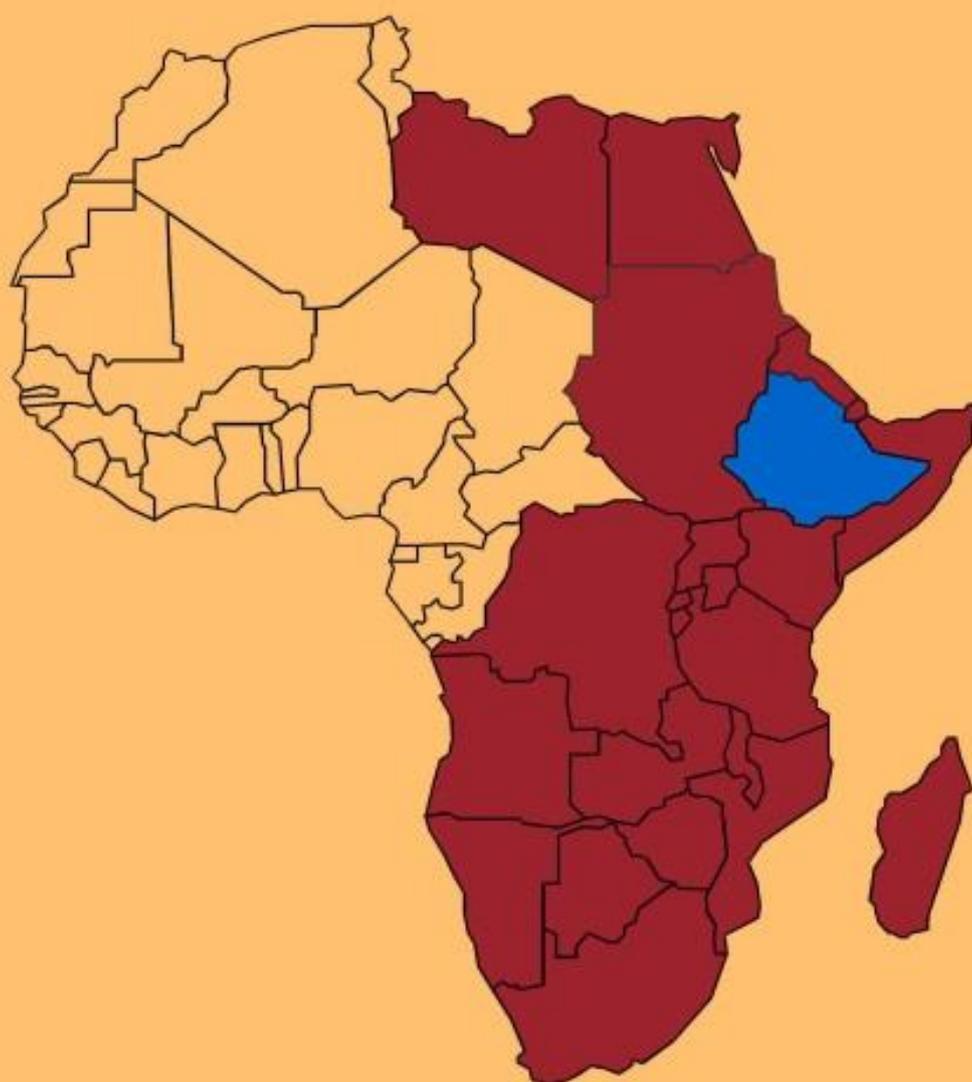


FROM COMESA TO TFTA

INTEGRATING THE VOICE OF THE
CIVIL SOCIETY IN ETHIOPIA



CUTS[®]
International

From COMESA to TFTA
*Integrating the Voice of the
Civil Society in Ethiopia*



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Published by



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Contents

<i>Acronyms</i>	1
<i>Acknowledgment</i>	3
<i>Preface</i>	4
<i>Executive Summary</i>	6
Introduction	7
Literature Review.....	9
Survey Analysis	21
Government	21
Private Sector.....	23
CSOs	24
Conclusions and Recommendations	27
References	29

Acronyms

ACORD:	Association for Cooperative Operations, Research and Development
AEC:	African Economic Community
AGOA:	African Growth and Opportunity Act
BDPP:	Bureau for Disaster Prevention and Preparedness
CGE:	Computable General Equilibrium
COMESA:	Common Market for Eastern and Southern Africa
CSOs:	Civil Society Organisations
CU:	Customs Union
DPPC:	Disaster Prevention and Preparedness Commission
EAC:	East African Community
EEA:	Ethiopian Economics Association
EEPRI:	Ethiopian Economic Policy Research Institute
EPA:	Economic Partnership Agreement
ESA:	Eastern and Southern Africa
ESACSONID:	Eastern and Southern Africa Civil Society Organisations Network on Integration and Development
EU:	European Union
FTA:	Free Trade Area
GDP:	Gross Domestic Product
GTAP:	Global Trade Analysis Project
IGAD:	Inter-Governmental Authority for Development
IVORI:	Integrating the Voice of Civil Society Organisation in Regional Integration
LDCs:	Least Developed Countries
MOFA:	Ministry of Foreign Affairs
MOFED:	Ministry of Finance and Economic Development
MOJ:	Ministry of Justice
MOT:	Ministry of Trade
NGOs:	Non-governmental Organisations
NSAs:	Non-State Actors
NTBs:	Non-tariff Barriers

REC: Regional Economic Community
RoO: Rules of Origin

SADC: Southern Africa Development Community
SPS: Sanitary and Phytosanitary Standards

TECS: Trends in Ethiopia's Civil Society
TFTA: Tripartite Free Trade Area
TGE: Transitional Government of Ethiopia

UNDPL: United Nations Development Programme
USAID: United States Agency for International Development

WTO: World Trade Organisation

Acknowledgment

'Integrating the Voice of CSOs in Regional Integration Processes in Eastern and Southern Africa' (IVORI-ESA) research project has been led and successfully completed by Amin Abdella, Research Fellow at the Ethiopian Economics Association/Ethiopian Economic Policy Research Institute (EEA/EEPRI).

We would like to thank all government, private sector and civil society organisation (CSO) representatives in Ethiopia who have participated in the study from inception meeting through validation workshops and in filling our survey questionnaire. Special thanks go to Lisanework Gorfu of the Ministry of Trade for his presentation on the progress of the TFTA negotiations.

We would like to acknowledge CUTS Nairobi for partnering with us in the course of undertaking the study and for the financial support. We particularly thank Martha Getachew Bekele for her guidance regarding the overall implementation of the study and her expertise in sharing experiences drawn from other African countries.

Preface

Tripartite Free Trade Area (TFTA) was officially launched in 2015 to bring 26 African countries from Cairo to Cape Town under one market. While, the grand initiative is noble and in line with the Abuja Treaty that envisages for one African Economic Community, the integration process will have to incorporate voices of the marginalised as represented by CSOs and other non-state actors (NSAs), for deep and meaningful integration. African RECs are, most often than not, perceived as elitist and government-to-government cooperation, partly because of lack of participation from citizens of Member States.

For decades, CUTS has been championing for change in approach where regional integration and trade policy making processes ought to be owned by all for better social and economic benefits.

With the aim of giving voice to the voiceless in the TFTA integration process, CUTS Nairobi implemented the Integrating the Voice of Civil Society Organisations in Regional Integration Process in Eastern and Southern Africa' (IVORI-ESA) project in Ethiopia, Kenya and Zambia in 2015. Research studies were successfully carried out in the three countries and RECs respectively.

A forward looking Engagement Framework and Action Agenda' for Eastern and Southern African CSOs engagement on the TFTA negotiations and implementation processes has been developed under the project. An e-forum, the Eastern and Southern Africa Civil Society Organisations Network on Integration and Development (ESACSONID) has also been formed as a discussion and information dissemination platform on regional integration, multilateral trade issues and other trade matters.

This research publication presents the state of involvement of Ethiopian NSAs, particularly CSOs, in the Common Market for Eastern and Southern Africa (COMESA) and the ongoing TFTA initiative. It is my expectation that the findings of 'From COMESA to TFTA: Integrating the Voice of the Civil Society in Ethiopia' will generate further dialogue within national trade and regional integration forums; prompt government for an institutionalised and well financed engagement of the civil society in matters of trade; as well as guide the donor community on resource and skills gaps.

Let me conclude by expressing my sincere thanks to all who have been involved in the project, including Oxfam Novib for the financial support, Ethiopian Economics Association/Ethiopian Economic Policy Research Institute (EEA/EEPRI) and all national and regional stakeholders for their insights during interviews and project

workshops. We at CUTS continue to strive to achieve social justice and economic equality within and across borders.

Pradeep S. Mehta
Secretary General, CUTS International

Executive Summary

This study aimed at gathering information from various stakeholders to assess engagement of the civil society in regional integration processes in Ethiopia, particularly in relation to the Tripartite Free Trade Area (TFTA). The study findings are expected to contribute to the design of a forward-looking 'Engagement Framework and Action Agenda' for Eastern and Southern African CSOs' engagement on the TFTA negotiations and implementation processes. The framework would help improve mechanisms, both at country and REC levels, for CSOs engagement in the TFTA integration process; and, create better scope for 'value-addition' by CSOs to link trade with social and economic priorities at the grassroots.

Field survey among non-state trade stakeholders reveals that awareness about the TFTA negotiation process initiated by the government is limited among wider stakeholders, including CSOs. Moreover, Ethiopian status in the process of the TFTA is not well publicised, i.e. hardly any consultation has been undertaken by the government to solicit ideas on the TFTA negotiations from CSOs.

The study recommends, *inter alia*, the need for a legally binding engagement framework in which CSOs and private sector representatives are engaged with the government ministries leading trade policy formulation, regional and multilateral trade negotiation activities. To this end, effort must be made to identify CSOs who work on trade and related issues, assess their capacity, and define the extent of their engagement in the whole process. The study also recommends for capacity building of CSOs and other NSAs to meaningfully participate and influence the TFTA implementation process.

Introduction

The North-Eastern, Central and Southern Africa region comprises three RECs, namely the COMESA, East African Community (EAC) and Southern Africa Development Community (SADC).

The COMESA was established in 1994, with the goal of being a fully integrated, internationally competitive REC with high standards of living for its entire people. By 2025, COMESA plans to be a single trade and investment area in which tariffs, non-tariffs and other impediments to the movement of goods, services, capital and people will be removed, while trade in goods and services from the region will have achieved global market competitiveness.

The EAC was first formed in 1967 as 'cooperation' but due to differences in ideology and inequitable distribution of benefits, it was officially dissolved in 1977. Kenya, Uganda and Tanzania later agreed on the Treaty for the establishment of the EAC. This came into force in 2000 to pursue cooperation among Partner States in political, economic, social and cultural fields, research and technology, defence, security and legal and judicial affairs for their mutual benefit. The EAC has passed through various stages and the States signed the Monetary Union Protocol in 2013. This has given Member States 10 years to put in place the necessary institutions and mechanisms and implement activities to achieve the East African common currency area.

SADC, on the other hand, was formed in 1992 after the Heads of State and Governments signed the SADC Treaty with the mission to promote sustainable and equitable economic growth and socio-economic development through efficient productive systems, deeper cooperation and integration, good governance, and durable peace and security. In 2008, some member states formed the SADC Free Trade Area (FTA).

Reducing intra-African trade barriers and unifying policy on matters of trade is seen as a means towards creating a predictable and more competitive environment that benefits producers and consumers alike in these regions. Nonetheless, there are also chronic and well-documented challenges to deeper integration and effective transformation. These are largely shared with the whole continent and include undiversified markets with low value addition; overdependence on raw material exports; numerous trade and non-trade barriers that increase transaction costs; inadequate infrastructure networks, regional food insecurity; and, conflicts and political instability in some countries.

More importantly, the challenges also hinge on the overlapping of REC membership. Of 26 countries of three blocs – COMESA, EAC and SADC – almost two-thirds are

either in a Customs Union (CU) or participating in negotiations for an alternative CU to the one they belong to or are in the process of negotiating two separate CU which would be contrary to WTO rules.

In the context of the challenges arising from overlapping membership, the three RECs signed a declaration on June 12, 2011 paving way for negotiations to establish the COMESA-EAC-SADC FTA. On June 10, 2015 the TFTA was officially signed at the third meeting of the Tripartite Summit of Heads of State and Government held in Sharm El Sheikh, Egypt. The signing marked the official launch of the COMESA-EAC-SADC TFTA.

The launch followed the apparent completion of negotiations on trade in goods for the TFTA under phase one of the negotiations. Phase II of the negotiations will follow with the discussions hinging on trade in services and other trade-related aspects such as Intellectual Property Rights (IPRs), Trade and Development; and Competitiveness and Competition Policy.

While, the initiative is noble and in line with the Abuja Treaty that envisages for a unified African Economic Community, the integration process will have to incorporate the voices of the marginalised as represented by CSOs and other NSAs. African RECs are, most often than not, perceived as elitist and government-to-government cooperation, partly because of the lack of participation from citizens of Member States.

Therefore, this study aims at gathering information from various stakeholders to assess engagement of CSOs by the negotiating government ministries in the trade policy making and regional integration negotiation activities and develop a forward-looking 'Engagement Framework and Action Agenda' for the country and hence for ESA CSOs engagement on the TFTA negotiations and implementation processes.

The framework would help improve mechanisms, both at country and REC levels, for CSOs engagement in the TFTA integration process; and, create better scope for 'value-addition' by CSOs to link trade with social and economic priorities at the grassroots. This 'engagement framework' would seek to achieve the foregoing by engaging with national government and regional authorities, business community and CSOs in the region.

It would also create synergies with various relevant programmes of the development community, and keep them informed, so that the TFTA implementation addresses some of the sticky development challenges of ESA citizens on the ground.

Literature Review

The Country's Involvement in RECs

At the continental level, member countries including Ethiopia have signed and ratified the Abuja Treaty, which aims at establishing an African Economic Community (AEC) among its 54 member countries. The Treaty lays emphasis on the importance of setting up an AEC through the coordination, harmonisation and progressive integration of RECs. Formation of the TFTA among the three RECs namely, COMESA, EAC and SADC means realising towards the objects of the Abuja Treaty.

Currently, Member States at varying levels of trade liberalisation both within and outside the RECs. Although Ethiopia is a founder member of COMESA, it has not yet joined the COMESA FTA.

At their first Summit in Uganda in 2008, the Heads of State and Governments of the three RECs, namely the COMESA, the EAC and the SADC, decided on the establishment of a tripartite FTA.

On 10 June 2015, about 26 ESA countries, including Ethiopia, signed the TFTA declaration but the country is yet to sign the TFTA agreement. The issue now is whether signing TFTA and the process thereof have the support of CSOs, which are considered to represent the voiceless and marginalised segment of the population.

Historical Developments of CSOs in Ethiopia¹

Modern civil associations began to emerge in Ethiopia during the 1930s as a factor of urbanisation and economic development. A law meant to recognise and codify these groups was passed in 1960. Civil society entities in general, however, were slow to take root under the imperial regime and they were severely restricted during the Derg period (1974-91).

During the last decade and a half of Emperor Haile Selassie's reign, professional groups such as the Chamber of Commerce and National Bar Association formed, played a somewhat credible role and enjoyed relative autonomy. That autonomy completely evaporated under the Derg regime. All these organisations effectively became tools of the state or entirely ceased operations. Many of those remaining in existence lost credibility, professionalism; and, ultimately, legitimacy.

International NGOs trace their Ethiopian roots to the catastrophic famine crises of 1973-74 and 1984-85. The non-governmental organisations (NGOs) of those years

¹ Jeffrey Clark (2000), *Civil Society, NGOs, and Development in Ethiopia*

were overwhelmingly focused on emergency relief operations and were largely foreign entities. NGOs were instrumental in preventing even greater loss of life during both catastrophic episodes at a time when neither the emperor's government nor the Derg was well prepared to respond to the convulsions spreading across the country.

During the 1984-85 famine, many international donors channelled relief aid through non-governmental groups because of well-founded suspicions of the policies of the Derg regime. Some donors were also involved in cross-border operations, despite bitter resistance and resentment by the Derg authorities. During these crises, NGOs were catapulted into highly prominent roles — a prominence harshly resented by Derg authorities — as they visibly provided hundreds of thousands of people with the means of survival. The regime struggled to keep these groups under tight control because the NGOs were viewed as reflecting the West's values and economic abundance.

The experience of NGOs in the dual crises of 1973-74 and 1984-85 resulted in an overwhelming focus on relief operations. The sheer size and critical nature of NGO relief operations created a momentum that saw some of those involved see the need for a shift to long-term development priorities and a more balanced relationship between local counterparts and international NGOs. This has resulted in the dominance of the sector by international entities that have lingered well into the current period and framed some of the tensions within the sector; and, between the sector and the government.

When Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power in 1991, the CSOs/NGOs were weak, disorganised, and without either significant resources or constituent bases. For the most part, NGOs that formed or surfaced immediately after the overthrow of Derg were ill prepared to exact much impact. With few resources, untrained staff, and limited exposure, many demonstrated minimal comprehension of their role.

After the end of the transition period, and since 1995, the number of CSOs has increased and their activities broadened.

A clear indicator of a more sophisticated stance on the part of the NGO community in Ethiopia is provided by the adoption of the Code of Conduct for NGOs at the culmination of a collaborative effort on the part of diverse leaders of the sector. The code was formally adopted in March 1999, and the overwhelming majority of NGOs operating in the country swore to uphold its principles. The impetus to adopt the measure in Ethiopia was twofold: first to separate the less than straightforward NGOs from honourable ones; and, second, to signal to the government that the community could provide its own standards and policing.

After the demise of the Derg regime and the introduction of the Transitional Government of Ethiopia (TGE), which allowed freedom of association in the country, the number of NGOs increased dramatically and their areas of activity multiplied. Despite the increase in number and diversity of CSOs in the country,

there has not been any coherent legal framework guiding their registration and operation. Instead, different clauses and articles from different proclamations and regulations have been used to administer the sector.

NGOs operating in Ethiopia were governed by the original law which was issued by the imperial regime in 1960. That law provided the basis for the regulation procedures detailed by the Ministry of Internal Affairs in 1966 with the issuance of 'Regulations Issued Pursuant to the Control of Associations Provision of the Civil Code of 1960.'

The government's 1995 Guidelines for NGO Operations updated those procedures, outlined major classifications for the sector and defined areas for programmatic activities. The registration of NGOs is now under the authority of the Ministry of Justice. Before 1995, this responsibility lay with the Disaster Prevention and Preparedness Commission (DPPC). Once registered, NGOs' operations are placed under the supervision of the DPPC and the Bureau for Disaster Prevention and Preparedness (BDPP) at the regional level.

The New Civil Society Law and Its Implication for CSOs

The New Civil Society Law

There was consensus between the Civil Society sector and government concerning the need for a new law. But, there was a lack of unanimity in terms of the content of such a framework (Clark, 2000). The first comprehensive law governing registration and operation of charities and societies became operational in February 2009. The Proclamation, in its preamble, states that the whole essence of putting in place such a law is to "...ensure the realisation of citizens' right to association enshrined in the Constitution of the Federal Democratic Republic of Ethiopia" and "...to aid and facilitate the role of Charities and Societies in the overall development of Ethiopian peoples."

The new CSO laws are based on Proclamation No.621/2009 for the registration of Charities and Societies, which came into force on February 13, 2009, and the Council of Ministers Regulation No.168/2009 issued on November 09, 2009 to ensure its implementation.

The proclamation classifies charities and societies into three broad categories based on the place of registration, nationality or residence of members and source of income.

The three forms of charities and societies are:

1. "Ethiopian Charities" or "Ethiopian Societies": These are formed under the laws of Ethiopia. All its members are Ethiopians and generate income from Ethiopia and these Charities and Societies are wholly controlled by Ethiopians. However, they are not allowed to generate more than 10 percent of their funds from foreign sources.

2. "Ethiopian Residents Charities" or "Ethiopian Residents Societies": These are formed under the laws of Ethiopia and consist of members who reside in Ethiopia and who receive more than 10 percent of their funds from foreign sources.
3. "Foreign Charities": These are formed under the laws of foreign countries or which consist of members who are foreign nationals or are controlled by foreign nationals or receive funds from foreign sources.

The Proclamation also lays out areas in which each type of charities and societies can take part. According to article 14, sub-section 5, for instance, the following activities is reserved specifically for Ethiopian Charities and Societies:

- The advancement of human and democratic rights;
- The promotion of equality of nations, nationalities and peoples, as well as the promotion of equality of gender and religion;
- The promotion of the right of the disabled and of children;
- The promotion of conflict resolution or reconciliation;
- The promotion of improving the efficiency of the justice and law enforcement services; and,
- Any other purposes as may be prescribed by the directives of the Agency.

By implication, foreign and Ethiopian resident charities and societies are not allowed to engage in advocacy activities. The Ethiopian charities and societies, notwithstanding their right to undertake advocacy activities, are not allowed to generate more than 10 per cent of their funds from abroad thus constraining their activities.

The assessment of the new law shows the shrinking of advocacy activities by CSOs operating in the country compared with the pre- 2009 period.

Implications for CSOs

Broadly speaking, the impact of the new civil society law has resulted in restricted engagement of CSOs and the growth in the number of CSOs/NGOs operating in the country. The overall impacts of the law include:

- a) Narrowing down CSOs engagement: Nearly all existing formal local CSOs in Ethiopia have been securing their full or a substantial part of budget from foreign sources. Given the lack of the culture of voluntarism and the practice of funding CSOs by the public in Ethiopia, limiting the share of resources coming in for local CSOs, which have authority to engage in advocacy activities, amounts to exclusion of CSOs from engaging in advocacy activities.
- b) Reducing the effectiveness of CSOs/NGOs interventions in development: There has been a growing consensus among development actors as to the existence of close links between development and governance. Poverty is not merely a state of low income but a human condition caused by deprivation of the capabilities, choice and power necessary for the enjoyment of fundamental rights. Accordingly, effective strategies to address poverty or enhance development need

to be multi sectoral, multi-level and holistic. Such measures must target structures and social arrangements that breed or sustain exclusion, marginalisation, vulnerability and disempowerment.

However, the law has created a distinction between development and governance/human rights interventions. Concerning "foreign CSOs", the proclamation allows them to engage in poverty reduction and other development interventions whilst prohibiting them from engaging in governance/human rights issues. Apart from the obvious difficulty in separating development and governance interventions, this has prevented CSOs/NGOs from making effective and sustainable development interventions by addressing the root causes of poverty, which are usually related to problems in governance.

- c) It reduce the size of the sector, since almost all of the advocacy CSOs/NGOs will be forced to cease their operation and most of the development CSOs/NGOs are forced to terminate the advocacy/governance component of their interventions.
- d) The new law challenged the very existence of CSOs, particularly those working on advocacy and human rights issues. Even before the adoption of the CSP the number of these organisations was insignificant and the new law has only served to further discourage citizens from establishing new CSOs.

The number of CSOs registered by the Ministry of Justice prior to the 2009 Proclamation was stated to be 3,822. These excluded faith based organisations. Nearly five years since the initial re-registration, the number of registered CSOs (including newly registered) was 3,056 as at September 2014. This shows that the new law has discouraged CSOs, especially those working on advocacy activities, from re-registering hence, reducing the number of CSOs from the pre- 2009 level and composition.²

In terms of composition, Ethiopian Resident Charities make up 1,013 (61 percent) of the overall total number of charities registered since February 2010. Numbers in this category have nearly doubled, increasing from 1013 in 2010 to 2016 in September 2014. In previous information updates, Trends in Ethiopia's Civil Society (TECS) noted that a number of Ethiopian Charities were seeking to re-register as Ethiopian Resident Charities as a result of funding issues. In addition, the number of networks has doubled, increasing from 25 at the reregistration point in 2009 to 53 in September 2014. On the other hand, the Ethiopian resident society category registered an initial substantial (ten-fold) increase between 2010 and 2011; the 2011 figure then dropped to a quarter by September 2014.³

The Proclamation has, however, dramatically changed the CSOs' operational landscape. Before the Proclamation, all CSOs that were registered at the Ministry of Justice could operate in service delivery, governance and advocacy fields. The Proclamation, as already noted, permitted only the Ethiopian CSOs categories to

² Tracking TECS, Information Update 5 Information update on Trends in Registration, Licence Renewal and Closing of CSOs since February 2010 October 2014.

³ *Ibid*

work on advocacy, governance and rights issues. In other words, of the 3,056 CSOs registered in September 2014, only 236 or about eight percent are permitted to work in these areas theoretically. In practice, the number is much lower than this since many Ethiopian CSOs do not include this subject matter in their organisational objectives, and are instead focused on social or leisure activities. The remaining 92 percent of CSOs are technically only permitted to engage in traditional service delivery operations.⁴

The Roles of CSOs in the Country⁵

NGOs play different roles in any country. Some CSOs promote activities that emerge as alternative or complementary to the prevailing or established governmental activities at a specific time.

NGO/CSOs also undertake activities which, (for various reasons), are not prioritised by the government and the private sector. The role of such NGOs fills the gap on government's efforts. Efforts in this regard have significantly focused on enhancing community actions for self-help and assuring all inclusive development processes.

NGO/CSOs also promoted activities that are best done by NSAs – facilitating community compacts, community-organisation and mobilisation, etc. Approaches and strategies promoted by NGOs also provide insight on policy direction. The support of NGO/CSOs in reviving and strengthening grassroots community organisations and institutions can, therefore, be counted as a contribution to social activism and pluralism in the society.

Vibrancy of CSOs in the Country

The existence of CSOs and hence their vibrancy is critical if they are to play a constructive role in the liberalisation of the economy. The vibrancy of CSOs in a country is determined by various factors. Firstly, the specific purpose for which they are established; secondly, the size of resources that they are able to mobilise to finance their programmes and projects; thirdly, their internal capacity to implement programmes; and, finally, the restrictiveness of laws and regulations governing the sector.

CSOs Engaged in Advocacy Activities

An advocacy role for NGOs has evolved in Ethiopia. Neither government officials nor the CSOs working on advocacy slowly captured the concept in the initial post-1991 period, and the art of effective lobbying on public policy issues did not exist in the country. Several factors contributed to this, including the weakness of the news media and academic institutions and the absolute dearth of public debate during the Derg era. Further, the polarisation of the political process witnessed during the early 1990s failed to encourage the emergence of public advocates. Such actors were seen as highly political and, in fact, partisan, if not absolute opponents of the government.

⁴ *Ibid*

⁵ Link between trade liberalisation and civil society: www.meti.go.jp/english/report/data/g00W022e.pdf accessed on September 28, 2015

The government's ambivalent stance towards independent groups voicing criticism of its policies did little to encourage the emergence of effective advocates as did its tendency towards tight control of NGOs. As a result of these dynamics, NGOs tended to shy away from activities or even discussions that might be perceived as political by the government.

As the space for NGOs to operate in general expands, the concept of public policy advocates is now slowly advancing. Several factors have contributed to this: the adoption of the Code of Conduct for NGOs, improved press coverage of NGOs and their work, expanded institutional capacity within the sector and support from the diplomatic community. Most significant, however, is the increase in communication and collaboration between government and NGO officials. Sensitisation has diminished suspicions, and, the value of NGOs contributions to the country's development challenge is now more apparent.

NGOs and other civil society entities have some distance to cover before they can be described as effective public policy advocates. There is need for additional skills and experience in this area the sector needs to present a united front on pertinent issues.

CSOs Working on Trade and Related Issues

There are CSOs engaged in promoting activities to enhance Ethiopia's benefits from global cooperation and marketing processes. Examples include the Fair Trade campaigns, the export of organic products by social-economic organisations, etc. These engagements have contributed in improved income for the beneficiary households and also resulted in improved financing of pro-poor programmes and services.

The question is whether there are CSOs working on trade and related issues and whether the legal and regulatory framework allows them to work on the issues. In this vein, an attempt was made to obtain information on the presence of CSOs working on trade issues in Ethiopia and assess their effectiveness.

Economic globalisation has lent a new prominence to the role of international NGOs. Civil society has become increasingly concerned over trade liberalisation, particularly in the West.

The review of existing literature shows that only a negligible number of CSOs work on trade issues. However, some CSOs have been commissioning trade related studies. This shows that there are no CSOs with in house trade analysis capacity and which could influence policy making.

Undertaking trade and related studies requires huge financial and human resources. However, CSOs which have the mandate to undertake advocacy work are Ethiopian charities and societies. But the new law does not allow them to generate sufficient resources to finance their activities in this area. In effect, the law precludes CSOs which could undertake advocacy work on trade and related issues.

The NSAs which have been working on trade and related issues locally are those representing private sectors, such as the Chambers of Commerce. The Private Sector representing is amenable to promote issues from their own vantage point rather than from an appreciation of the adverse impact of policy measures on the poor and marginalised segments of the population.

Globally, there are major international NGOs or NGO alliances working on issues as trade policy and negotiations, economic development for poor communities, financing and training of businesses.

Cognisant of the undesirable implications, many 'humanitarian' organisations have shown increased involvement in trade development based on the acknowledgment that developing trade and business is an effective tool in fighting poverty beyond the provision of humanitarian aid.

Internationally, there are CSOs working on trade and related issues. However; since the new law does not allow foreign CSOs to engage in advocacy activities, such activities have been seriously curtailed in the country.

According to the review, except Ethiopian Economics Association (EEA), there is no other CSOs in the country which regularly undertake research in trade and related issues. Even so, EEA has been constrained from engaging on advocacy activities.

A browsing of websites of CSOs operating in the country shows that the following organisations have engaged in trade and related issues through different mechanisms.

UNDP Ethiopia

An analysis of the implications of Ethiopia's integration into the global and regional trading system is critical to facilitate informed decisions that will help maximise the benefits of increased integration while limiting the negative impacts therein. It is important for Ethiopia to find the right mix of policies that will enable it to achieve its Growth and Transformation Plan (2011-2015) and the long-term goal of reaching middle-income country status by 2025 within a more open economy.

United Nations Development Programme (UNDP) has partnered with the Ministry of Trade and the European Union to build capacity at the national level to make informed decisions about the regional and global economic integration. It is in this vein, that six studies have been conducted by UNDP.

Oxfam

Oxfam has been working in Ethiopia since the early 1970's with a focus on addressing the underlying causes of poverty and marginalisation. In Ethiopia, the organisation focusses on sustainable livelihoods – water and sanitation, agriculture, climate research, gender and humanitarian issues. Under Sustainable livelihoods, Oxfam focus is on improving food and income security through better access to production technology and sustainable markets, especially for women, and by facilitating private and public sector engagement to enable access to markets.

USAID

United States Agency for International Development (USAID) works closely with the Government of Ethiopia to implement various activities that promote the country's development. USAID's Trade and Investment Hubs are designed to reinforce regional and bilateral efforts to strengthen Africa's economic competitiveness and assist countries take advantage of the trade opportunities provided by the African Growth and Opportunity Act (AGOA) and other global trade initiatives. The Trade and Investment Hub programmes include trade capacity building, creating an enabling environment for the private sector, improving market access, trade facilitation, food security programmes, and export promotion support for African products.

ACORD

Unjust international trade rules lock poor countries into a situation of powerlessness and poverty. Association for Cooperative Operations, Research and Development (ACORD) works towards ensuring that the rules are changed and trade managed to secure the welfare of people and the planet.

There is asymmetry in the rules of the global trade with a bias towards the rich and powerful. Trade it, between equals who have something to sell that others need is immensely important and beneficial. Fair terms of trade creates a route out of poverty with dignity; facilitates growth and promotes peaceful relations.

ACORD seeks trade on just terms but the reality is that the world is not a level playing field and we do not all trade as equals. Some countries have immense power and control in the market while others are powerless. In this situation, global trade rules need to even the situation out, support the less dominant players so that they have a chance to benefit while restraining the big players to create a level playing field.

ACORD advocates for trade justice and a fair trading system. It calls on African governments to speak out on the needs of their people in trade negotiations and to resist unfair deals. It challenges rich countries to live up to their rhetoric about building a trading system that will uplift the lives of millions of people trapped in poverty. ACCORD works on trade in the context of Economic Partnership Agreements (EPAs) and World Trade Organisation (WTO).

The Potential Impacts of TFTA on Ethiopia

Currently, Ethiopia is pursuing multilateral trade negotiations and numerous bilateral and regional trade pacts. At the global level, Ethiopia applied to join the WTO in 2003. However, reformative policies aimed at ensuring rapid integration into the multilateral trading system are not yet in place or implemented to complete the country's WTO accession.

At the continental level, Ethiopia has signed and ratified the Abuja Treaty that aims at establishing an AEC. The Treaty lays emphasis on the importance of setting up the AEC through the coordination, harmonisation, and progressive integration of the

activities of RECs. The formation of a TFTA by the three RECs; namely, COMESA, EAC and SADC is part of the preparatory steps towards establishing AEC.

At regional level, Ethiopia is a member of the COMESA bloc, although it has not yet acceded to the COMESA FTA and CU.

Conducting an analysis of the implications of Ethiopia's integration into the global and regional trading system is critical in order to facilitate informed decisions that will maximise the benefits of increased integration while limiting the negative impacts. To this end, however, surveys of empirical literature come up with very limited studies.

As regards the implications of TFTA on Ethiopia, a review of the literature managed to find only two studies: a study by UNDP and Derk Beinen. The summary of their findings are discussed below.

The UNDP (2011) study assesses the implications of joining the COMESA-EAC-SADC TFTA on Ethiopia. It analyses the policy issues that will arise in merging the three RECs into a single REC based on the Abuja Treaty, as well as the legal and institutional framework required for its implementation. The study gives detailed explanation of the potential economic, social, institutional and legal implications of the Tripartite FTA. It also outlines the options for Ethiopia should it join the TFTA.

The Computable General Equilibrium (CGE) simulation results highlight that unilateral and reciprocal trade liberalisation have positive and negative impacts on Ethiopia's economy. The results for gross domestic product (GDP) growth suggested that in the short-run the impact on the Ethiopian economy's GDP would be positive as liberalisation would reduce the cost of doing business, attract foreign investment and increase consumption.

A simulation of from the Global Trade Analysis Project (GTAP) model indicate that the percentage GDP change as a result of 100 percent trade liberalisation for Ethiopia is estimated at 1.51 percent while protecting sensitive sectors and undertaking 100 percent liberalisation of the remaining sectors would increase the country's GDP by 2.29 percent.

Similarly, the reciprocal tariff liberalisation scenario would impact positively on household welfare as the price of consumer goods declines. Measuring the gain in household welfare, South Africa could be the main winner in the COMESA-EAC-SADC tripartite deal while Malawi the main loser.

On the other hand, tariff liberalisation impact negatively on domestic economies. The output of most of the productive sectors included in the model is likely to decline. In particular, the manufacturing industry (which is characterised by high tariff and import penetration) would be negatively affected due to the influx of cheap imports in the local market. This, will in turn, affect the factor market as a result of shrinking demand in the contracting activities.

The results also suggest that the TFTA will increase exports in some sectors. However, this benefit will be wiped out by the huge influx of imports to Ethiopia resulting in a huge trade deficit with implications on the depreciation of the local currency.

The results of the augmented gravity model show that the economic size variable turned positive and significant suggesting that the larger the scale of economies in trade, the larger the bilateral trade flows between them. The coefficient of the openness variable appeared positive and significant implying that openness in trade is positively related to trade flow. Thus, if Ethiopia opens its imports (or lowers its tariff rate on imports) the volume of imports will increase dramatically.

The TFTA has a legal and institutional framework within which it operates. Since Ethiopia has been operating within its rules and regulations, joining the FTA will impact on its legal and institutional arrangements. The FTA requires harmonisation of rules and regulation of the member countries so that it creates a common framework for all. Harmonisation may pose a problem as it is difficult to agree on issues of concern, sometime even on terminologies, due to different legal contexts and cultures.

The TFTA has implications on social welfare and employment depending on whether or not the country is a net gainer or loser in the REC. With respect to Ethiopia, FTA has been found to increase the inflow of imports and reduce government revenue, resulting in de-industrialisation. This has had social impacts such as job losses. Job losses are high in manufacturing industries which are the most affected by liberalisation measures. The loss in revenue could be translated into reduced public spending on critical programmes, such as poverty reducing sectors like education, health, water, rural roads, food security etc. This invariably, results in an increase of poverty.

Joining any FTA leads to a loss of national sovereignty in the design and implementation of trade policies and strategies aimed at promoting growth and development. According to Asante (2000), the inability of African governments to effect substantive changes in national policies, legislation, rules and regulations on trade and market integration is as a result of their diminishing national sovereignty in policy making.

Joining a TFTA may compel members to forge a new policy and/or introduce changes to the existing ones so as to increase exports, reduce imports and the trade balance. There is also a compulsion towards promoting exports and import substitution industrialisation on products that a country is deemed to have comparative advantage. In Ethiopia's case, the most vulnerable sector under the FTA framework is manufacturing.

According to Derk (2010),⁶ Ethiopia has three policy options in relation to the TFTA:

⁶ Derk Bienen (2010). Implications of Ethiopia's International Trade Negotiations

- 1) It could maintain the *status quo*, i.e. not join the COMESA FTA nor the TFTA; or
- 2) It could join COMESA FTA but not the TFTA; or,
- 3) It could join the TFTA when it comes into existence.

If Ethiopia decides to join the COMESA FTA or the TFTA, decisions will have to be taken on when and under what conditions it would join the FTA. It would also need to be decided, what domestic measures should be undertaken to maximise on the benefits and minimise the costs of FTA membership.

The performance of Ethiopian exports to the TFTA region was even less dynamic: Over the period 2001 to 2009, exports increased at an average of 14 percent per year. Total exports grew almost twice as fast, at 24 per cent per year. Hence, the importance of TFTA countries as an export destination decreased sharply. In 2001, 19.1 percent of Ethiopia's exports went to the TFTA region but this share reduced to 9.7 percent in 2009. Thus, contrary to the regional trend, Ethiopia's trade with TFTA members has grown less rapid than trade with the rest of the world. In this context, it is worthwhile to note that Ethiopia's export growth to the TFTA region is almost entirely explained by its exports to Sudan (mainly vegetables and coffee), whereas exports to the other 24 countries grew at a mere 1.6 percent.

The importance of TFTA markets for Ethiopian exporters is limited due to three reasons: First, there could be little to trade (similar economic structures which do not create strong comparative advantages); second, Ethiopia's private sector lacks competitiveness compared to the other would-be TFTA members (then one would expect high imports by Ethiopia from these); third, barriers to trade are high and effectively prevent high trade volumes.

The potential negative effects of Ethiopia joining the TFTA may be increased imports from TFTA countries, which will become relatively cheaper as a result of tariff liberalisation and the removal of NTB.

Given Ethiopia's protectionism against regional trade partners, which is on average higher than the trade protection which it faces in its export markets, reciprocal tariff elimination tilts the gain from trade liberalisation towards consumers in the form of lower prices rather than producers. Taking into account the negative impact of intra-TFTA tariff elimination on Ethiopia's fiscal revenues, the aggregate impact of intra-TFTA tariff liberalisation for Ethiopia, would in all probability be negative.

The impact of non-tariff barrier (NTB) – such as Sanitary and Phytosanitary Standards (SPS), technical standards, customs procedures, rules of origin (RoO), etc. – on Ethiopian exports to TFTA markets cannot be quantified. Although no data exists on their negative impact on Ethiopia's exports, anecdotal evidence suggests that NTB are more important than tariffs. The importance of NTB is also explicitly acknowledged in the Draft Report for establishing the TFTA, which accordingly proposes various measures to address and reduce NTB. An effective reduction of NTB under the TFTA would create substantial benefits for Ethiopian exports and would build a case for joining the TFTA.

Survey Analysis

The objective of this section is to assess the level of engagement of CSOs and private sector in the trade policy making and the regional integration negotiation process of the country, specifically TFTA. In achieving these objectives, the study collected qualitative information by administering survey questionnaires on stakeholders working on trade and related issues including government ministries, CSOs and the private sector. During data collection, sufficient information was collected from each category of respondents. The collected information is analysed and the findings are presented in the report. The discussions are presented by categories namely: government, private sector and CSOs.

Government

Roles of Different Players

Under this section, government ministries which play key roles in trade policy formulation, implementation and negotiating bilateral, regional and multilateral trade integrations are identified and contacted for interview. Of the major roles of the contacted government ministries, formulating trade policy and strategy, coordinating, conducting, leading and signing trade negotiations at bilateral, regional and multilateral levels are the major ones.

Trade negotiation in Ethiopia has been run by three Ministries; namely, Ministry of Finance and Economic Development (MOFED), Ministry of Foreign Affairs (MOFA), and Ministry of Trade (MOT). MOFED has been coordinating the negotiations of COMESA and TFTA. MOFA has been negotiating the Inter-Governmental Authority for Development (IGAD). Its focus, so far, has been on facilitating conditions for good neighbourliness and consolidating sustainable and reliable peace in the region. In line with its mandate to lead all trade and related negotiations, MOT conducts WTO and EPA negotiations.

CSOs in Trade Policy and Negotiation Process

As indicated in the review of literature, only very few CSOs operating in Ethiopia work on trade and related issues. However, respondents believe that CSOs have an important role to play in the trade policy making, trade negotiation processes and implementation. The experiences of other countries (particularly developed countries) shows that the CSOs have been involved in the shaping of their trade policy and in the preparation of bilateral, regional and multilateral negotiation positions working with government ministries. According to the country's research, CSOs have a limited role in the trade policy making and negotiation processes.

Although it is believed that CSOs could play an important role if engaged, there are no established mechanisms in place in the entire key trade negotiating ministries

through which CSOs can engage in trade policy making and regional trade negotiation processes and hence voice their concerns.

According to the respondents, engaging CSOs in trade policy making and negotiations is of paramount importance and can take various forms including assisting the negotiation team with the required expertise, financial support, providing information and lobbying other countries to address the concerns of least developed countries (LDCs). Other countries' experience also show that CSOs have played key roles in the trade negotiation process.

Although respondents believe that the private sector has a role to play in the trade negotiation process by government officials, this engagement can be through creating a regular consultation process. However, there are no established mechanisms of engaging the private sector in the negotiation process in the ministry.

Beyond the question of engaging NSAs, respondents noted that the trade negotiation processes by ministries have not been managed in a consistent and incremental manner. The integration agenda has been high at one time but low at other times.

Private Sector Role

The central role of a government in relation to trade is to create an enabling environment for the business community or the private sector to play as the engine of growth. The objective of trade negotiations is to create better market access opportunities for the private sector. So, all the trade negotiation positions of the country should take into account, both the interests of the state and the private sector. The involvement of the private sector in the trade policy making and negotiation and in the preparation of strong negotiation positions is thus greatly critical.

The engagement of private sector is better compared with the engagement of CSOs. Private sector representative, such as the Chamber, has been engaged in some of the negotiation processes to a certain degree but not all the way. In the WTO accession negotiation process, for example, the representatives of the private sector, the Ethiopian Chambers of Commerce and Sectoral Associations, were represented in the technical committee. In relation to bilateral trade negotiations, the private sector represented in the trade committees that established by the Ministry.

With regards to the regional trade negotiation, the role of the private sector has not been clear. There is no established mechanism in place in the negotiating Ministries for the private sector's engagement and the degree of their engagement in the whole process.

Empirical Studies on Implications of TFTA on Ethiopia

A number of empirical studies have been conducted on the impacts of the different trade negotiations on the Ethiopian economy, including multilateral and regional. With regards to the availability of studies assessing the implications of TFTA on the Ethiopian economy, a review of literature shows that some effort has been made.

However; these efforts are not adequate enough to inform decision making. One of the studies is UNDP-sponsored entitled, **Implications of Joining the Tripartite FTA for Ethiopia** in December 2011.

Conducting an impact assessment study is demanding. There is no in-house capacity in negotiating organisations to undertake such assessments which require the application of sophisticated models, such as CGE. Moreover, there are no sufficient funds in negotiating ministries to commission such studies.

Awareness about TFTA

NSAs are not sensitised regarding the TFTA negotiations and the country's status in the negotiation process. This is partly because there is no clear direction from the government on the country's participation in the TFTA negotiations. However, sensitisation regarding COMESA FTA were made and consultations undertaken with the private sectors players in the manufacturing sector and exports.

Contribution of CSOs and Private Sector

According to respondents, both the private sector and CSOs have provided little or no inputs towards TFTA negotiation process so far due to various reasons including lack of awareness and established engagement framework which may facilitate NSAs to contribute their shares.

Channels of Communication

There are no established channels of communication through which NSAs are informed on the current state of the TFTA negotiation process by many organisations leading trade negotiations due to various reasons.

Challenges

The main challenge hampering CSOs from effectively participating and contributing in the national trade policy making and in regional and global trade negotiations is the lack of a clear policy direction from government officials.

Private Sector

Key Roles of Respondents

For this section, the survey gathered information from the Addis Ababa and Ethiopian Chambers of Commerce and Sectoral Associations (ECCSA). The chambers have various roles for which they were established. Their key roles include providing different services to the business community, safeguarding overall rights and benefits of their members, promoting and publicising the country's products and services and serving as a bridge between the business community and the government.

Engagement of Private Sector

Private sector has been actively engaged in dialogue with the government in different trade related as well as other issues of interest to them. In addition to these, the organisation has a dedicated unit, Private Public Partnership (PPP)

forum. Private sector has participated in some national trade committees as a member to voice their concerns.

Most of the contributions/inputs for the discussions at forum are based on issues faced by the private sector. On the PPP forum, study on issues of concern are prepared and then tabled for discussion and consideration by the government. The private sector's participation in trade policy making at national and regional integration processes has not changed much in the recent past. The engagement activities of the private sector such as the preparation of studies have been largely facilitated by financial support from donors.

However, there is no public-private dialogue structure with legal backing in the country at trade negotiating body. As the result, ECCSA has been fighting to get such a legal platform with permanent meeting arrangements instead of the current ad hoc arrangement.

The private sector has not been empowered to further take an active and vibrant role in national trade policy making or regional integration.

The government has not been active when it comes to driving multilateral/regional integration negotiations and/ or trade policy making. This needs to change in order to protect the private sector's interests.

Awareness about TFTA

All interviewed representatives of the private sector were aware of the TFTA initiative that aims at bringing 26 African countries under one market.

Challenges of the TFTA

The Private Sector perceives the TFTA to be beneficial because it improves trading among member countries thereby making them competitive in the global market as well helping strengthen people to people relations.

TFTA negotiation and its implementation may not bring the expected increase in intra-TFTA trade because many of the countries in the TFTA have similar economic structure and hence produce similar commodities thereby making the possibility of trading among them minimal. The concerns of the private sector is the low competitiveness of the local economy compared with some of the member countries and the potential de-industrialisation effect on Ethiopia due to the opening up of the economy to foreign competition.

CSOs

Key Roles of Respondents

The representatives of CSOs working on trade and related issues including consumers rights groups were contacted and the summary report of the survey is given below.

Engagement of CSOs

Overall, the number of CSOs working on trade and related issues are negligible and those working on the area such as EEA are involved irregularly. The engagements were initiated mostly by the trade coordinating government ministries. The costs have been incurred by the government and development partners. CSOs contribute study/position papers as their input to the negotiation and policy making process. The CSOs' participation in trade policy making and regional integration processes has not changed in the recent past.

According to respondents, CSOs concern with regard to trade negotiations is about the adverse effects of the TFTA on the marginalised. Hardly any consultation has been made on the part of the government to solicit ideas on the TFTA negotiations from CSOs partly because government may not expect any contribution from CSOs. Although there is no contribution so far by CSOs towards TFTA, objectively prepared inputs and positions of CSOs on other issues could be considered by the negotiating government body but not as a whole.

There is no public-CSO dialogue forum with legal backing in the country on which issues of concern to CSOs could be discussed and addressed. Given its importance, a public-CSOs dialogue forum should be established, institutionalised and conducted periodically.

CSOs Working Space

The space under which CSOs operate in the country has been shrinking in the recent past due to the enactment of the new CSO law. In particular, CSOs working on policy advocacy issues have been weakened since the introduction of the CSO law in 2009 and its implementation in 2011.

According to the respondents, CSOs have not been empowered to take an active and vibrant role in national trade policy making or regional integration processes. This can be improved by engaging the government and showing it how the law has grossly weakened the CSOs, including those which constructively contribute towards policy formulation and its implementation. Moreover, there has not been any significant institutional support for CSOs to participate in regional integration processes and in trade policy making.

Concerns of CSOs

The concerns of some of the CSOs regarding the regional integration negotiations and other opening up measures manifest some of the potential adverse impacts of such integration on the local economy, sectors of the economy and the marginalised.

The view of the consumer group on the TFTA, on the other hand, is that TFTA will have positive outcomes on domestic consumers. It will enable domestic consumers access diversified products and services at lower competitive prices without compromising quality since there would be competition among different suppliers operating in FTA member countries.

Awareness about TFTA

There is limited awareness among the wide spectrum of stakeholders including CSOs on the TFTA initiative and its negotiation. Moreover, Ethiopia's status in the process of the TFTA negotiation has not been made public for CSOs so that CSOs could contribute their share.

Challenges

Some of the challenges of the TFTA negotiations and implementation process like all the other trade integration processes face include, weak political commitment, lack of NSAs' engagement, inability to employ different professionals, lagging in write decision making, not using opportunities, etc.

Conclusions and Recommendations

Conclusions

Survey of the literature shows that trends in the number of CSOs operating in the country has been declining since 2009 due to the enactment of the controversial new civil society law. Of the various types of CSOs, the number of those working on advocacy has effectively since advocacy cannot be undertaken by foreign CSOs and foreign supported local CSOs. On the other hand, the culture of mobilising resources locally is minimal.

Awareness about the TFTA negotiation process initiated by the government is limited among the wider stakeholders including CSOs. Moreover, Ethiopia's status in the process of the TFTA is not well publicised. Hardly any consultation has been undertaken by the government to solicit ideas on the TFTA negotiations from CSOs partly because government may not expect any contribution from CSOs.

The study found that CSOs and the private sector have an important role to play in the formulation and implementation of trade policy and negotiation of bilateral, regional and multilateral trade integration. However, there is no engagement mechanism in place for CSOs and the private sector to take active part in the process of trade policy negotiation.

It is asserted that the possible adverse effects of the FTA can potentially be lowered if NSAs are engaged in the trade negotiation process of the country. However, there is no engagement mechanism in place in the key trade policy coordinating Ministries, mainly due to lack of a clear engagement policy direction from government.

As noted, the engagement of CSOs in trade policy making and trade negotiations at different levels is low and even absent in TFTA negotiations. The engagements in some of the negotiation processes were *ad hoc* and lacked legal backing. The existing engagements have taken different forms such as being co-opted as members of technical committees, supporting preparation of position papers and participating in workshops.

The concerns of CSOs with regards to the conclusion of regional integration negotiations are their potential adverse impacts on the underdeveloped economy, especially the marginalised segments of the society. The concerns of the private sector, on the other hand, include the potential adverse impact of FTA on the less competitive domestic infant industries and small businesses.

Since the country cannot continue protecting domestic industries, the government should undertake capacity building and enhance the competitiveness of local

companies. It should also defend consumers' rights from possible dumping and unfair competition besides making a paradigm shift from protectionism to strengthening domestic producers before concluding the TFTA.

Recommendations

There is need to consider revising the civil society law of 2009 so that CSOs which would constructively contribute to the development of trade policy making and regional and multilateral trade negotiations flourish and make their contribution by relaxing access to foreign resource.

There is need for a legally binding engagement framework in which CSOs and private sector representatives are engaged with the government ministries leading trade policy formulation, regional and multilateral trade negotiation activities. To this end, effort must be made to identify CSOs which work on trade and related issues, assess their capacity, and define the extent of their engagement in the whole process. The study also recommends for capacity building/strengthening of CSOs and NSAs to meaningfully participate and influence the TFTA implementation process for better results on the ground is of the essence.

Trade negotiation by different ministries creates duplication of efforts. Therefore, given the core responsibilities and in-house expertise, trade policy making and regional and multilateral negotiation issues have to be coordinated and led by the Ministry of Trade (MOT), with due consultation with and contribution from all relevant stakeholders.

An engagement framework is important for effective integration. To this end, government has to identify strong and relevant stakeholders' working on trade and related issues to serve at the national level; represent key regional CSOs in the framework; establish, empower and acknowledge CSOs through a public-private sectors partnership.

In order to make the engagement process operational and sustainable, consensus should be built on the agenda, agree on an action agenda and identify the roles to be played, establish an appropriate structure and working system, allocate a budget and undertake regular M&E.

Awareness creation has to be created amongst all stakeholders and the general public about the TFTA. CSOs should understand TFTA negotiation process and inform the coordinating Ministry on which areas they can provide technical support and other contributions. The level to which CSOs can be engaged in the TFTA negotiation process would be determined by their capacity and interest.

In order to engage CSOs, the negotiating Ministry needs to have a clear engagement policy direction. Once a clear direction is given, the negotiating ministry has to prepare engagement guidelines on the identification of the relevant stakeholders. The role of each stakeholder should be determined so that the negotiation position of the country is prepared in a well-coordinated and inclusive manner.

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