

AID-FOR-TRADE CASE STORY

INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

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Country: N/A

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WTO AID FOR TRADE CASE STORY

The International Development Law Organization (IDLO) is an intergovernmental organization which has pioneered rule of law assistance in developing countries for more than 25 years. Based in Rome, it is the only intergovernmental organization whose sole focus is the rule of law. In 2001, the United Nations (UN) granted IDLO observer status, leading to the creation of a permanent observer office at the UN headquarters in New York.

IDLO shares the holistic strategy outlined in Finland's Aid for Trade (A4T) Action Plan (2008-2011) to support institutional sustainable development in sectors such as investment, trade, Intellectual Property (IP) and agriculture to contribute to poverty reduction and the creation of an enabling business environment. IDLO's interventions focus on the establishment and implementation of an appropriate legal and regulatory framework, as well as on the full cooperation and legal education of the private sector, without which developing countries face serious obstacles to successful participation in regional and global economies and to trade liberalization.

With this in mind, in September 2008, IDLO and the Ministry for Foreign Affairs of Finland (MFAF) initiated discussions on how IDLO could support the implementation of Finland's A4T Action Plan (2008-2011). The discussions were followed by extensive dialogue and participatory engagement culminating in an agreement between IDLO and representatives of the MFAF on a preliminary concept paper outlining potential areas of cooperation. The various program components were then defined by both parties together with local stakeholders and representatives of Finnish Embassies in Zambia during a regional event held in Lusaka, Zambia in December 2008.

The regional event succeeded in bringing together national and international stakeholders involved in A4T and helped in maximizing consultation in the identification of concrete capacity building activities aimed at benefiting selected countries in the African region.

Following an agreement with the MFAF in March 2009, IDLO designed and implemented training and technical assistance programs for Ethiopia, Mozambique, Namibia and Zambia between April 2009 and December 2010. The A4T training and technical assistance programs aimed to:

1. empower Zambian stakeholders to contribute to an enabling environment for investment and private sector led development;
2. promote the effective use and protection of IP in Zambia by enabling local stakeholders to comply with their international obligations under the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement and other IP agreements to which Zambia is party;
3. contribute to the enhancement of national and regional skills in Ethiopia, Namibia and Zambia to

understand existing obligations under Economic Partnership Agreements (EPA) and effectively participate in the EPA negotiations; and

4. assist Ethiopia to improve the legal and regulatory framework in the agricultural field to enhance its exports of agricultural products.

In implementing the program, IDLO worked with various agencies and senior officials in the four African countries.

IDLO's IP activities were geared toward enhancing the ability of relevant government officials and private sector stakeholders to apply and enforce IP laws and improve IP legislative and policy framework. Under this component, IDLO trained Ethiopian and Zambian stakeholders on IP EPA issues. IDLO further trained six other participants serving as IP Resource Persons in Zambia. Furthermore, IDLO assisted Zambia with the development of its National IP Policy which was finalized and adopted in March 2010. In addition, IDLO reviewed, commented and provided recommendations on the proposed Act on the Protection of Trade Marks and Other Signs. IDLO also created a web based knowledge sharing networking platform to provide enhanced continuous dialogue between IP professionals.

In relation to investment, IDLO provided a three week capacity building course for six investment related experts. In an effort to enhance the Zambia Development Agency's (ZDA) business practices, IDLO produced detailed recommendations for the successful implementation of a new National Investment Policy and a ZDA marketing strategy as well as assisted the Zambia Ministry of Commerce Trade and Industry with the production of their Multi-Facility Economic Zones investors' handbook. In addition, IDLO also provided the following investment related training and technical assistance:

1. training and technical assistance on Best Practice Management Procedures for ZDA in Lusaka;
2. training on Investment Negotiations in Lusaka;
3. Carbon Investment Promotion and Carbon Trading training in Lusaka; and
4. training on Improving Marketing Skills and Practices within ZDA in Lusaka.

In implementing the EPA component of the program, in addition to training Ethiopian and Zambian stakeholders on EPA issues, IDLO hosted the EPA component of the Second International Conference on Regional Integration and Southern African Development Community (SADC) Law in collaboration with the Eduardo Mondlane University (UEM) which was held in Maputo, Mozambique, and attended by over 200 delegates.

Furthermore, IDLO developed and implemented an agricultural training and technical assistance program to assist Ethiopia's Ministry of Agriculture and Rural Development (MOARD) to remove legal obstacles to agricultural investment in Ethiopia. A specialized agriculture consultant assisted MOARD to produce a final draft Seed Proclamation No. 206/2000 for presentation to Parliament and draft the Plant Breeders' Rights Proclamation as well as advised the MOARD on food security and the prioritization of new agricultural regulations. Moreover, IDLO trained 30 participants on the World Trade Organization (WTO) agreements relating to agriculture, Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) issues in Addis Ababa, Ethiopia.

Commenting on the IDLO training on the WTO agreements relating to agriculture, SPS and TBT issues, an Ethiopian participant said, "...the course was an eye opener to so many issues surrounding the WTO agreement and useful for interpretation and understanding the implication". An IP training participant from Zambia highlighted that "IDLO should extend such training workshops to people in trade so that they can understand and know how to protect their IP rights." A participant on investment training suggested that IDLO assess the possibilities of organizing investment training courses in other SADC countries such as Mozambique in order to build adequate capacity in the region.

Whilst most participants expressed satisfaction with the received training and technical assistance, they highlighted the need for further development assistance as well as the need to continue engaging policy and decision makers to ensure implementation of appropriate legal and regulatory frameworks in order to facilitate economic growth and poverty reduction.

Over a longer run, IDLO's method of Training of Trainers helps disseminate the knowledge and skills to

further target groups in a cost-efficient while simultaneously sustainable manner. The web-based platforms work as important avenues for stakeholders in developing countries in keeping abreast with latest trends as well as sharing their experiences, concerns and suggestions among peers. Increased capacity of public officials and other stakeholders helps improve the quality of administration for the benefit of the people. Finally, and most importantly, new and reformed legislation improve the general business enabling environment, which has a strongly positive long-term impact on attractiveness of the country as an investment destination, employment situation and the general development prospects.

For more information about IDLO's A4T work, please contact:

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