help you to choose between issues. BMOs are known to prioritise issues to reflect the views of a small number of members or according to staff preferences. It is better to take into account the preferences of most members in the association and better still, if possible, to consider the preferences of businesses in the sector, irrespective of whether they are members. Indeed, this might be a way to promote yourself to potential members.

It is sensible also to take into account which issues are most timely for the Government – for instance, if they are considering reforms to customs regulations, they will be more interested in your views on automating customs procedures.

Framing the advocacy issue is probably the most important task in producing a powerful policy position. If the issue is framed too narrowly, then possible solutions will be unintentionally omitted. If the issue is framed too widely, or is too vague, then the research effort will be dissipated and the argument weakened. To frame an advocacy issue you need to think about:

- The nature of the problem;
- The possible causes of the problem;
- Who is affected by the problem;
- How businesses and people are affected;
- How many businesses and people are affected by the problem;
- The policy history for the problem area; and
- Possible solutions.

If you are new to advocacy, pick issues that you regard as easier first. This will provide an opportunity to learn about dialogue and advocacy. As you gain experience – and confidence – then you can begin to tackle the bigger, more complex issues.

## Step 2: Evidence the Issues

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The next step is to research the issue, to ensure that you have a thorough understanding of the problem and its impacts. This might include, for example, assessing the regulatory costs (such as the cost of a licence or levy) and compliance costs (that is, the administrative cost of compliance, including staff time, etc).

Consider the following as part of improving your understanding of the issue:

- Research the history and rationale for the public policy and understand the root cause of the issue(s);
- Consider the breadth and depth of the impact on the private sector and on other stakeholders;
- Consider possible solutions to the issue(s) and research the implications (including considering whether it is the policy itself that is 'at fault' or whether the best way to ameliorate the problem is through 'better' regulation);
- Research the decision-making processes for the specific issue;
- Research the current opinions and attitudes of policy makers;
- Identify who else is, or should be, interested in the issue and, potentially, in changing the policy or regulatory requirement;
- Consider how to frame the issue in a language that is clear and appealing to the target audiences and that many encourage the formation of coalitions.
- For existing regulation, it can be sensible to consider the potential implications if it did not exist (especially if it can be measured in financial terms and better yet if it can increase the tax take for government because businesses are more profitable).

- In the case of proposals for new regulations, it is important to think about the unintended consequences since public officials, often with limited experience of work outside government, often fail to do so.

### **Box 2 Case study – Regulating physiotherapists**

The Kenya Society of Physiotherapists was keen that they should be regulated by the government, not least because all the other medical professionals were already regulated. They framed this as an issue of safety: too many untrained physiotherapists were in fact injuring their patients and, moreover, the press highlighted rape allegations against unqualified physiotherapists in a children's home as well as instances of malpractice by unqualified physiotherapists. This approach led eventually to the enactment of the Physiotherapists Act, 2014.

## **Commissioning research**

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You may decide that your BMO does not have the skills, or perhaps does not have the time, to research an issue in depth. You may then decide to commission a consultant or researcher to undertake your research for you. In these circumstances, you still need to be able to frame the issue clearly and be able to specify precisely to the researcher what you need. You also need to be able to review and critique the research prepared on your behalf.

Do not be afraid to spend a considerable amount of time thinking about the framing of your issue. The most common reason for weak research is a vague or unfocused brief.

## **Choosing the methods**

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You should choose the methods after you have identified the key research questions – and, if you use consultants, you should encourage them to make suggestions for the methods. All methods have strengths and weaknesses so you might need several complementary methods.

It is important that the methods are credible, rigorous and valid. That is to say, they need to be impressive to the reader, replicable and measure what they say they are measuring.

Think about the following issues in planning the methods:

- Who should the researcher interview or survey? It is best to ask questions directly of the person experiencing a problem rather than getting someone else to answer on their behalf.
- How should the researcher select interviewees? It is important that the researcher chooses enough interviewees to be representative of the wider group (population) and that the group (sample) is not biased. For example, it is not a good idea only to interview large firms, unless your report then says it only represents large firms.
- What method should the researcher use? Generally speaking, written or email surveys are appropriate where you want to ask the same questions of many people and the questions are relatively self-explanatory. Face to face interviews are appropriate where you have relatively few people, perhaps important people, and you want to be able to probe their answers to elicit further information.
- How will you control and monitor the quality of the research? Researchers should pilot questionnaires. They should also check the results of surveys early on, and make adjustments to the questions, interview technique or training of interviewers, if the results are incomplete.

How will the researcher analyse the data? This has to be done systematically. Thinking in advance about the approach to the analysis may influence the way in which the data is to be gathered and collated. Survey and interview data should be recorded in a spreadsheet or database so that statistics can be compiled precisely. Qualitative data such as comments might need to be classified before they can be recorded in this way.

**Box 3 Case study – Framing an issue in two ways**

The Land (Restrictions on Alienation) Act of 2014 in Sri Lanka prohibits freehold ownership of land by foreign investors (and thus deprives them of prospective capital appreciation) and prevents foreigners who purchased land before 2013 selling to other foreigners with any capital appreciation.

This is seen by business associations as a deterrent to investment and as making it harder for businesses to expand, based on the argument that they should be able to make a profit if the value of their land increases and, therefore, amounts to an issue of equity.

On the other hand, it is seen by local communities and government as an issue of fairness, since competition to buy land by foreign companies drives up the prices and means that local people cannot afford to buy land.

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### Considering the analysis

There are three requirements for analysis:

- Analysis should be fair. The researcher should not distort the data.
- Analysis should be clear. The reader should be able to see from where the evidence has come.
- Analysis should be vivid. The researcher will need to spend time thinking about how to summarise the data, for example, which statistics or indicators to use. Generally, it is better to present data graphically rather than in tables.

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### Considering the presentation

You do not have to publish your research but doing so, if done well, will enhance your credibility. If you do publish your research, the report should be clear, logical and succinct. Here are some ways you can ensure the high quality:

- Keep the main report short. Identify the key points and provide full evidence in appendices.
- Keep the report focused. Think clearly what message you want to communicate. You might want to include recommendations, though it is usually better to describe options in the research report and to present the chosen recommendations in a separate policy paper (see next section).
- Develop separate summaries or series of recommendations for different audiences.
- Have a mix of types of evidence. Include precise statistics showing the individual or global impact, but also include case studies or stories to personalise the impact.
- Make sure that the conclusions flow logically from the data.
- Ensure that the report looks good. Think about the formatting. Check that the report has no spelling mistakes.

## Step 3: Express your policy proposal



Preparing policy proposals is usually the step that requires most debate and most effort. Like the research, they need to be clear and succinct, but they also need to be persuasive. You need to stress the benefits. The proposals need to build on the evidence – for example, removing regulation X or enforcing regulation Y will lead to a Z per cent increase in income amongst poor farmers. Do not just assume that everyone will accept your proposal because it seems obvious. You need consensus: proposals should not just be acceptable but positively desired by your members and, ideally, the wider private sector. Their support and encouragement

will be necessary as you lobby. Proposals must not disadvantage other businesses – since they will lobby against you. Proposals should not be anti-competitive – for example, seeking to ban imports to give an advantage to local providers. Ideally, demonstrate how all parties will benefit.

You will need, during this stage, to return to the question of whether to advocate at the policy level or whether to advocate at the implementation level. The Government may be totally committed to introducing a new regulation, for example. It may have a choice about the way in which the regulation is framed and enforced. Therefore, you may choose to accept the policy but to advocate for its introduction in a way that minimises the additional burden imposed on business, perhaps delaying its introduction to give businesses time to prepare.

If you have not already formed a coalition, now would be a good time to consider whether there are potential partners with whom you would like to work on the issue.

### Box 4 Case study – Reducing a levy can raise tax revenue

Many countries impose on employers a skills development levy, typically of 1-3% of payroll costs, to contribute to the costs of providing vocational training. In Tanzania, this levy was raised until it hit 6%. This prompted the Association of Tanzania Employers (ATE) to lobby for its reduction on the grounds that it not only made businesses uncompetitive but also was widely evaded. As a result of ATE's lobbying, the levy was reduced to 5% in 2013 and then to 4.5% in 2014, though ATE continued to lobby to have it reduced further. This resulted in savings to business of \$38m in 2013 and \$57m in 2014, yet government revenue from the levy rose from \$67m in 2012/13 to \$72m in 2013/14 and up again to \$93m in 2014/15.



## Step 4: Engage with policymakers

### Dialogue



It is important to think carefully about which policy makers need to be influenced. Often this will be senior civil servants or Ministers, but may not be if the real objective is to seek the enforcement of existing regulation, or to ensure that policy is introduced in such a way as to minimise the administrative burden.

Effective dialogue requires some effort to understand the public sector. Many public officials have never worked in the private sector. Indeed, many believe that the private sector are all crooks exploiting everyone else to maximise their profit and need to be heavily regulated to stop that exploitation. Similarly, the private sector sees the public sector as having little understanding of the importance of the private sector in growing the economy and generating tax revenues and whose only objective is to look for opportunities for personal gain. Neither of these views is accurate. Effective dialogue will help to break down these views.

It is all very well the private sector trying to engage in dialogue, but if the public sector is not listening, or is listening but not really understanding, then nothing will happen. In engaging in dialogue, the private sector may therefore need to take some time to understand public officers, to understand what drives them, to understand what they need to do their job more effectively. This means that dialogue needs regular meetings, not just occasional meetings, if both parties are to begin to understand the other.

#### Box 5 Case study – Allowing new plant seed varieties

The Seed Trades Association of Kenya has influenced government on several occasions. Most recently, it was able to influence the Seed Certification Regulations and the Plant Variety Evaluation & Release Regulations to make it easier for seed importers and distributors to import seeds not previously certified for sale in Kenya. This is important to farmers who want to be able to grow a wider range of crop or pick from a wider variety within a crop. Investing in improved varieties can deliver yields 50-100 per cent higher than local varieties.



It may also help if you can understand what officials need to do to satisfy their political masters and help them to do it by, for example, ensuring that they always have comprehensive, accurate and up to date information about specific issues.

You may have started by advocating a change in policy but conclude that there are some issues where the public sector is going to regulate, irrespective of the evidence that you can provide. If that seems likely, it is better to accept it and move on – either to minimise the burden that might arise from that new regulation or to the next issue. It is more important to develop and maintain a good relationship than to fight to the end on every issue. Compromising, or giving in gracefully, will do more for you than always fighting. The challenge of course is to judge which issues are worth pursuing.

For some issues, it may be sensible, and add to your credibility, to build alliances with others including business membership organisations, professional institutions, civil society organisations and trade unions.

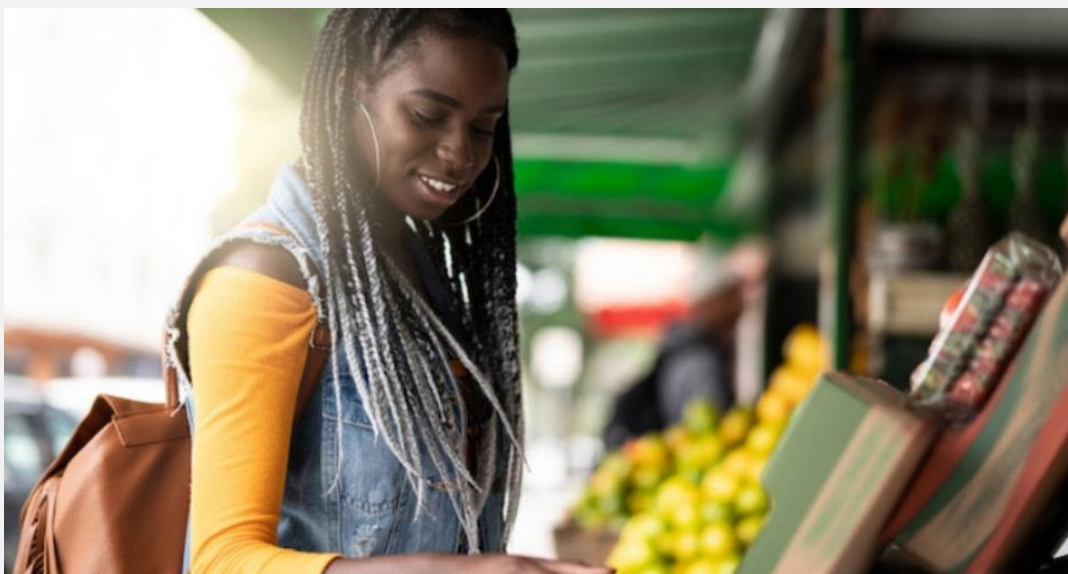
### Advocacy Communications

The Institute of Public Relations states that “public relations practice is the planned and sustained effort to establish and maintain goodwill and mutual understanding between an organisation and its publics”. According to Wikipedia, “public relations is the art and science of managing communication between an organisation and its key constituents to build, manage and sustain its positive reputation”. It is the term used to describe the issues and messages communicated directly between an organisation and its stakeholders. The role of public relations is to enhance and build a good reputation, and to prevent or mitigate damage to that reputation. Essentially, the objective from public relations is to influence attitudes and behaviour.

Communication is always important, but advocacy needs a strategy – a public relations strategy – that can attract the attention of the target audiences. Plans should be made for internal communication (within the organisation or network) and external communication (with allies and opponents). The strategy must reflect the people with whom you are communicating, about what, and why. Effective communication can influence behaviour and can positively foster relationships with key public figures.

#### **Box 6 Case study – Prompt payment for suppliers of supermarket chains in Kenya**

Following complaints by suppliers to supermarket chains of delayed payment and unfair practices, the Ministry of Industry in Kenya formed a national sector working party which included the Retail Trade Association of Kenya and the Association of Kenya Suppliers. These two Associations worked with the Kenya Association of Manufacturers to explore the extent of the problem – which they estimated to be around \$33m outstanding for more than 60 days – and to propose remedies. They recommended the development of a prompt payment regulation and a retail trade code of practice. The government accepted all their recommendations. The code of practice has been introduced on a voluntary basis but will be anchored in legislation which was progressing through the Senate in mid-2020 (see [iga.fyi/ppbill](http://iga.fyi/ppbill)).



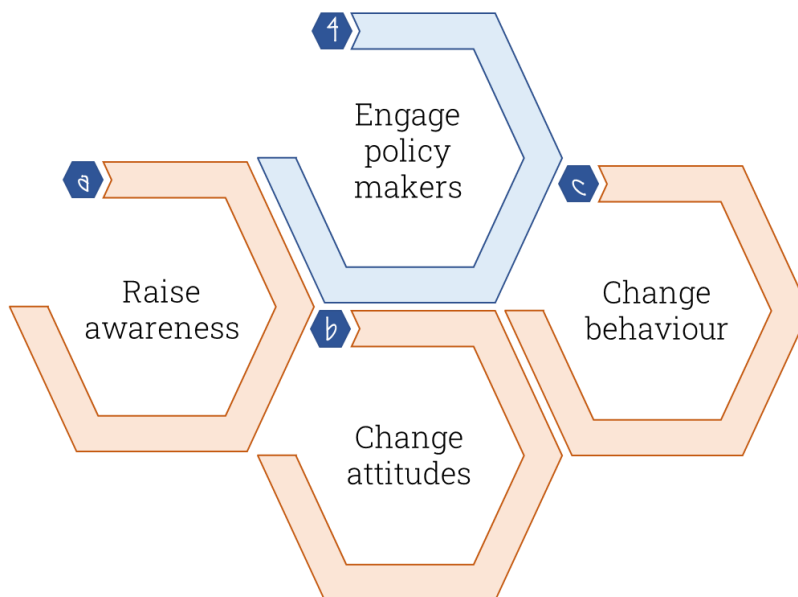
Build and maintain personal and organisational relationships with a wide range of people – policy makers, opinion formers, influencers (such as party activists, special advisers, journalists, etc). However, you need always to be seen as reliable and credible, so everything you say needs to be backed up with factual evidence. You will not be independent in the sense that you are advocating the interests of your members but you need to be seen to be independent of other associations and not simply acting at their behest. This will ensure that you are taken seriously.

Anne Gregory, Professor of Corporate Communication, in her book on planning and managing public relations campaigns, suggests that public relations objectives should be defined to address one of three levels, though for the purposes of private sector advocacy, it might be sensible to consider this as a progression.

We can wrap these three levels around step four: there may be a need to raise awareness, perhaps amongst members or the wider business community, about a specific issue; there will most likely be a need to raise awareness amongst public servants and politicians; and there will be a desire to change attitudes amongst key publics so that they become supportive. Most important of all, there is a need to encourage public servants to act.

Be clear about your overall objectives. This will then be reflected in your public relations strategy. If you do not have clear objectives, then it will be very hard to put in place a good communications plan. So, think first about the campaign objectives – say, to persuade the government to change the business licensing requirements. Ask yourself specifically what is it that you want to achieve.

Figure 5 - Steps in public relations



If you have not already done your research and preparation, working on a communications plan will quickly demonstrate that you need good evidence if you are to make a compelling case. Then think about the communication objectives – say, influencing policy makers and regulators so that they understand the gains to the economy that might come from fewer licensing requirements. Think about your different publics. The overall message will need to be the same, but you may need to reach them in different ways. Think too about the message – what is it that you want to say?

What mechanisms will you use to convey your message? Think about your PR objectives – say, write a report for the policy makers, seek coverage in the media, build up a coalition for change amongst stakeholders, and influence public opinion.

Importantly, you have to monitor and evaluate what happens. Monitoring the outputs – say, one research report, one detailed proposal for changes to policy, 10 press releases issued, 200 column centimetres of



newspaper coverage, 20 minutes of radio interviews – is fairly straightforward. Ideally, you also need to monitor outcomes and impacts.

Changing attitude is only part of the battle. You want the policy makers and regulators to take action. If they do, then you have achieved your outcomes as well and succeeded with your campaign objectives.

## Advocacy Techniques

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There are a wide range of advocacy techniques, though you will not require all of them to advocate on every issue that you pick. However, most issues will require that you utilise several techniques and you will need to think carefully about the way in which they are used. Here are some techniques to consider:

### *Promote dialogue*

The importance of public-private dialogue has already been discussed. There may be task forces, committees and other fora where you can engage in discussion. If appropriate mechanisms do not exist, consider how you can bring them about. Arrange regular bilateral meetings with public officials and, ideally, Ministers.

Sometimes, issues will require input from more than one Ministry, Department or Agency. Aim to bring people together in larger meetings if this helps your cause.

If there is an All Parliamentary Group interested in your issue(s), engage with them. If there is not, consider whether there is scope to encourage Parliamentarians to launch one; if necessary, offer to provide the secretariat. Having informed MPs can make an enormous difference when Parliament comes to debate issues – and influential MPs can make a big difference when you are attempting to influence public officials or Ministers.

### *Share evidence-based policy proposals*

As noted earlier, this requires good research followed by the consideration of options and a recommendation for public policy. You may find it helpful to adopt the principles used for regulatory impact assessments and to provide detailed cost benefit analyses for each of the options.

If you know that there are competing pressures on regulators, for example, from consumers or environmentalists or NGOs, then look for win/win solutions that match public policy agendas whilst minimising the burden on the private sector.

It can be sensible to frame the proposed solution with enough flexibility to allow for negotiation and compromise.

You may want to use your research and evidence in a number of ways. You may, for example, publish 'working papers', both as a way of generating some early publicity but also to encourage businesses and other stakeholders to contribute to your evidence gathering. Working papers may focus on the issue and the evidence and not begin to offer solutions.

As possible solutions begin to emerge, you might write 'opinion' pieces, for circulation amongst your members, and to begin floating ideas in public. In this way, you continue to gather evidence and simultaneously and begin to build support for your proposed solutions.

### *Identify your target audiences – primary and secondary*

It is usually fairly straightforward to identify your primary audience – but think about your secondary audiences as well. These are the people and organisations who may also be able to influence the real decision makers, such as Special Advisers, or public sector research organisations or think tanks, or bloggers who are known to influence policy. Remember that you may need to tailor different messages for different audiences.

**Box 7 Case study – International lobbying**

The US African Growth & Opportunity Act (AGOA) enhances market access – tariff free, quota free – to the US for qualifying sub-Saharan African countries. Apparel from Kenya was included in the original legislation but was due to fall out in 2012, even though AGOA had been extended to 2015. The African Cotton & Textile Industry Federation (ACTIF) gathered evidence, prepared policy positions and argued for Kenya's apparel to remain within AGOA. They were successful. In 2015, AGOA was extended for a further 10 years. Apparel from Kenya was again due to drop out. ACTIF lobbied again and was successful again. The net benefit to the Kenyan economy over the 13 years is about \$1.9 billion and 41,000 jobs.

See [businessadvocacy.net/impKenya.php](http://businessadvocacy.net/impKenya.php).



*Meet with public sector policy makers*

Having prepared your detailed research and proposals, it will be necessary to meet with, and influence, Ministers or public officers. You may ultimately need to meet with both, depending on the issue. Meetings may be relatively informal, or may be quite formal requiring you to make a formal presentation. Wherever possible, present proposals positively rather than critically to public policy makers.

*Negotiate*

There will be many occasions when you find yourselves, not just presenting to policy makers and regulators, but negotiating with them. Indeed, if a presentation has been successful and persuaded policy makers to make a change, you may find that there is a need to negotiate the final agreement, perhaps in some detail.

*Form coalitions*

If you can bring together a coalition of interests representing a number of BMOs, or better still, a mix of BMOs with NGOs or trades unions or consumer groups, then your advocacy will carry more weight.

*Mobilize grass roots support*

Mobilising grass roots support can be effective in demonstrating to the public sector that you really do have widespread support for the proposal. Think carefully about ways in which you can use your members as advocates, even if only in a small way, perhaps through influencing appropriate secondary audiences. This can be in the form of written petitions or a letter writing campaign – though not all approaches will necessarily be successful.

### Organize a press campaign

Press campaigns – stories in the newspapers and on TV – can be effective provided they are used carefully. Do not rush straight to the press with a story – think through how you want to make use of the media. Take care not to offend Ministers, or public officers, or potential coalition partners as you might achieve an effect opposite to the one that you intended.

### Monitor Progress

Monitoring and evaluation is not specifically a technique, but is nevertheless important, both in terms of assessing the current initiative – what appears to be working, what is counter-productive and what needs to be changed – and also to provide lessons for what could be improved in the next advocacy initiative (see next section)

## Step 5: Evaluate and Follow Up

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Once policy makers have agreed to your proposals, you may need to make an effort to monitor progress and to hold decision-makers to account. If the agreement requires new legislation, then you may need to keep pushing to ensure that it goes through the process – and you may need to keep lobbying at various stages – with Parliamentary committees or Ministers or senior civil servants. If the agreement requires changes to the way that a regulation is implemented, then you may need to work closely with the relevant Ministry, Department or Agency to ensure that they do what is necessary. In both cases, cheer on success and encourage continuing action by issuing press releases and talking to the media. Do not let up until you are satisfied that what you agreed has been implemented. In so far as you are able, you should ensure that you communicate the results of your campaign to your members.

This stage should include an evaluation of the process, with a view to improving your advocacy competence:

- To strengthen your capacity to deal with future campaigns;
- To empower your members – to increase their skills, knowledge, and involvement, and to create more spokespeople;
- To understand and address any unintended consequences of your work, for example, regarding relationships with other organisations.
- Communicate the issue in a way that encourages coalitions – build coalitions which support the issue even if the interests of individual organisations differ.

## ETHICS AND ADVOCACY

It is important that you, and your BMO, act ethically and do not engage in corrupt practices – or even in practices that may be deemed by others to be corrupt. Bribery and other techniques may occasionally secure the change that you want in the short term but, in addition to being unethical, never achieve change in the long run. Instead, be transparent in all your dealings with government, aiming to deliver reforms through evidence and persuasion. Act with integrity and honesty.

In the UK, the Chartered Institute of Public Relations, at the behest of the UK Government, has set up the UK Lobbying Register.<sup>3</sup> The Institute has set out ten professional behaviours which provide a good standard for all lobbyists and interest groups:

- Professional lobbyists tell you who they are and whom they represent – including the nature of their client's or employer's interests.
- Professional lobbyists do not intentionally mislead anyone in any way.
- Professional lobbyists provide information that is accurate. Lobbyists should make a reasonable effort to verify statements and should be clear about what they do not know to be accurate. Information should not be deliberately omitted or obscured if it would potentially create a misleading impression.
- Professional lobbyists do not offer inducements – including gifts or excessive entertainment, whether or not the intention is to solicit favour or preference.
- Professional lobbyists manage and avoid conflicts of interest. It is not acceptable for a lobbyist to represent two clients who compete in the same market. A conflict of interest can also arise between the lobbyists' professional and personal political interests. Where this arises, a professional lobbyist will cease relevant lobbying until the conflicts can be resolved. This might arise when lobbying while holding elected or public office, pursuing a voluntary role in politics or working as a political adviser.
- Professional lobbyists respect confidentiality – this is more than simply keeping a client's commercial information confidential. Lobbyists do not misuse privileged information for commercial gain.
- Professional lobbyists respect the rules and regulations of the institutions of government and representation wherever they work, and the codes of conduct that bind other professionals.
- Professional lobbyists respect the public's right to know about lobbying activity – professional conduct requires lobbying to be carried out in plain view. Professional lobbyists should be willing to identify themselves publicly and disclose the interests on whose behalf they lobby.
- Professional lobbyists observe rules, resolutions, codes of conduct and statutes in relation to employing or contracting elected representatives, members of Parliament, holders of public office and public servants – this includes any rules covering the periods of time after they have left those roles.
- Professional lobbyists do not use access privileges to lobby – professional lobbyists who hold passes or otherwise have privileged access to the precincts of any Parliament, Assembly, Council or other elected body, or any Institution of Government, where that pass is not explicitly granted in relation to their role as a lobbyist, must not make use of it in the course of lobbying or otherwise abuse this privilege.

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<sup>3</sup> The CIPR's introduction to the Lobbying Register is available at [baf.fyi/cipr](http://baf.fyi/cipr)

Box 8 Further reading and information



- Gregory, A (2000) Planning and managing public relations campaigns, Kogan Page
- Herzberg, B & Wright, A (2006) The PPD Handbook: a toolkit for business environment reformers, DFID/World Bank/IFC/OECD
- Irwin, D, Jackson, A & Hawley, P (2012) Advocacy for Business Associations, [businessadvocacy.net/dloads/bkABA.pdf](http://businessadvocacy.net/dloads/bkABA.pdf)
- Sharma, R (undated) An introduction to advocacy, SARA/AED
- See the whole range of handbooks covering all aspects of advocacy available at [businessadvocacy.net/cb.php](http://businessadvocacy.net/cb.php)

# #SheTrades

Women's economic empowerment is not a matter for government policy, the private sector, or social change alone. All have critical roles to play. This is why the International Trade Centre (ITC) has launched the SheTrades initiative, which seeks to connect three million women entrepreneurs to market by 2021.

