



OPEN SOCIETY
FOUNDATIONS



Southern Africa Informal Cross Border Traders (ICBTs) Conference

5-6 December 2017

Rainbow Hotel, Bulawayo Zimbabwe

Conference Report

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Acronyms

BVTA	Bulawayo Vendors and Traders Association
CID	Criminal Investigation Department
CIO	Central Intelligence Organization
EAP	Economic Advancement Programme
ESSET	Ecumenical Services for Socio-Economic Transformation
GBV	Gender Based Violence
ICBTs	Informal Cross Border Traders
ILO	International Labour Organisation)
MP	Member of Parliament
OSF	Open Society Foundations
NUST	National University of Science and Technology
OSISA	Open Society Initiative for Southern Africa
SADC	South Africa Development Community
SDGs	Sustainable Development Goals
ZIMRA	Zimbabwe Revenue Authority
ZRP	Zimbabwe Republic Police

Executive Summary

The SADC Informal Cross Border Traders 2017 Conference held in Bulawayo, Zimbabwe from the 5th-6th December 2017, discussed the numerous policy hurdles and capacity constraints that informal traders grapple with as they engage in trade in the Southern African economic sub region.

The conference identified the following as the major needs of SADC ICBTs:

- i) Need to Recognise ICBT in National and Regional Policies
- ii) Need to develop and network ICBT associations within SADC. Conference highlighted specifically the need for Capacity Building and Access to Finance by ICBTs.
- iii) Need to ratify, domesticate and implement Informal sector specific and relevant trade protocols and Agreements within SADC. Need to rationalize and reduce SADC Trade Tariffs for the benefit of ICBTs
- v) Need to facilitate easier movement of ICBTs within the SADC Region including the implementation of One Stop Border Posts. The Conference underscored the need to expose and deal with corruption and human rights abuses experienced by ICBTs.

The Conference resolved that SADC ICBT Associations need to engage in an Economic Rights Regional Advocacy Campaign with a focus on informal cross border traders. The Conference adopted the following themes for the proposed Economic Rights Regional Advocacy Campaign.

Theme i) – Trade Facilitation for ICBTs Economic Rights - Effective recognition, ratification, domestication and implementation of the Informal sector related SADC, continental and global Protocols and Agreements

Theme ii) – Protection of ICBTs Human Rights - Capacity building of ICBTs and their associations and Sensitisation of Service Providers to prevent abuse of ICBTs especially against women and vulnerable groups.

The Conference mandated Bulawayo Vendors and Traders Association working with with Ecumenical Services for Socio-Economic Transformation (ESSET) to engage partners including OSISA and EAP to support the Campaign.

The Conference reaffirmed the need for collaborations by the various players in the sector especially through ideas and knowledge exchange.

Introduction and Background to the Conference

Bulawayo Vendors and Traders Association in partnership with Ecumenical Services for Socio-Economic Transformation (ESSET), Open Society Foundations (OSF), and Economic Advancement Programme (EAP) organised the Southern Africa Informal Cross Border Traders (ICBT) Conference held over a period of two days (5-6 December, 2017) at Rainbow Hotel Bulawayo, Zimbabwe. It was supported by OSISA, Open Society Foundation and ESSET and sought to achieve the following objectives:

1. To identify key issues and initiate a campaign against harassment of informal traders, especially women in Southern Africa.
2. To identify innovative policy strategies and entry points that can increase economic benefits for informal traders.
3. To determine which countries a campaign on ICBTs would focus on and what cross cutting issues would be crucial and relevant for all countries.

Being a Regional Conference, the delegates included various informal vendors associations around Zimbabwe and in the regional SADC. From SADC, representatives were from Botswana, Lesotho, Swaziland, Mozambique, South Africa, Namibia, Malawi & Zambia. Delegates included representatives from EAP from United Kingdom and OSF from United States of America. From around Zimbabwe other delegates included the media, Members of Parliament and researchers from local academic institutions.

Vice Chairperson of BVTA board Mr. Edward Manning gave opening remarks recognising the presence of all stakeholders thanking them of their commitment through attending the conference that sought to come up with strategies address challenges faced by the informal sector. He highlighted that women are the major



FIGURE 1 MR. MICHAEL NDIWENI (BVTA-EXECUTIVE DIRECTOR)

victims in the sector as they constitute 60% and the challenges were locally, at the borders and beyond.

Mr. Manning recognised the support provided by the key partners, OSISA, Open Society Foundations and ESSET that facilitated holding of the Conference which was a foundation towards moving the informal sector forward. Bulawayo Vendors and Traders Association (BVTA) Executive Director Mr. Michael Ndiweni shared that the major target outcomes of the Conference was come up with three major themes that shall be the basis for local and regional policy advocacy on ICBTs issues.

DAY ONE – 05 DECEMBER 2017

Session (I) Over View Of Cross Border Trading Situation In Southern Africa, Cross Border Operating Environment In Zimbabwe, Gender Perspectives On Informal Cross Border Traders

PRESENTER: *Dawu Sibanda (ESSET)*

TOPIC: *Over view of Cross Border trading situation in Southern Africa*

The major issues from the presentation were that:

- The informal sector was dominated by women who constituted 70-80 % in 2012 according to a UN Women report.
- The major goods of trade were fruits and vegetables, households and electronic devices such as fridges, radios and television sets.
- The sector was characterised by a number of challenges that included various forms of violence especially against women, sexual harassments and rape. There were very limited opportunities to access resources especially finance to start businesses attributed to past social imbalances such as lack of education for the girl child. Other challenges presented were that of bribery and corruption by border officials in return for confiscated goods and in some cases this resulted in demands for sexual favours by border officials.
- The presenter challenged the sector to improve organisation and coordination on policy issues and also strengthen solidarity and networking efforts in advancing the cause of informal traders.



FIGURE 2 DAWU SIBANDA -ESSET

PRESENTER: *Pretty Mpofo*

TOPIC: *Cross border Operating Environment in Zimbabwe*

The presenter highlighted the following as major challenges faced by the informal sector in Zimbabwe:

- Corruption, abuse and loss of property.
- Confusion in terms of the specific roles and responsibilities of each institution at the borders subjecting vendors to corruption.
- Key corrupt institutions were Customs office, ZRP, CID and immigration office.

- The same institutions were also notorious for collaborating in setting up roadblocks that created delays and in some instances led to loss of property by vendors through various demands.
- Vendors were exposed to sextortion from ZRP and municipal police so as to recover their confiscated goods and this put women at risk of diseases and unwanted pregnancies.
- Vendors were making loss due to high tax, duty and fines and also travel delays.
- There is need to advocate for the creation of an accident fund so as to assist those who may lose their goods through accidents.
- Informal sector associations should increase awareness raising on the rights of vendors and roles of different institutions at border posts so as to avoid manipulation that may subject vendors to corruption.

Plenary Discussions

Discussions on the presentation led to the following key points:

- The Ministry of Transport and Infrastructure was working on a programme to create an accident fund that deals with accidents for anyone in Zimbabwe.
- To avoid abuse, vendors should be encouraged to travel in groups.
- Informal Sector representative bodies should participate in national processes so as to get sector issues adopted in decisions making processes.
- There was need for advocacy for reduction of Zimbabwe's 40% duty as it was too high compared to other regional countries.

PRESENTER: *Gracious Maviza (NUST)*

TOPIC: *Gender Perspectives on informal Cross Border Traders*

The major points noted from the presentation were as follows:

- ICBTs were not a new phenomenon but date back to the 1980s during the global economic recession period.
- ICBT was highly feminised as women constitute 70% of the ICBT in SADC Region and 68% in Zimbabwe.
- The sector contributes 30-40% of intra SADC Trade (UN Women 2010).
- Rigid policies, high taxes and many requirements which made trading process cumbersome were stifling the growth of the sector.
- Although agenda 2063 promotes intra-Africa trade it was silent on ICBTs and the same was with the SADC protocol on trade.
- The informal sector has had positive impact on women through empowering them to be key players on livelihoods, household level food security and decision making processes.
- Some of the key challenges facing the informal sector were lack of recognition, stigmatisation, poor working conditions, in access to credit facilities, corruption, harassments and Gender Based Violence.
- Other challenges also included lack of collateral for credit, limited market information including that on taxes, vulnerability to diseases, cumbersome border processes.
- It was recommended that there should provision of simplified relevant information to ICBTs for them to make informed decisions, demand and their right.
- Informal sector associations should intensify advocacy and lobby for the creation and promotion of policies that develop the sector at national and regional levels.

Plenary Discussions

Major point from the floor were that:

- Robbery was one of the major challenges faced by informal traders.
- Research being conducted by BVTA in partnership with academic institutions was meant to inform policy advocacy and lobby.
- There was need to balance the interests of the vendors versus those of the cities.

Session (ii) Parliamentary Cross Border Interface, Locating rights of informal cross border traders in the Zimbabwean Constitution and SADC region policy instruments, Parliamentary Cross border Interface

Honourable Muderedzwa presented that Parliament had a key role in relation to ICBTs as it played an oversight role on various institutions which were identified as problematic to the sector. He highlighted the following:

- The informal sector players should petition the parliament on policies issues that affected the informal sector.
- There was need to strengthen ICBTs-government relations in spirit of 'ease of doing business' which the government was promoting.
- Some of the laws were archaic and needed to be amended to match the current context.

PRESENTER: *Advocate Nikiwe Ncube-Tshabalala*

TOPIC: *Locating rights of informal cross border traders in the Zimbabwean Constitution and SADC region policy instruments.*

Major points of the presentation were:

- There was no specific law that was specific to ICBTs except for certain sections in the Zimbabwe Constitution which were sections 14 and 24 1 and 2b, section 24, section 56, 64, 66, 71.
- At a regional level the SADC Free Trade Area Protocol encouraged reduction of tariffs as means to encourage regional economic growth.
- Both the Zimbabwe Constitution and the SADC Protocol on Free Trade did not accord direct rights of ICBTs.

- Although Zimbabwe is a signatory to Protocol, the country's immigration laws interfered with the objectives of the protocol.



FIGURE 3 ADVOCATE NIKIWE NCUBE TSHABALALA –WEBB LOW AND BARRY LEGAL PRACTITIONERS

Discussant-Advocate Davie Malungisa – South African High Court

Advocate Davie Malungisa expressed the need to link rights with vulnerability of informal traders. He highlighted that the informal trade organisations needed to understand the complexities associated with the current trade system including the SADC protocols. The advocate encouraged the sector to push its issues to the public agenda through developing some talking points that drive the agenda of the sector. He noted that Free Trade recognised at SADC level was not being met by free movement of people due to hindrances such as visa issues and non-visa barriers that related to power dynamics between administrators and informal traders.

Plenary discussions

The major point from the plenary discussions were:

- Members of Parliament should promote developmental bylaws that promote free movement of informal traders.
- The informal sector associations should provide critical information to parliament portfolio committees so as to guide them in decision making on the informal sector issues.
- To avert border challenges considerations should be made towards advocacy for establishment of informal cross points for the sector.
- The current labour laws failed to protect the informal traders especially on social security.
- There is need to lobby for reduction of Zimbabwe import duty from 405 to 20%.

- There is need to lobby for the creation of local producers sub-fund funded partly through import duty.
- Other countries in the region should learn from South Africa’s Informal Business Development Strategy.
- The informal sector associations should lobby for uniformity of border laws in Zimbabwe.

Presenter: *Jasmine Toffa MP*
Topic: *Parliamentary Cross border Interface*

Key points were that:

- Informal sector associations should intensify engagements with local leaders (MPs) so as to



have informal traders issues debated in parliament.

- The girl child was affected by challenges in the informal sector such as having spaces to change sanitary pads during the day.
- Children’s education was also affected as parents had limited time to support their children on issues such as homework.

Plenary Discussions

Key points from the discussions were:

FIGURE 4 DENNIS WEBSTER FROM SOUTH AFRICA MAKES A CONTRIBUTION DURING PLENARY DISCUSSIONS

- There was need to explore the SADC Parliamentary Forum so as to push the informal sector issues to the SADC level
- The SADC Parliamentary Forum through the model law had success stories such as addressing statelessness, and ending child marriages in countries such as Mozambique.

Session (iii) Group work, Presentations and Discussions

Participants were divided into four groups with specific questions that each group responded to. And the table below is presentation of the outcomes from the groups:

Groups	Outcomes
Barriers Group	<p>1. <i>Of all the barriers/challenges that informal traders face, identify and rank 3 that you think need to be a priority for Southern Africa.</i></p> <p>a) Policy</p> <ul style="list-style-type: none"> • Little or no sound or supporting policies in the SADC • Legal framework does not recognize informal traders (constitutionally does not clearly specify) • Inconsistencies on the legal framework for example different rules required by customs, ZRP etc. which result in people losing their goods • Why not use the Simplified Trade regime (similar law in all SADC region) STR? <p>b) Political</p> <ul style="list-style-type: none"> • High duty paid for goods which affects the cross border (it's not clear of the fees required) • There are no responsive complaint mechanisms (complaints are not responded to by those in office) <p>c) Administration</p> <ul style="list-style-type: none"> • Corruption: at the border where officials require bribes to help smuggle wares • Abuse of women and exploitation (soliciting for sexual favours from women by the border officials) • Ill-treatment and abuse of informal traders <p>(NB: sexual favours requested by the officials at the border results in the woman and the child produced from that union suffering because these men refuse to acknowledge responsibility)</p> <p>2. <i>Why have you selected these 3 challenges that you selected?</i></p> <p>Policy</p> <ul style="list-style-type: none"> • If there are no policies that support what people are doing the government is unable to support in terms of finance, capacity building and all the other support that one may need • Policies that are there do not point clearly the role of the informal traders but only points to SMEs which excludes informal traders • Inconsistencies open the informal traders to abuse by different law officials • It also enables those that want to lobby government on certain issues a point from where to start • Reduce the fees required for one legalise or formalize heir enterprise

- Also allow informal traders to get tenders from government even though they are not formalized (public tender)

Politically

- Laws differ in different countries for example certain goods are not banned from being brought into some countries (eg attempt to protect particular service providers)
- Duty bearers and officials have no respect eg the officials from Botswana will treat you differently from your own home country (as well as the lack of respect amongst informal traders)
- Partisan treatment and selective entry for some informal traders (selective application of laws and policies like duty requirements and access to loans)
- Labels given to informal traders (eg: black market, illegal traders etc) expose the traders to abuse which has resulted in the use of the army and the police to crack down on the traders

Administrative barriers

- Sexual exploitation of women
- There are no trading officers at the border to explain the requirement to traders which exposes them to exploitation from customs and other interested groups

3. *For each barrier/challenge, explain what the world would look like without the barrier.*

- More profits for the informal traders
- Transparency and fairness in the treatment of all traders
- The economy will grow
- There would be a more conducive operating environments for informal traders
- More investment from different players
- Improve business relations amongst countries
- Reduction in inflation
- Improved freedom of movement
- Increased dignity and respect for an informal traders

4. *For each challenge, identify 3 specific actions that need to be taken to overcome it.*

- Standardize policies across SADC eg Simplified Trade Regime
- Involve informal traders in the formulation of policies

	<ul style="list-style-type: none"> • Awareness campaigns such as notices that share information with regards to imports (Information dissemination) • Create platforms to expose and report corruption • Come up with strict legislative measures to deal with issues of corruption <p>5. <i>Are there any organisations/groups/institutions that are working to break the 3 barriers you identified? If not state if there is a gap that our campaign can fill</i></p> <p>a) Groups working to break the barriers</p> <ul style="list-style-type: none"> • Bulawayo Vendors and Traders Association • SADC council of NGOs • Southern African Cross Border Association • International Labour Organisation (ILO) <p>b) How can we informal cross border trade gender friendly</p> <ul style="list-style-type: none"> • Advocate for the respect and protection of women across board not just the informal traders • Policies should be reinforced and publicized to protect women • Women should have proper documentation to do trade so that they are not vulnerable to abuse • Increase access to information on the requirements for one to participate in cross border trade
Building Movement Group	<p>1. <i>What Informal traders' movements currently exist in the region and at a national levels?</i></p> <ul style="list-style-type: none"> • Zimbabwe Chamber of Informal Economy Association, • Zimbabwe Cross Boarders Association, • Bulawayo Vendors and Traders Association, • Street Wise Informal Traders Association, • Vendors Initiative for Socio-economic Transformation • Southern Africa Cross Boarders Association- SACBETA • Namibia Cross Boarder Association • CIEAS- Coalition of Informal Economy Associations of Swaziland • Isilayila Siyatitima <p>2. <i>How effective have they been –what works, what hasn't worked so well?</i></p>

- The organisation exists but has not been effective in Namibia, because lack of exposure as well as networking
- ZICEA- networking and coordinating 32 countries, Botswana, SA , India etc
- BVTA- networking with associations, exchange Asiye Etafuleni in SA and how they have been engaging the local authorities in their countries.
- Engagement meetings with local authorities with the Mayor and other stakeholders
- Zimbabwe Cross boarders Association- membership card and Visa card at the same time. Street net in SA. Engaged government departments to increase rebate to USD 5000-00.
- Simplified Trade Regime (STR) in Zambia, Namibia and Malawi.
- Zimbabwe Cross Boarder Association will exporting to DRC.

3. *How do you intend to mobilise effective movements at regional and national level (what are the entry points)?*

- To have a standardised rebate and duty.
- Coalition building (National association for informal Traders)

4. *What common issues are you mobilising around?*

- Access to markets
- Standardised rebate
- Advocacy for policy changes (by laws in Bulawayo and laws that govern the operations of informal traders and cross boarder traders.
- Gender responsive trading environment.

5. *What challenges do you face as social movements and how best can these be addressed?*

- Lack of coordination by the associations as well knowledge of rights by the informal traders themselves.
- Lack of funding to run the associations.
- Access to loan facilities for individual traders as well as associations.
- Lack of skill and knowledge to design campaigns
- Some informal traders refuse to become members.
- Ways to address the challenges: Convene an all stakeholder's engagement for the association and craft a charter that governs informal traders and cross boarder traders.
- Lobby parliament to draft policies and laws that are friendly to cross boarder traders and informal traders

	<p>6. <i>What are your strengths/ Successes/ or achievements that you need to build on?</i></p> <ul style="list-style-type: none"> • Networking and solidarity amongst informal and cross boarder traders. • Proper business management skills. • Relationships with duty bearers thus legislators and local authorities. • Strength in numbers- we need to use that as a muscle to lobby for financial assistance <p>7. <i>Explore practical ways of building collective identity and establishing a common framework and approach for organising and collaboration (Not attempted)</i></p>
<p>Opportunities Group</p>	<p>1. <i>What economic opportunities and incentives currently exist for informal traders (nationally and regionally)?</i></p> <ul style="list-style-type: none"> • Organised groups or individuals can be given loans as long as they can produce proof that they are members of a registered trader organisation. One can be given between \$100- 1000 at Homelink and they are supposed to pay back the money in 3 months with 3% interest. • In Mozambique, banks are open to give loans to women’s cooperatives. However it is difficult for women to form groups because most of the businesses are run by men. • It is easy for some traders to cross the border into another country to trade. e.g the agreement between the Zimbabwe and Zambian governments make it easy for the traders to move into Zambia for business. <p>2. <i>Are these opportunities and incentives adequate? Please give some reasons for your response</i></p> <ul style="list-style-type: none"> • For example in Zimbabwe the aspect of banks giving loans to groups is a disadvantage because individuals cannot access those loans. • When groups apply for loans, an individual is interviewed and the bank visits that's particular person’s house to assess the collateral and that can jeopardize the chances of the group getting the loan. • There is a need for informal trader sensitive financial institutions who understand the challenges being faced by vendors. • Women lack collateral to present to the bank as most of the properties are owned by men or they may be renting thus rendering the chances of the women getting loans low. • Informal traders are not recognized under SMEs because they cannot employ people to work in their business. • Conditions for repayment are harsh. The period to repay is very short. “These financial institutions are milking vendors instead of uplifting them”.

- There are purchasing limits when one is trying to cross the border with goods. This then limits the chances of buying more goods and be able to grow their businesses to maybe SMEs or Medium Enterprises.
 - There is mistrust between informal traders who want to be in a cooperative
3. *If not, what can you do to create more economic incentives for informal traders, especially women?*
- There is need for the charge for vendor licenses to be reduced so that more can be able to get them and be able to access the economic opportunities.
 - Informal traders should be recognised as informal traders.
 - There is need for financial institutions to consult informal traders on what works best for them in terms of the terms and conditions to repay the loan.
 - The importation limit should be removed and traders should be allowed to import as much as they can.
4. *Does government have a role to play, what can they do to promote the economic advancement of informal traders?*
- Governments should build infrastructure for the informal traders to trade in this will encourage the traders to pay the taxes they demand.
 - The government should consult customers on the sites they would prefer the traders to be in.
 - Government should have a special passport arrangement for traders. Passports in Zimbabwe take too long to come out and are expensive for some.
 - Depoliticizing of incentives, all women should be able to access incentives.
 - Need for financial sensitivity from financing institutions.
 - Harmonization of all trade documents.
 - There is need for social security for traders
 - The council and the government should provide shelter for informal traders who do not have accommodation especially the elderly.
 - When goods are attached by the border authorities the time given for recovering of goods should be extended as traders have to go and find money.
 - There has to be a clear mechanism to recover confiscated goods.
 - VISA cards should be reactivated for traders to use the cards to buy goods across the border. This can limit externalization of cash as well as robberies.
 - Offer medical aid schemes, for example medical aids are important because traders can be able to go get medical assistance through different social protection schemes.

	<ul style="list-style-type: none"> • Provide insurance schemes as these will help traders especially in cases of calamities that may occur. • The associations that claim to represent women should be monitored, members pay memberships but there are a lot of promises when joining but nothing is delivered. • Government should offer mentorship programmes for the informal sector. • Government should facilitate trade visits between countries for traders to network and learn from each other on how to grow.
Policy and Legal Framework Group	<ol style="list-style-type: none"> 1. <i>What is the current situation, what legal frameworks/policies/laws exist at the regional level?</i> <ul style="list-style-type: none"> • In all countries we have constitutional frameworks provide rights on freedom of movement and trade (diff in details) • COMESA (Simplified Trade Regime) (Zambia, Malawi, Zimbabwe) • Free Trade Area • Southern Africa Customs Union • Declaration on Gender and Development (SADC Protocol) 2. <i>Are the laws and policies conducive for the informal sector? Do they enable you to do your work?</i> <ul style="list-style-type: none"> • No-need for alignment of laws in the region so that people are free to over freely. • Application of these provisions are subject to abuse (Black empowerment laws, Xenophobia)----more about attitudes • Rights are on paper but administrative issues are where the challenges are and these affect the enjoyment of rights. • Bylaws are the biggest problems • Free Trade Agreements promote 3. <i>Are the laws/policies gender sensitive?</i> <ul style="list-style-type: none"> • Not gender sensitive • Shortage of infrastructure (sanitary facilities toilets) • Immigration laws affidavits if having a minor-when coming to Zimbabwe they don't demand that? Lack of uniformity • Law and policy versus the practical experience are different and there are gaps in terms of understanding specific laws

- Accessing Justice (if a trader in a foreign land you are likely to be arrested and may rot in jail) or have good confiscated. Capacity building of traders rights defenders

4. *If the laws/policies are not conducive for the informal sector, identify 3 that need to be revised or put in place? Why those 3?*

- Immigration laws-Issuing of visa/number of days and no facilities to renew them whilst in SA for example.
- Recognition of the sector-Need to recognise the existence of the informal sector/traders.
- Right to work in India, National Act on Informal Traders
- Access Civic documents across the region -standardise these for traders as for example in Swaziland, if a child is born in SA the child becomes a South African. In Zimbabwe access to those documents they have to pay 50 dollars, need to be aligned as initially it was meant for officials going to SA.

5. *What kind of advocacy can you do to lobby and advocate for policy change that will promote a conducive working environment for informal traders?*

- Advocacy should be to recognise the informal sector-strategic litigation and mass mobilisation. Strengthen ties between movements and lawyers.
- Flexibility of policies and education of informal traders rights (capacity building)
- Advocacy for gender based violence laws across the region eg in Swazi has no such law.
- Grassroots pressure based on local experiences as entrusting SADC with all responsibilities
- Leadership conscientisation, change of mind set and mass mobilisation
- Pro poor policies that embrace interests of traders.
- Reform and Review of tax laws.
- Legal tenure of security in an enabling environment

Plenary Discussions

Key points from the plenary were:

- The identified issues were of regional concern and needed strategic interventions to address them.
- The identified challenges were largely gender biased as the informal sector was dominated by women.
- There is need to consider other groups such as youth and the disabled so as to develop holistic interventions.

EVENING SESSION

Session (iv) Bulawayo Informal Sector Policy Research Project Preliminary Findings

Presenter: ***Ntobeko Ndlovu (NUST Researcher)***

Topic: ***Bulawayo Informal Sector Policy Research Project preliminary findings***

The presenter shared that the study focused on establishing the state of the informal sector in Zimbabwe using Bulawayo as a case study. The preliminary findings:

- 58% of the study population was in the labour force with 80% active.
- It was also established that 94.5% of labour force was in the informal sector largely attributed to de-industrialisation of the city.
- Common areas of operation for the sector included informal businesses at work place and places of high concentration of people such as terminuses.
- The common products sold were dominantly metal objects, fruits and vegetables.
- Reasons for joining the informal sector included closing of industries, entrepreneurial ventures as well as due to retirement or health reasons.
- The sector was covered in the Zimbabwean constitution especially sections 13, 24 and 64.
- At a local level, the sector was regulated by the Bulawayo City Council bylaws of 1976.
- The regulatory instruments had some rigidity challenges in terms of vendor licensing, centralisation of services and medical certificate issuance.
- The study had also gathered that 59% of the respondents were not aware of the bylaws governing the sector.

Presenter: ***Linda Magwaro (NUST)***

Topic: ***Probing City Planning and Designing of the Informal Sector in Bulawayo***

Key findings were that:

- Vending stalls were of poor quality dominated by materials such as sacks, canvas, wooden crates and stainless steel tubing.
- The conditions were unhygienic posing a health hazard to the vendors and the general public.
- There was congestion with lack of long term planning as the stalls designs are characterised by poor quality of material used which is cheap and not durable.
- The planning part focused on size of the vending sites and not the material type being used.

Plenary Discussions

Key points from the floor were:

- Profits by vendors were mainly meant for basic livelihood needs for survival.
- Vending was influenced by a number of factors such as people traffic and accessibility of the area.
- The location of the vending sites had a bearing on whether vendors stuck to designated areas or not. This was one of the problems facing the sector as some of the vending sites were allocated without putting into perspective the complexities of the informal sector.
- Bulawayo City Council as an institution needed to change its attitude towards vendors for the development of the sector.

DAY TWO 06 DECEMBER 2017

Session (v) Developing ICBTs Campaign Themes and objectives

Task: Group work, Presentations and Discussions

The second day was largely characterised by group work and presentations as participants sought to identify key themes that would inform the Campaign.



FIGURE 5 PARTICIPANTS DURING GROUP WORK

Group	Outcomes
Barriers	<p><u>Question:</u> <i>Of the barriers you identified yesterday, select two that you think should be prioritised (and would greatly benefit informal traders as a result)</i></p> <p>Policy barriers</p> <ul style="list-style-type: none"> • There should be a policy for informal traders, both domestically and regionally. • Informal trade resolution is needed from SADC first so that SADC treaty can be domesticated. • The policy has to be linked to the Sustainable Development Goals to strengthen political commitment. • There is need to partner with ILO (International Labour Organisation) in formulating the regional policy on the informal sector. <p>Administrative barriers</p> <ul style="list-style-type: none"> • We can use SADC protocols, which will in turn drive member states to fulfil their treaty obligation. • On the issue of corruption and different kinds of abuses, there is a need to engage IT solutions in our structure.
Building Movement	<p>What is a social Movement?</p> <p>These are a set of people with shared interest or experience of injustice, organizing themselves to build their collective power and shared political agenda for achieving change, which they attempt to achieve through collective action with some continuity overtime (Morris 1987). Cohen (1980) define social movements as networks of informal interactions between a plurality of individuals, groups and/or organizations, engaged in political or cultural conflicts, on the basis of shared collective identities.</p> <ul style="list-style-type: none"> • There is need for an Umbrella body at a regional level (SADC region) • SACBETA <i>was identified</i> (Sudekar Novela- President) • Created in November 2008- ass of informal cross border traders- to defend interests of cross boarder traders • Cross boarder traders face various challenges, these include high customs duties. • Fighting exploitation of Cross boarder Traders at customs/ boarder level • Road blocks along the way that demand the vendor to pay a bribe which end up being more than the duty itself. • SACBETA- engaging governments- free movement of goods • SACBETA is recognised as a Federation for Cross Boarder Traders as well as informal traders • Challenges of registration until it got registered in Botswana. <p>Movement Building</p>

	<p>Coordination</p> <ul style="list-style-type: none"> • Acknowledgement of various works done by different associations. • SACBTA was identified as the only existing regional body, therefore there is need to publicise it so that associations from local levels will have an appreciation for its works. • Convene an All Stakeholders Convergence/ Convention to craft a charter that will govern/guide the operations of the social movements. • There is need for Mapping of all Associations in the region and their funders so as to ensure that the existing associations collaborate and are in solidarity and work as a collective than as competitors. • Create a Steering committee comprised by members of various associations in the conference. • The social movements in the region need to draw lessons from those from the East and West Africa, who have had informal economies for quite a while for developing effective advocacy strategies and campaigns. • Resource mobilisation strategy is also a critical component for the sustainability of social movements. The leadership therefore needs to be creative in his regard to ensure vibrancy and proper coordination of these. • Governance and leadership building- This ensures building of critical consciousness at structure and membership levels. • Capacity building of leaders of the informal sector associations on leadership
Opportunities	<p>Access to Capital and Capacity Building</p> <ul style="list-style-type: none"> • Accessing capital is difficult especially for women as they do not have collateral. • Terms and conditions of repaying the loan should be revised. • There are trust issues between members of a cooperative when it comes to group lending. • Most government offices are led by men and they are not gender sensitive towards women’s needs. • Government loans should be handled in a transparent and nonpartisan manner. • Banking and administration charges at the banks are too high and this affects the total amount one will get when a loan is approved. • Government should set up institutions that understand the way of business in the informal sector. • Informal sector should come together and set up their own financial institutions. • Government should monitor and police financial institutions so that informal traders are protected from the harsh terms and regulations put up by these institutions. • There should be capacity building on how to manage capital, compliance issues and statutory requirements. • There is need for incubation and integration of the sector into the value chain.

	<ul style="list-style-type: none"> ▪ Reduction of border tax and creation of a one stop shop <ul style="list-style-type: none"> • Adoption of Trade Information Desk Offices in all SADC countries, • Increase rebate • The importation tax should be reduced from 40% to 10% • Number of counters should be reduced when traders are clearing their goods. Currently traders move from counter to counter to be offered different services. This then result in traders spending a lot of time at the border, this also perpetuates corruption, • There should be an introduction of a special trader’s tax which will be uniform in all countries as currently is the case in Mozambique. • Accelerate the implementation of the Simplified Trade Regime.
Policy and legal framework	<ul style="list-style-type: none"> ▪ Recognition of the informal Sector in Policies, Declaration under the following protocols The group gave a background that the informal sector contributing 41% of the GDP in the region and from a gender perspective dominated by women who constituted about 80%. Therefore recognising the sector will contribute towards poverty eradication and development, promotion movement of goods in the region and food security. Further, it will also promote sexual reproductive health rights and enhance job creation. <p>Two major protocols were identified as critical for the recognition of the informal sector and these were:</p> <ol style="list-style-type: none"> 1. SADC Protocol (Article 23) 2. Trade Protocol –No consultation and no recognition. <ul style="list-style-type: none"> • It was presented that recognition of the sector in these protocols should also facilitate clear mechanisms of engagement between SADC and the sector. • Further, the group emphasised that the engagement mechanisms should be well defined and mandatory. • The group further highlighted that advocacy and lobby for recognition of the sector should be two pronged and at Regional level it should be through the SADC Parliamentary Forum which has been effective through its Model Law for (An example of reversal of child marriages in Malawi and threats to dethrone traditional leaders who support or promote child marriages) <p>Local level- SADC National Committees in the Ministry of Trade or Foreign Affairs (different in each country)</p> <ul style="list-style-type: none"> • Mobilisation and development of national associations -So as to have a collective voice and be unified in diversity (creation of a common agenda) -There should be at local national levels as well as regional level. -Define the benefits of belonging to an Association (eg giving feedback on outcomes to associations on meetings)

-Creation and strengthening of a Regional Coalition of the informal structure that can interact with SADC.

- **Ratification, domestication and implementation of the Informal sector related protocols and SADC Agreements.** Currently there are disparities on SADC Protocols/Agreements and domestic laws—the case of Malawi-Tanzania bus arrangement (Francis to give it as an example)

NB: All the above should be developed in the spirit of promotion of decent work-covered under ILO article 68



FIGURE 6.....FROM MOZAMBIQUE FOLLOWS PROCEEDINGS AT THE CONFERENCE

Plenary Discussions

There was a general agreement that the identified issues were critical and therefore should inform the development of the Campaign themes, a step that followed.

Session (vi) Adopted Campaign Themes

Major informal sector issues

Informed by group presentations, the following came up as the major issues of concern and were followed by discussions on how to formulate the major themes based on the data below.

- i) Recognition of the informal Sector in Policies, Declaration under the following protocols
- ii) Mobilisation and development of national associations
- iii) Ratification, domestication and implementation of the Informal sector related protocols and SADC Agreements.
- iv) On the issue of corruption and different kinds of abuses, there is a need to engage IT solutions in our structure.
- v) Access to Capital and Capacity Building.
- vi) Reduction of border tax and creation of a one stop shop

Deliberations on the above issues was quite engaging and open and many ideas were thrown up by the participants. There was a realisation and consensus that some of the issues were similar whilst other fell under strategies. It was then agreed that similar issues should be merged and after deliberations, the process led to formulation and adoption of the following themes:

Theme i) – Effective recognition, ratification, domestication and implementation of the Informal sector related SADC, continental and global Protocols and Agreements

Theme ii) - Capacity building, access to capital, reduction of border tax and creation of one stop shop to reduce corruption and different kinds of abuses especially against women and vulnerable groups.

Campaign objectives

The Campaign objectives were developed, presented and adopt as the following:

- 1. To advocate and lobby for effective recognition and ascension of the informal sector through development, ratification, domestication and implementation of the Informal sector related protocols at SADC and global levels in ways that advance the rights of women.**
- 2. To develop capacities, promote access to capital, lobby for reduction of border taxes and creation of one stop shop in order to reduce corruption and ALL (different) kinds of abuses especially against women and other vulnerable groups.**

The Campaign Statement was developed, presented, deliberated on and adopted as the following:

During the next two years, we have resolved, as informal traders, to work with our partners in demanding that SADC and member states, recognise informal trade in its protocols and practice. We commit to achieve this through lobby and advocacy to ensure that informal trade is given effect in the SADC Trade Protocol and creation of effective engagement mechanisms in the SADC Treaty. We will demand SADC to effectively protect and advance the rights of informal traders, especially women, through the SADC Gender and Development Protocol.

Discussions on the Campaign Statement

There were deliberations on the statement regarding the time frame and the resolution was that the 2year period should be adopted as it depended on a number of factors such as resources. It was also agreed that the statement was a guiding document and therefore subject to amend should there be a need based on various factors such as the operational context and the ever-changing environment.

Conclusion

Participants felt that the conference was successful mindful, however, that the successful implementation of the campaign hinged on collective involvement and participation by the stakeholders. There were calls for continued engagement and sharing of ideas towards the implementation of the campaign.

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