Trade, informality and the policy process in Uganda

Ayoki, Milton

Institute of Policy Research and Analysis

December 2005

Trade, informality and the policy process in Uganda

Milton Ayoki

Institute of Policy Research and Analysis

Kampala, Uganda

December 2005

Revised, December 2009

Abstract–This paper revisits the theoretical literature on the policy process and examines how it has informed recent trade policy development in Uganda. Drawing from in-depth interviews with 120 actors from government and non-government agencies and institutions working on trade related issues, the paper maps out the entry points for different institutions, including women-owned organisations in the policy processes; and examines whether institutions outside government matter for trade policy in Uganda. The findings underscore significant attempts to involve several stakeholders in the policy processes, but finds that their chance to influence policies is limited. Political interests, and the country's commitments to international agreements, determine trade policy decisions. It further shows that although the national machinery for trade policy consultation and formulation has made some in-roads in ensuring the participation of women, in practice the point of entry for women organizations falls outside key points of influence in the policy process. The gender balance of the institutions at the centre and those on the periphery of the policy process largely favours men. The findings also points out the institutional and analytical gaps which need to be bridged if gender-issues are to be mainstreamed in trade policy making.

JEL Code: E24, F13, F14
Key words: Trade policy, informality, gender, East Africa, Uganda

---

Disclaimer: This is a working paper, and hence it represents work in progress. The views expressed in this paper are those of the author alone, and do not represent the views of the Institute of Policy Research and Analysis. Correspondence: milton.ayoki@ipraa.org

Table of Contents

1 Introduction

Uganda has come a long way since the 1960s, in the area of public policy, from a highly interventionist regime with widespread control on trade, to a substantially liberalized economic framework. The first two decades after independence were characterized by state ownership of the means of production using polices such as the 1968 Common Man's Charter (CMC), the 1970 Nakivubo pronouncement, and the 1972 expropriation of assets and businesses of foreign investors which were steps towards nationalization of private properties. All these resulted into a significant decline in the industrial and commercial sectors. Active government's involvement in economic management was seen to be the only way to address problem of underdevelopment and poverty. Over the past twenty years, however, there has been an important shift toward free market economy. In fact, the government has implemented one of the farthest reaching programs of economic liberalisation known in Africa, and the policymaking process has changed. This paper explores how the existing theories of trade policy process have informed this recent trade policy development in Uganda.

Until the late 1980s, Uganda government used tariffs and non-tariff barriers with import substitution extensively, to protect state enterprises and infant industries from what was perceived as 'unfair' competition from cheap imports. State enterprises enjoyed monopoly power in agricultural marketing and input distribution, as government maintained price control and subsidies to protect agricultural sector and promote trade in export-oriented commodities such as coffee, cotton, tea, and tobacco.[1]

In May 1987, the new government of President Museveni embarked on an Economic Recovery Program (ERP), under the auspicious of the World Bank and International Monetary Fund (IMF) and structural adjustment policies, in which liberalisation of foreign trade and privatisation of state enterprises were part. These reforms have, over the last 15 years, led to the restoration of macroeconomic stability and high economic growth of 5-7% per annum in the 1990s and an average growth of 5% per annum since 2000. During the decade of the 1990s, Uganda attained one of the highest per capita real GDP growth rates in the world—of 3.4 percent, twice the 1.7 percent for all developing countries. Partly, because of the strong economic growth, the poverty incidence fell dramatically, from 56 percent in 1992/93 to 38 percent in 2002/03. Uganda's share in world exports increased from 0.006 percent to 0.007 percent, between 1990–92 and 2002–2004. The macroeconomic stability has also contributed to business confidence and a relatively favorable investment climate, and has also managed to attract significant investment from industrialized and emerging economies e.g. China, India.

While these major trade liberalization episodes resulted in significant reduction in trade barriers, including tariffs and non-tariff measures, regulatory and administrative measures as well as regulations governing establishment of businesses, the impact on informality has been more limited. The increase in informal trade, the share of the workforce employed in the informal sector and the contribution of informal economy to national income over the last two decades has

[1] Some examples in transport industry include Uganda Railways, Uganda Airlines, Uganda Transporters Corporation.

led some to believe that intensified foreign competition could be contributing to the rise in informality. Over 80 percent of businesses in Uganda are 'informal,' operating outside the regulatory structure of the state. Informal agricultural trade accounts for about 65 percent of the volume of trade, but only 22 percent of the value. This level of informality creates a challenge to policy-driven efforts to develop the private sector, create jobs and sustain economic growth.

In addition, the gender dimension of informal trade is a primary concern. Cross-border informal trade involving commodities such as beans, cattle, cotton, hides and skins, kales, oil crops, oranges, maize and salt as well as temporary migration of traders have important gender considerations as women make up the majority of informal workers and, in some places, informal traders.

This study focuses on policy process, but also considers informal trade. What is needed is to examine this relationship (between trade and informality) in a much more detailed manner—to estimate the effects of trade reforms on informality. However, we choose in this paper to start from the need to develop a better understanding of the manner in which government policies get formulated and implemented, what determines the strength of forces driving policy change, as well as the effects of those forces on trade and informality; and how policy makers are accordingly concerned with catering to the interest of actors in the informal economy.

Objectives

The overall objective of this paper is to revisit the theoretical literature on the policy process and examines how it has informed recent trade policy development in Uganda. Drawing from existing literature and in-depth interviews with 120 actors from government and non-government agencies and institutions working on trade-related issues, the paper set to

(i) provide overview of relevant theory policy theories and their application to various aspects of the policy process;

(ii) discuss the various processes by which trade policy is made in Uganda—Who is involved in the trade policy process and at what stage?. To what extent, are the processes informed by the existing theories of trade policy process? Why are some economic interests better able to impose their preferences on trade policy than others?

(iii) map out the entry points for women and women's organisations in the trade policy processes in Uganda. Are women entrepreneurs, traders, farmers, workers and consumers included in trade policy formulation, consultation and implementation? What is the gender balance of the institutions at the centre and those on the periphery of the policy process?

The rest of the paper is organized as follows: Section 2 reviews the trade policy reform, and provides brief profile of Uganda's foreign trade. Section 3 presents overview of a range of theories and approaches in the study of the policy process—and their application to various aspects of the policy process discussed in Section 4, and Section 5 concludes with some broad policy implications.

2 Trade policy reform

2.1 Overview

The NRM Government of President Museveni embarked on a wide-ranging reforms beginning May 1987, with Economic Recovery Program (ERP)—with support of the World Bank and International Monetary Fund (IMF)—and one of the farthest reaching programs of structural adjustment known in Africa. In some instances, the country moved the process faster than expected by IMF and the World Bank. Domestic price controls and state control of marketing arrangements were abolished (in 1989) and monopoly powers of Coffee Marketing Board (CMB), Lint Marketing Board (LMB) and Produce Marketing Board (PMB) were accordingly removed. The preferential treatments or trade privileges enjoyed by state enterprises and co-operatives were removed. Private sector participants were allowed to compete with the public sector and cooperatives in buying, selling, and ginning seed cotton. Import and export procedures, including streamlining procedure, reduction of administrative 'red tape', 'adjusting' the licensing requirements and replacing import controls (quantitative restrictions) with tariff-based protection (tariff equivalents), the reduction in the range of tariff bans as well as the reduction in the overall level of tariffs and the avoidance of excessive protection. The temporary export stabilization tax on coffee exports was removed, and tariff and tax incentives, were introduced to encourage private investment.

Alongside liberalisation, government pursued privatisation of state enterprises, and introduced the investment Code 1991 as it sought to improve investment environment and reverse long-standing antipathy towards foreign investment.

As a result of the Uruguay Round, Uganda's level of tariff bindings increased significantly to cover a quarter of all tariff lines i.e. 87 percent of agricultural and fishery products and 15 percent of industrial products (www.wto.org). These bindings are within a ceiling of 40 and 80 per cent. In the service sector, Uganda's specific commitments governing market access and national treatment are primarily in the area of tourism. No exemptions from most favoured nation treatment have been noted in the Uruguay Round Schedule.

2.2 International commitments

2.2.1 Multilateral agreements

In October 1962, Uganda became a GATT contracting party under the trade "succession" procedures acquiring the GATT rights and obligations previously accruing to the United Kingdom with respect to its territory. On 29th September 1994, Uganda ratified the Marrakech Agreement to become a founding member of the World Trade Organization (WTO). The WTO is a membership institution, established on 1 January 1995. It comprises 144 nation states. The WTO provides the legal and institutional foundation of multilateral trading system, and the principal contractual obligations that determine the framework for and implementation of domestic trade.

In addition, WTO is the main institution through which trade relations among nations evolve, and is the primary institution empowered to enforce and implement global economic governance. The WTO is responsible for facilitating negotiations, implementation and operation of the multilateral trade agreements; providing a forum for further negotiations; administering the Dispute Settlement; monitoring compliance of member states through the implementation of the Trade Policy Review Mechanisms; and cooperate with the World Bank and the IMF to achieve greater coherence in economic policy making.

Uganda subscribes to a number of commitments under WTO, e.g. the binding arbitration of investment disputes scheme under the WTO protocol. New WTO rules and disciplines may result in legislative changes especially in areas such as anti-dumping and countervailing measures, safeguards and customs valuation. The government is already in the process of incorporating the new WTO commitments into domestic legislation, to cover intellectual property protection and Trade-Related Investment Measures (TRIMS). The creation of WTO has transformed the management of world trade by promoting a shift from trade liberalization based on tariff concessions to domestic polices, institutions practice and regulations. Second, it has changed the character of negotiations from a focus on bargaining over products to negotiations over policies that shape the condition of competition since it expanded the scope of issues to include services, investments, intellectual property rights and environment and development. Third, WTO has transformed management of world trade by promoting policy harmonization and cohesion across countries regardless of their levels of development.

2.2.2 Regional trade arrangements

Uganda is a founding member of the East African Community, with Kenya and Tanzania. Uganda and Kenya are members of COMESA, while Tanzania is a member of the South African Development Community (SADC). Since COMESA and SADC intend to form customs unions in the medium-term which will mean introducing their own CETs, it remains to be seen how goods from Tanzania will be treated in Uganda and Kenya.

Uganda is a member of the Common Market for Eastern and Southern Africa (COMESA) which, in December 1994, replaced the Preferential Trade Area for Eastern and Southern African States (PTA). The COMESA Treaty, signed by over 20 African States, commit member states towards intensifying co-operation in customs management, including simplification and harmonization of customs formalities and trade documents, the adoption of a uniform tariff classification and establishment of a standard system of customs valuation (Articles 63, 64, 69). Initially, this was to lead to creation of a free-trade area by 2000, a customs union by 2004 and, eventually, and economic and monetary union. Members have also agreed to reinforce cooperation in such areas as customs procedures, standardization, anti-dumping and countervailing measures, competition policy, capital movements, and prevention of smuggling.

In addition to the EAC and COMESA, Uganda is a member of other regional initiatives such as the Great Lakes Region, the Cross-Border Initiative (CBI), and

IGARD and the newly created African Union (AU)–a successor of the Organization of the African Unity (OAU).

2.3 Trade policy and export performance

Uganda has significantly liberalized its market since the mid-1990s, with its weighted average tariffs falling below those in several comparator groups (Table 1). Prior to the actualisation of the East African Community (EAC) Customs Union and adopting the Common External Tariff (CET) in January 2005, Uganda had one of the most liberal trade regimes amongst developing countries, with tariff levels actually close to those in developed countries (and even lower in agriculture). With adoption of the CET, however, Uganda had to raise the levels of tariffs to match that of its partner states.

Table 1. Uganda and Worldwide Trends in Tariff Protection
(Weighted averages, in percentage)

Standard Industrial Classification (SIC) Group	1994	2000	2002	2003	2004	2005
Uganda	16.82	7.28	7.07	6.64	6.22	13.49
Agriculture, Forestry, and Fishery Products	17.25	2.49	2.81	3.07	3.89	11.06
Mineral Commodities	9.25	6.41	5.56	6.89	6.06	4.43
Manufactured Commodities	18.48	8.11	8.16	6.74	6.66	18.59
Manufactured Commodities not identified by type	15.62	7.04	6.91	6.66	5.99	11.07
Least Developed Countries	67.17	15.58	13.47	13.02	12.21	10.92
Agriculture, Forestry, and Fishery Products	37.84	5.80	6.63	6.36	6.50	10.12
Mineral Commodities	52.35	18.77	12.33	11.68	11.63	3.25
Manufactured Commodities	77.07	18.35	16.25	15.50	14.39	14.16
Manufactured Commodities not identified by type	65.61	14.11	12.09	11.73	11.10	10.04
Sub-Saharan Africa	18.25	16.33	14.03	11.01	7.12	6.52
Agriculture, Forestry, and Fishery Products	8.36	14.10	8.23	12.35	8.24	8.90
Mineral Commodities	16.11	20.96	11.35	7.74	1.91	1.08
Manufactured Commodities	17.99	17.90	16.15	11.59	9.79	9.65
Manufactured Commodities not identified by type	19.94	14.43	13.85	11.19	7.14	6.52
Developed Countries	6.40	2.83	2.87	3.48	2.84	3.32
Agriculture, Forestry, and Fishery Products	7.54	3.52	3.61	6.41	4.33	5.63
Mineral Commodities	1.10	1.36	1.26	0.92	1.83	1.21
Manufactured Commodities	9.64	5.38	4.85	5.08	4.52	4.64
Manufactured Commodities not identified by type	5.58	2.13	2.26	3.03	2.24	2.99

Source: UNCTAD Trains database accessed through WITS.
Note: MFN import duties only; para-tariffs and surcharges (such as excise duties and import commission fees, which were applied in Uganda up to 2004) are not included. Tariffs in 2005 are weighted with 2004 trade data.

The CET has three-band structure, with a zero rate for raw materials, capital goods, and meritorious goods such as medical, pharmaceutical and educational supplies; a 10 percent rate for intermediate goods, and a 25 percent maximum rate for finished goods. These 3 rates apply to about 99 percent of all tariff lines. The customs union protocol provides for a revision of the top rate five years after the customs union entered into force (almost 40 per cent of all tariff lines are subject to the maximum rate). For the remaining 1 percent of the tariff lines (falling outside the CET)—i.e. 58 tariff lines (for "sensitive products") diverge from the CET—"special tariffs" apply, about a fifth of which are combined duties, comprising an ad valorem and a specific components. The *ad valorem* tariffs range from 35 to 100 per cent, with the highest duties applying to sugar imports. Sensitive products include sugar, milk, grains, cigarettes, kitenge, and used clothing. For most of the sensitive products, the special tariffs exceed the previously existing national import duties.

Tariffs on intra-EAC trade have largely been abolished; they remain in place for exports from Kenya to Uganda for 443 items, and for exports from Kenya to Tanzania for 880 items, which are to be phased out by 2010. The differential treatment in liberalizing intra-regional trade is intended to give Uganda and Tanzania, which have less developed industrial sectors and large trade deficits with Kenya, additional time for structural adjustments. The 443 products on Uganda's list are subject to import tariffs of 10 per cent that will be reduced to zero in five annual steps. With this 10 per cent import duty, Kenyan exporters of listed products face (temporarily) higher import barriers under EAC preferences than they did previously under COMESA preferences.

In the context of trade facilitation, Uganda has launched a comprehensive reform program to improve customs administration operation as part of the efforts geared at the modernization of Uganda Revenue Authority (URA). The most significant progress has been the introduction of ASYCUDA++. Priority attention is also needed for issuing regulations under the EAC Customs Management Act.

Other measures that would help facilitate trade include operationalization of the post-release audit unit (by hiring competent staff and providing relevant training); and implementing a risk-based approach for: (i) physical inspections of exports involving duty drawbacks and VAT refunds as the current system of physically inspecting many consignments regardless of the exporter's compliance record is inefficient; (ii) in-transit bonds; and (iii) extending inland container depot and warehouse license periods. Attention also needs to be focused on valuation practices at border stations—should be reviewed to ensure effective application of WTO rules. A World Customs Organization (WCO) time release study could be undertaken to provide diagnostic information on processing and clearance bottlenecks and clearance times. Another issue to consider is formalising customs consultation processes with other agencies and the private sector, and accelerating the development and implementation of the URA integrity program.

Sanitary, phyto-sanitary (SPS) and other standards

Uganda faces potential risks of market access problems related to some of its more important exports especially fish exports to Europe, for which additional measures are needed to improve hygiene and safety in the fish export supply chain. Such measures, including changing the policy/strategy for investment in landing site upgrading will help reduce the high losses of caught fish, hence improve the sustainability of the resource, and increase capacity utilization in the fish processing industry. Uganda has developed pockets of enhanced SPS/quality management capacity that have evolved in response to the export market requirements (such as for fish) or acute SPS problems (such as certain animal diseases), typically supported by donors. But it lacks a broader strategy to utilize agro-food standards to enhance its international competitiveness and to protect human, plant, and animal health.

Other SPS-related challenges facing Uganda's trade include potential risks of mycotoxin contamination of Ugandan maize and coffee which can be minimized by investments, advisory services, and field testing. There is also a need to rationalize and improve the performance of its national network of laboratory testing facilities. Despite the enormous amount of development assistance geared towards promoting Uganda's agro-food exports, there has only been modest success in fostering the development of sustainable SPS/quality management capacities.

Attention need to be focused on establishing a coherent and agreed-upon vision for promoting and managing standards to improve export competitiveness and increase returns to primary producers, traders, and processors. Some incremental technical assistance and investment is required, but there is perhaps greater need for: (i) clearly prioritizing investments and other capacity-building needs; (iii) shifting resources towards awareness-raising and promotion of basic/good practices among primary producers, enterprises and regulatory agents; (iv) clearly defining the roles and responsibilities of different players; and (v) intensifying the levels of collaboration—within the private and public sectors, between them, and among donor agencies—in the implementation of agreed strategies and programs.

Export performance

Despite its liberalisation commitments, Uganda exhibits a very low level of trade integration as measured by the share of exports and imports of goods and services in GDP (Table 2). While Uganda's growth performance is all the more impressive given its low degree of trade integration, this also highlights the extent to which growth has hitherto been driven by domestic consumption, and in turn the need to shift to a more outward-oriented or export-driven growth as discussed earlier.

Table 2. Trade Integration and real per capita growth (%), 1990-2004

	Exports of goods & services /GDP (%)	Imports of goods & services/GDP (%)	Exports and imports of goods & services /GDP (%)	Real per capita GDP growth per annum (%)
Developing countries	25.5	25.5	51.0	2.4
Landlocked SSA	18.9	27.4	46.3	-0.1
Uganda	10.8	25.3	36.2	3.5

Sources: DTIS based on World Development Indicators, World Bank.
Notes: Developing countries = low +middle income countries (World Bank definition); all trade/GDP ratios in current US dollar terms. Landlocked SSA denote landlocked sub-Saharan African countries and include Botswana, Burkina Faso, Burundi, Central African Republic, Chad, Ethiopia, Lesotho, Malawi, Mali, Niger, Rwanda, Swaziland, Uganda, Zambia and Zimbabwe.

Uganda has made significant progress towards diversifying its exports. The export sector comprises the traditional and non-traditional traded commodities (Table 3). The traditional export commodities include coffee, cotton, tea and tobacco. The major non–traditional exports include fish, maize, beans, sim sim, flowers, hides and skins, leather products, textile, yarns and fibres. Tables 3 show the trends in the volume of exports for major traded commodities for the period 2002 to 2007. Past statistics indicate a steady increase in volume of exports (and real earnings) over the last twenty years. Exports grew from US$ 196 million in 1991 to US$ 478.75 million in 1999 (at an average rate of 25 percent per annum), and from US$ 665.090 million in 2004 to US$ 1,336.7 million in 2007, representing an increase of 10.98 percent.

Uganda's share in world exports increased from 0.006 percent to 0.007 percent, between 1990-92 and 2002-2004. Merchandise exports accelerated during the first half of the 1990s—quadrupling from US$176m to US$684m, between 1990/91 and 1996/97—but fell afterwards. Merchandise exports then stagnated for several years before they began to pick up in 2003/04, reaching US$786m in 2004/05 (Table 3).

Traditional exports largely followed the trend of coffee exports, given the importance of the latter (at their peak in 1994/95 coffee exports made up 97 percent of traditional exports). Export expansion during the first half of the 1990s was driven by the acceleration of coffee exports, in part due to liberalization of the coffee sector, and the boom in international prices.

Table 3. Exports by value ('000 US $), 2002 – 2005

Commodity	2002	2003	2004	2005
Traditional Exports				
Coffee	96,626	100,233	124,237	172,942
Cotton	9,519	17,755	42,758	28,821
Tea	31,293	38,314	37,258	34,274
Tobacco	45,262	43,042	40,702	31,486
Non-Traditional Exports				
Maize	10,609	13,724	17,896	21,261
Beans and other Legumes	3,284	5,235	8,968	8,693
Fish and Fish products	87,945	88,113	103,309	142,691
Cattle hides	9,810	4,925	5,409	7,064
Sesame seeds	510	2,183	2,788	4,779
Soya beans	74	87	118	126
Soap	3,434	5,553	7,708	7,194
Electric Current	15,645	13,778	12,075	4,465
Cocoa beans	2,023	7,001	6,801	9,638
Cobalt	7,032	0	11,548	14,320
Hoes and hand tools	385	580	348	1,159
Pepper	111	176	368	594
Vanilla	6,898	13,546	6,120	6,135
Live animals	80	61	130	29
Fruits	670	436	917	1,158
Groundnuts	75	7	1	23
Bananas	225	110	850	806
Roses and Cut flowers	17,828	22,080	26,424	24,128
Ginger	462	15		78
Gold and gold compounds	60,342	38,446	61,233	73,072
Other Precious Compounds	0	13,612	4,713	6
Other products	46,714	77,193	114,507	183,935
Petroleum products	10,749	27,901	27,904	32,015
Traditional export	182,700	199,344	244,955	267,522
Non-traditional exports	284,905	334,762	420,134	545,335
Total	**467,605**	**534,106**	**665,090**	**812,857**

Source: Uganda Bureau of Statistics

Coffee exports peaked in 1994/95 at around US$460m, making up over three-quarters of Uganda's total merchandise exports. Since then, coffee exports has fallen sharply as international prices plummeted, reaching a low of US$85m in 2001/02 (less than 20% of the peak level reached in 1994/95). By 2004/05 the share of coffee exports in traditional exports was only 46 percent, while cotton, tea, and tobacco contributed shares of between 17 to 19 percent (cotton, tea, and tobacco did not suffer such a large decline in price).

Exports of coffee—which had driven the high merchandise export growth in the first half of the 1990s—have been falling since the mid-1990s, in part due to the decline in international prices, but also due to the coffee wilt disease and the unsuccessful GOU coffee replanting program. Coffee has maintained the lead as the main exchange earner although with declining share to the total export earnings. The share of coffee in total exports declined from 20.7 percent in 2002 to 18.7 percent in 2003, and only increased slightly to 21.3 in 2005, following improvements in the international coffee prices in 2005. Coffee export receipts increased from US $ 96.6 million in 2002 to US $ 124.2 million in 2004 and US $ 172.9 million in 2005 – representing an increase of 79 percent between 2002 and 2005. This is due to an increase in the realised average unit of world market price of coffee from US$1.0 per kg in 2004 to US$1.4 in 2005 although the export volume of coffee decreased from 2.5 million bags (of 60kg) in 2004 to 2.1 million bags in 2005.

Fish and fish products is one commodity which has picked tremendously from the non-traditional export sector, especially since the lifting of the ban of Uganda fish in the European market which led to a revenue loss of 70 percent in fish sub-sector, between 1999 and 2000.

Table 4. Uganda: Exports trends (US$m)

	94/95	95/96	96/97	97/98	98/99	99/00	00/01	01/02	02/03	03/04	04/05
Coffee	456.6	404.4	365.6	268.9	306.7	186.9	109.6	85.3	105.5	114.1	144.5
Cotton	3.3	13.2	28.6	11.4	10.8	22.5	14.1	18.0	16.9	42.8	41.3
Tea	11.8	12.5	21.3	35.6	22.7	31.9	35.9	26.9	29.5	39.3	33.1
Tobacco	--	--	8.6	10.8	22.9	22.4	27.6	32.3	39.9	36.2	36.2
Sub-total	***471.7***	***430.1***	***424.1***	***326.7***	***363.1***	***263.7***	***187.3***	***162.4***	***191.7***	***232.4***	***255.1***
Fish Products	17.0	37.5	34.6	28.0	47.6	24.8	66.6	107.5	111.4	118.1	169.6
Gold [1/]	--	35.2	110.5	25.5	27.9	39.4	58.5	56.7	48.2	58.5	71.3
Flowers	--	--	5.3	6.8	7.2	8.3	13.2	15.9	17.0	27.2	31.7
Electricity	--	--	8.1	12.0	12.3	13.8	16.7	13.9	15.5	12.6	8.3
Maize	20.2	9.4	16.5	8.1	6.1	4.0	6.1	13.1	8.2	18.8	13.3
Hides & Skins	--	--	7.8	7.8	6.6	6.1	22.7	19.6	4.2	5.9	6.4
Cobalt	--	--	--	--	--	7.3	12.8	10.9	1.9	2.7	13.7
Beans	11.7	7.4	6.0	2.2	4.6	4.8	2.0	1.5	5.5	4.9	4.3
Others	74.8	70.7	70.6	41.3	73.7	87.7	72.4	72.5	104.3	166.1	212.6
Sub-total	***123.6***	***160.2***	***259.4***	***131.7***	***186.0***	***196.2***	***271.0***	***311.6***	***316.2***	***414.8***	***531.2***
TOTAL	**595.3**	**590.3**	**683.5**	**458.0**	**549.1**	**459.9**	**458.3**	**474.0**	**507.9**	**647.2**	**786.3**

Source: IMF.

Note: 1/ Most of the recorded gold exports are re-exports from DRC, although there are 3 gold mines in Uganda.

For over six years, now, fish is ranked second (to coffee) as a foreign exchange earner for Uganda. It increased from US $ 88.1 million in 2003 which increased to US $ 142.7 million in 2005 on account of an increase in export volumes. Average unit price of fish, however, remained unchanged at US$3.8 per kg in 2006.

Over the last four years tea has emerged as the third main export for Uganda taking the place of Tobacco which now ranks fourth in the contribution to foreign exchange. Export proceeds from tea and tobacco have been declining in recent years. Tea export receipts declined by 10.4 percent to US$34.3 million in 2005, from US$38.3 in 2003 due a fall in world market prices. The major outlet (market) for Ugandan tea is Mombasa Auction – which accounts for 80 percent of tea export receipts. Tex Box 1 highlights some of the non-tariff barriers affecting the sector. The volume of tobacco exports reached a peak level of 10,600 million tonnes in 1998/99 at the unit price of US$ 2.16/kg in the world market (the highest price in the last decade). It is generally believed that the world-wide campaign against the tobacco industry contributed to decreased demand for tobacco products.

In the fifth and sixth place in Uganda's export ranking is cotton and flowers, respectively. Though these commodities were ranked in the first ten main exports for Uganda, their share to the export revenue have continued to decline in recent years. The share for cotton to total export earnings declined from 6.5 percent in 2004 to 3.5 percent in 2005, with corresponding drop in export revenues from US $ 42.7 million to US $ 28.8 million. That of flowers declined form 4.0 percent in 2004 to 3.0 percent in 2005, and a corresponding fall in export earnings from US$ 26.4 million to US$24.1 million.

Table 5 shows Uganda's major export destinations. Up to 46 percent of Uganda's total exports were destined to European market in 2004. Within Europe, European Union (EU) countries took nearly 30 percent of Uganda's exports in 2004, with Netherlands, Belgium, and the United Kingdom being the top destinations (Table 7). Exports to EU grew from 25 percent of total exports in 2000 to 41.2 percent in 2005.

Table 5. Uganda's exports (in '000 US$) by regional destination, 2000–2007

Region/Country	2000	2001	2002	2003	2004	2005	2006	2007
COMESA	93,733	122,040	107,493	147,793	177,995	249,336	283,747	506,509
o/w Kenya	62,947	59,063	61,504	78,432	76,903	72,437	88,002	118,191
Tanzania	5,487	6,689	5,774	5,832	12,155	15,445	13,749	30,599
Other Africa	32,160	33,465	55,141	45,963	37,823	38,931	37,763	87,745
o/w South Africa	28,893	24,076	42,997	29,632	9,250	9,796	10,852	10,730
European Union	100,021	128,237	156,386	140,529	195,849	335,174	263,752	324,395
o/w United Kingdom	38,690	28,806	30,015	33,883	29,438	26,831	29,959	53,284
Other Europe	102,576	75,662	73,206	79,033	110,770	82,466	49,074	91,361
North America	9,264	8,348	10,549	14,635	18,653	18,340	16,442	23,777
Middle East	5,971	9,898	9,138	18,489	37,421	88,111	14,211	19,593
Asia	39,225	52,953	42,255	49,797	53,488	61,180	198,544	190,847
South America	332	1,138	1,286	342	379	1,005	75,194	71,937
Rest of the World	18,348	20,023	1,505	2,334	5,029	566	899	2,472
Unknown	0	0	10,646	35,191	27,683	20,214	297	159
Other	3,267	9,389	12,145	16,332	16,817	0	36,483	37,465
United States	8,545	6,743	9,190	12,693	15,182	15,892	-	-
Total	**401,645**	**451,764**	**467,605**	**534,106**	**665,090**	**812,857**	**962,194**	**1,336,668**

Source: Uganda Bureau of Statistics

Table 6. Uganda's exports to different regions as share of total exports (%)

	2000	2001	2002	2003	2004	2005	2006	2007
EAC	19.69	19.29	18.48	21.56	19.82	--	--	--
o/w Rwanda	2.24	3.68	2.75	3.89	3.71	--	--	--
Kenya	15.67	13.07	13.15	14.68	11.56	8.91	9.15	8.84
Burundi	0.41	1.06	1.34	1.89	2.72	--	--	--
Tanzania	1.37	1.48	1.23	1.09	1.83	1.90	1.43	2.29
COMESA (incl. EAC)	23.34	27.01	22.99	27.67	26.76	30.67	29.49	37.89
COMESA (excl. EAC)	3.65	7.72	4.51	6.11	6.94	19.86	18.91	26.76
European Union	76.66	72.99	77.01	72.33	73.24	41.23	27.41	24.27
Asia	9.77	11.72	9.04	9.32	8.04	7.53	20.63	14.28
TOTAL 1/	100.00	100.00	100.00	100.00	100.00	99.30	96.45	103.20

Source: Uganda Revenue Authority and Uganda Bureau of Statistics
Notes: 1/ Total for 2005 and 2006 are below 100% caused by under reporting and total for 2007 above 100% is due to double reporting for COMESA.

COMESA is Uganda's second top exports destination after the EU, absorbing 26.8 percent of Uganda's exports in 2004. Within COMESA, Kenya is by far Uganda's most important export destination, absorbing nearly 12 percent of Uganda's exports and being the second most important worldwide export destination after Switzerland in 2004. Asia accounted for about 9 percent of total exports in 2005. Export to Asia as share of total exports declined from 9.8 percent in 2000 to 7.5 percent in 2005.

Table 7. Export destinations, 2004

By regional grouping (share of total exports)		Top ten export destinations and products		
		Share of total exports		Top export items
European Union	29.4%	Switzerland	16.4%	coffee, gold, cotton
COMESA	26.8%	Kenya	11.6%	tea, electricity
Other Europe	16.7%	Netherlands	9.2%	flowers, fish, coffee
Asia	8.0%	Belgium	5.2%	Fish, coffee, tobacco
Other Africa	5.7%	United Arab Emirates	5.0%	Gold, fish, cotton
Middle East	5.6%	United Kingdom	4.4%	Coffee, cotton, survey instruments*
North America	2.8%	DRC	4.3%	maize flour, metal products
South America	0.1%	Rwanda	3.7%	metal products
Rest of World	0.8%	France	3.4%	Fish, tobacco
		Sudan	3.4%	Coffee, beer, cement

Source: 2004 Statistical Abstract, UBOS; UNCOMTRADE.
Note: 1/ Survey instruments are re-exported items.

Uganda in regional trade

As shown in Table 6, Uganda’s share in world exports lags behind Kenya’s (0.035 percent) and Tanzania’s (0.014 percent). Uganda also increased its share in world imports from 0.012 percent in 1990-92 to 0.016 percent in 2002-2004.

Table 8. Uganda’s trade performance, compared with other EAC countries

	Growth rates (1990-2004), %			Share in world exports (%)		Share in world imports (%)	
	Exports	Imports	GDP	1990-92	2002-04	1990-92	2002-04
EAC	4.4	4.5	3.5	0.066	0.059	0.110	0.109
Kenya	2.8	5.5	1.7	0.04	0.035	0.054	0.056
Tanzania	5.9	2.3	4.0	0.013	0.014	0.023	0.030
Uganda	10.9	6.5	6.5	0.006	0.007	0.012	0.016
Burundi	11.7	6.9	-0.4	0.003	0.001	0.005	0.002
Rwanda	-0.1	5.4	1.6	0.004	0.003	0.006	0.005
COMESA	4.4	2.8	3.4	0.549	0.472	0.699	0.634
Developing countries	8.4	7.0	3.9	18.45	31.05	18.68	28.28

Source: UN COMTRADE (adopted from World Bank, 2007)

Uganda accounts for only 6 percent of intra-EAC exports, but a huge 50 percent of intra-EAC imports (Table 9). Tanzania accounts for 9 percent of intra-EAC exports against 26 percent of intra-EAC imports. Kenya’s share of intra-EAC exports (amounting to 86 percent) is the largest in the region, and her share of intra-EAC imports of 4 percent is the lowest in the region. Kenya, therefore, runs a huge trade surplus with all the EAC countries. Uganda’s trade deficits with Kenya amount to over US$ 473 million and slightly over US$ 5million with Tanzania. Uganda’s runs a trade surplus with Rwanda and Burundi.

Kenya and Tanzania have improved their trade balance in relation to GDP between 2004 and 2006, except Uganda. Intra-EAC trade rose by 21.2 percent between 2004 and 2005 and comprised 11 percent of total EAC trade. Increases in shares of bilateral trade (in total trade) between 2004 and 2006 are further indications of improved intra-trade flows in the EAC member states.

Table 9. Intra-EAC trade flows and trade balances (million US$), average 2003 – 2005

	Exporting countries					
	Burundi	Rwanda	Kenya	Tanzania	Uganda	Total
Importing countries						
Burundi		0.93	36.99	23.37	0.059	73.04
Rwanda	2.99		90.45	6.85	0.035	129.38
Kenya	0.04	0.17		24.13	0.014	38.01
Tanzania	0.03	0.68	486.84	13.72	0.007	501.27
Uganda	0.04	0.07	248.26		0.001	256.53
Total	3.10	1.85	862.55	68.07	0.003	998.24

	Exporting countries					
	Burundi	Rwanda	Kenya	Tanzania	Uganda	Total
Importing countries						
Burundi		-2.06	36.95	23.33	11.72	69.94
Rwanda	2.06		90.28	6.78	28.41	127.53
Kenya	-36.95	-90.28		-224.13	-473.17	-824.54
Tanzania	-11.72	-28.41	473.17	5.56		438.60
Uganda	-23.33	-6.78	224.13		-5.56	188.46
Total	-69.94	-127.53	824.54	-188.46	-438.60	

Source: UN COMTRADE (adopted from World Bank, 2007)

Trends in imports

Table 10 shows the trends in imports from 2003–2007. Available trade statistics show that total imports grew from US$ 522.7 million in 1991 to US$ 671.1 million in 1999 and from US$ 1,726.1 million in 2004 to US$ 3,495.4 million in 2007. About 25 percent of total imports originate from EAC, less than 1 percent from other COMESA countries (excluding EAC), and over 70 percent from rest of the world (mostly EU).

Petroleum (petroleum products) accounts for the largest share of import bill, annually. Petroleum import bill increased from US$ 161.9 million in 2001 to US$ 343.2 million in 2005, representing an increase of 50 percent.

Second in share of import, are automobiles (road vehicles), which import bill increased from US$89.2 million in 2001 to US$ 192.2 million in 2005. Import bill from cereals and cereal preparations amounted to US$141.2 million in 2005. Import bill from iron and steel increased by 82 percent between 2003 and 2005, that from telecommunication equipment by 180 percent.

Kenya is the largest source of Uganda's imports, accounting for 30 percent of total imports, annually; Asia about 27 percent, and the EU about 20 percent. About 7 percent of total imports come from the Middle East and 7 percent from South Africa. African countries accounted for 36.2 percent of the total imports expenditure in 2005, which means that over 60 percent of imports are still sourced from overseas.

Table 10. Imports by SITC and value (000 US$), 2003-2007

SITC	Description	2003	2004	2005	2006	2007
33	Petroleum, petroleum products & related materials	187,255	217,762	343,159	526,581	645,587
78	Road vehicles (including air-cushion vehicles)	115,096	144,695	192,198	216,357	294,310
04	Cereals and cereal preparations	106,698	134,431	141,194	156,768	158,779
67	Iron and steel	77,755	96,020	118,823	141,632	173,423
76	Telecommunications, sound recording apparatus,	48,936	82,764	100,410	137,029	349,160
54	Medical and pharmaceutical products	74,920	80,137	85,721	123,065	175,778
66	Non-metallic mineral manufactures	51,862	57,269	68,576	77,815	117,535
89	Miscellaneous manufactured articles	52,358	62,078	81,723	68,211	72,442
57	Plastics in primary forms	28,332	43,886	62,606	70,588	96,071
72	Machinery specialized for particular industries	40,070	59,104	60,491	66,781	101,525
77	Electrical machinery, apparatus and appliances	52,178	61,971	56,843	76,873	112,604
75	Office machines, automatic data-processing mach	37,678	36,779	50,233	48,352	70,707
64	Paper, paperboard, articles of paper pulp	37,660	48,513	50,098	62,131	69,127
42	Fixed vegetable fats & oils, crude, refined, etc	39,248	45,175	46,928	68,410	103,325
65	Textile yarn, fabrics, made-up articles, etc	36,904	40,028	42,703	53,372	73,979
	Others	388,156	515,626	552,431	663,343	881,039
	Total	**1,375,106**	**1,726,238**	**2,054,137**	**2,557,308**	**3,495,391**

Source: Uganda Bureau of Statistics

Table 11. Imports by region ('000 US$), 2000 – 2007

Region/Country	2000	2001	2002	2003	2004	2005	2006	2007
COMESA	312,246	295,695	337,711	389,630	434,154	565,011	450,419	560,321
o/wKenya	296,033	281,472	312,870	357,327	399,152	520,686	400,965	495,687
Other Africa	76,708	82,455	84,968	101,047	160,139	177,881	188,853	242,712
o/w S/Africa	65,915	72,850	83,665	98,984	140,749	143,676	156,272	207,191
Asia	224,127	259,761	292,580	382,110	499,396	540,808	749,982	1,174,968
o/w China	29,457	36,227	44,026	70,248	103,093	109,217	138,260	274,268
European Union	185,566	198,181	183,573	243,734	314,496	387,158	481,209	717,642
Other Europe	27,920	34,643	27,921	24,325	11,793	21,703	69,894	66,049
Middle East	60,270	69,319	73,904	101,707	121,883	206,879	489,218	566,592
North America	45,454	38,439	43,149	88,031	122,926	105,723	98,615	128,779
o/w USA	30,813	28,133	35,842	78,129	103,499	78,143	89,720	100,939
South America	8,823	7,457	2,175	5,521	26,092	31,550	11,557	32,407
Rest of the world	17,316	20,607	27,752	38,999	35,250	17,424	17,561	5,921
Unknown	33	-	--	--	0	0	-	-
Total	958,464	1,006,557	1,073,732	1,375,106	1,726,128	2,054,137	2,557,308	3,495,391

Source: Uganda Bureau of Statistics

Informality

In addition to the formal trade documented above, Uganda also engages in substantial informal trade with its neighbors as shown in Tables 12–19. The data in Table 12–19 provides a clear indication that informal trade has been on the rise amidst trade reforms—suggesting that informality is generally not sensitive to reforms.

Uganda's informal exports to Kenya are mainly agricultural food commodities and these include maize, beans, fish, groundnuts, bananas and fruits (water melons, passion fruits, mangoes, oranges). Informal cross-border trade in beans tops in the list of several agricultural commodities that cross from Uganda into Kenya at Busia border daily (Table 12), followed by maize, fish, groundnuts and millet. Evidence also shows growing importance of fruit (e.g. water melon), vegetables and eggs into Kenya.

The drop in total value of informal exports into Kenya by half between 2005 and 2007 was more than compensated by rise in exports to Southern Sudan. The growth of Uganda's informal cross border exports in beans to this new market (Table 14) has been astronomical (over 320-fold between 2005 and 2007. The leading agricultural products from Kenya into Uganda are rice and beans. Others include unprocessed coffee, tuber root crops and fruits.

3 Theoretical frameworks of the trade policy process

3.1 Overview

Over the past one-half of a century, trade policy has noticeably dominated national and international public policy space as global economies become more and more integrated. Public policy has evolved from a narrow definition as “whatever governments choose to do or not to do” (Dye, 1987), or the actions or pronouncements of governments on particular matters, the steps they take (or fail to take) to implement them, and the explanations they give for what happens or does not happen (Wilson, 2006) to a field that has admittedly become more complex. The process of making policy involves an extremely complex set of interactions among hundreds of actors—from interest groups, civil society, governmental institutions, think-tanks, academia, and the media —who potentially, hold varying views over different issues, and with different values or interests, perceptions of the situation at hand, and policy preferences (Sabatier, 2007), involved in one or more aspects of the policy process, over time.

Recent advances in theories of the policy process has opened up the possibility of a much more detailed understanding of the manner in which government policies get formulated and implemented and why governments may pursue particular courses of action and inaction. This section provides an overview of the elements of the resulting strands of literature—“stages heuristic”, institutional rational choice, multiple-streams framework, policy diffusion framework, punctuated-equilibrium (PE) framework, and the advocacy coalition framework—drawing on the relationship between theoretical and practical aspects of policy making discussed in section 4. Given the number and diversity of theoretical perspectives, a complete review of this work is beyond the scope of this chapter. Instead, we shall look at a handful of these closest works to ours.

3.2 Policy frameworks

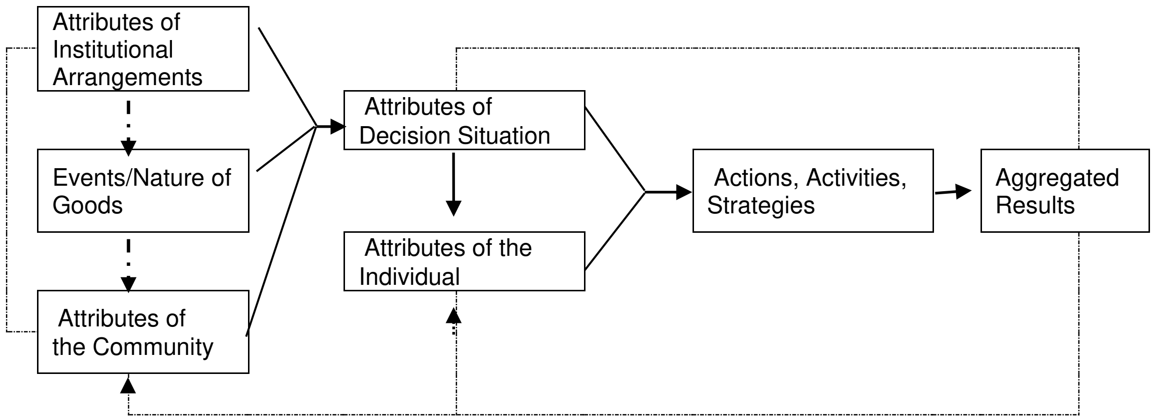
The dominant paradigm of the policy process, ***the Stages Heuristic***—what Nakamura (1987) called the “textbook approach”—first developed by Lasswell (1956), and popularized by Jones (1970), Anderson (1975), May and Wildavsky (1978), Jenkins (1978), and Brewer and deLeon (1983) considers the policy process as evolving through a sequence of discrete stages or phases—agenda setting, policy formulation and legitimation, implementation, and evaluation—and discusses some of the factors affecting the process within each stage. Although real world decision-making rarely follows this sequence of discrete stages as empirical studies of decision-making and planning in organizations (such as the behavioral theory of decision making put forward by Simon 1947) suggests, the stages perspective still counts as an ideal-type of rational planning and decision-making. The stages heuristic has served as a basic template for policy making especially in the 1970s and early 1980s and for understanding the contributions and interaction of different actors and institutions in the policy process.

Framing policy making as a continuous process of interactions among actors allows one to assess the cumulative effects of the various actors, forces, and institutions that interact in the policy process and therefore shape its outcome(s). Transforming it into the so-called policy cycle framework, the stages heuristic incorporates a mechanism for the feedback between different elements, allowing for evaluating consequences of public policy. Taken together, one of the major reasons of the success and durability of the stages heuristic as Sabatier (1991) puts it so well, is its appeal as a normative model for rational, evidence-based policy making and democratic understanding of elected politicians taking decisions which are then carried out by a neutral public service. These virtues, notwithstanding, the stages heuristic has had its share of devastating criticisms (Nakamura 1987; Sabatier 1991; Sabatier and Jenkins- Smith 1993). The stages heuristic is considered to have outlived its usefulness and must be replaced (Sabatier 1991), in large part because it is not really a causal theory—it never identifies a set of causal drivers that govern the policy process within and across stages. Without causal drivers, there can be no coherent set of hypotheses within and across stages. The stages heuristic, in the eye of some policy scholars, has a very legalistic, top-down bias in which the focus is typically on the passage and implementation of a major government decision—making it a less ideal choice although practically relevant for understanding the policy process (e.g. the causal relationship between the different stages of trade policy making).

Institutional Rational Choice—a family of frameworks focusing on how institutional rules alter the behavior of intended rational individuals motivated by material self-interest (Sabatier 2007)—appears the most developed framework and seemingly the most utilized around the world. Although much of the literature on institutional rational choice seems to focus on rather specific sets of institutions, such as the relationships between Congress and administrative agencies in the United States (Moe 1984; Shepsle 1989; Miller 1992), the general framework is extremely broad in scope and has been applied to important policy problems not just in the United States only, but in other countries as well (Ostrom 1986, 1990; Ostrom, Schroeder, and Wynne 1993; Ostrom, Gardner, and Walker 1994; Scholz, Twombley, and Headrick 1991; Chubb and Moe 1990; Dowding 1995; Scharpf 1997).

To understand the policy process, most institutional rational choice approaches tell us to focus on the leaders of a few critical institutions with formal decision making authority (Sabatier 2007). These actors—who are then grouped into a few institutional categories, for example, legislatures, administrative agencies, and interest groups (Shepsle 1989; Scharpf 1997)—are assumed to be pursuing their material self-interest (e.g., wealth, power, security) as also encountered in political economy literature. Over the past 20 years, a large group of rational choice scholars have found it fitting to start with individual actors—their preferences, interests, and resources—as the basic unit of analysis and then examine how institutional rules can affect behavior (March and Olsen 1984; Moe 1984; Sabatier 1991). The key contributors to this perspective are Kiser and Ostrom (1982) who combines an actor-based perspective to policy process with attention to institutional rules, intergovernmental relations, and policy decisions. The authors view individual actions as a function of both the attributes (values and resources) of the individual and the attributes of the decision situation, which in turn, is a product of institutional rules, the nature of the relevant good, and the attributes of the community as illustrated in Figure 1.

Figure 1. Ostrom's Framework for Institutional Analysis



Source: Adopted from Sabatier (1991)

The main insight of this approach is that the same individual will behave differently in different decision situations (Sabatier 1991)—presenting policy making as a dynamic process driven by a variety of factors. The tradition has been, first, to develop a classification of institutional rules that delineate entry and exit to various positions, and consider the scope of authority for each position, including permissible communication among actors in various roles, and means for aggregating individual actions into a collective decision. Empirical and theoretical literature has confirmed how changes in a specific rule can significantly affect behavior (Ostrom 1986a, b, 1990 cited in Sabatier 1991).

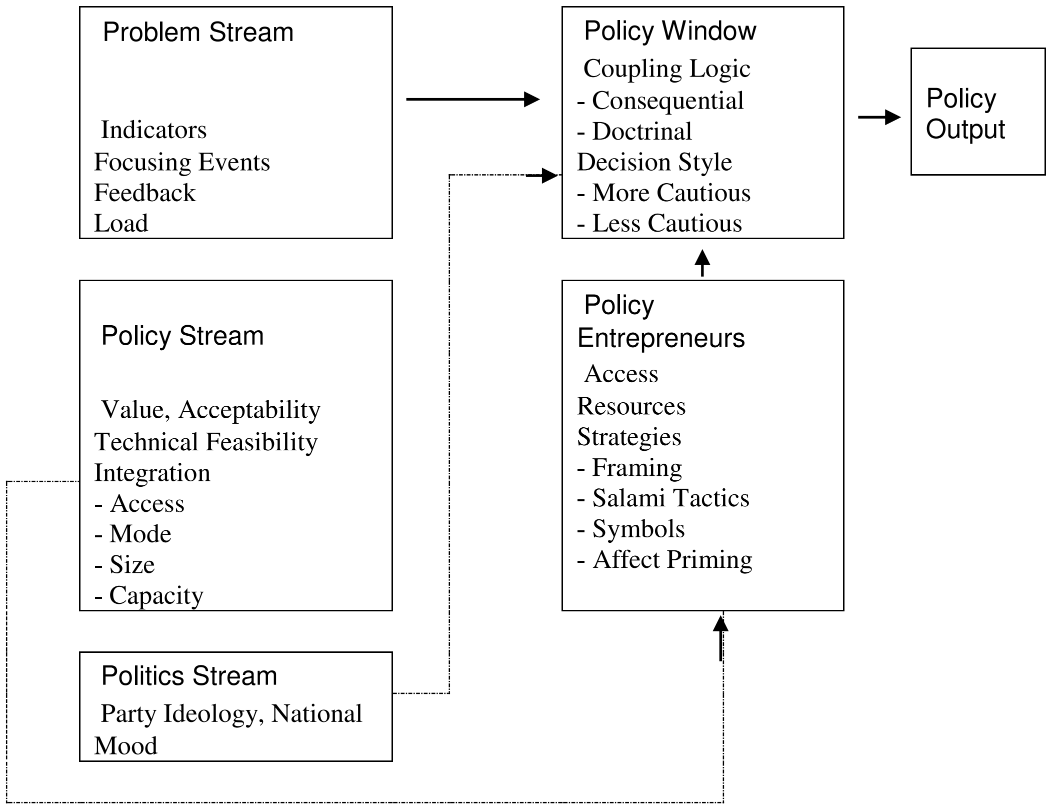
Institutional Rational Choice is an excellent framework for thinking about the effects of individuals and institutions on governmental policy decisions such as trade policy. The downside of Institutional Rational Choice, as Sabatier (1991) and others have pointed out, however, is that the role of substantive policy information, as well as the interactions between policy decisions and societal effects are not taken into account. In addition, community characteristics have noticeably been neglected in the work to date, apart from mere mentioning as one of the three sets of factors affecting a decision situation (Sabatier 1991). Moreover, the focus on individual behavior within specific institutions has undermined the strength of this framework in dealing with the multitude of institutions in a policy community. Despite these shortcomings, Institutional Rational Choice remains a relevant framework, to understand the mechanics of the policy process such as the trade policy.

Multiple-Streams (MS) framework—developed by John Kingdon (1984) and based upon the "garbage can" model of organizational behavior (Cohen, March, and Olsen 1972)—views the policy process as comprising three unrelated streams of actors and processes, largely separate from each others. They include: (1) a problem stream comprising information about real world problems and the effects of past governmental interventions; (2) a policy stream (policy community) composed of researchers, advocates, and other specialists who analyze problems and formulate possible alternatives (solutions to policy problems); and (3) a politics stream consisting of elections (and elected officials), legislative leadership contests, etc.

These streams, in Kingdon's (1984) view are independent systems operating independently of each other, except when a "window of opportunity" permits policy entrepreneurs to link the various streams. Participants drift in and out of decisions, making some choices more likely than others. Choice is visualized as "a garbage can" into which actors, who drift in and out of decisions, dump essentially unrelated problems and solutions (Zahariadis, 2007).

Zahariadis (2007) restructured the framework into five structural elements: problems, policies, politics, policy windows, and policy entrepreneurs (Figure 2).

Figure 2. The Multiple Streams Framework



Source: Adapted from Zahariadis (2003)

According to Kingdon's (1984), no one actor controls the process of choice. The fluctuating attendance, opportunities, and attention give the process a dynamic and an interactive character. People often don't know what they want. Policy makers rarely make their objectives crystal clear. Quite often, time constraints force politicians to make decisions without having formulated precise preferences. Decisions are made despite, and may even be facilitated by, nontransparent process (Sharkansky 2002). In such an environment, jurisdictional boundaries are unclear, and turf battles between different departments or agencies are common (Zahariadis, 2007). Choices are made when the three streams are coupled or joined together at critical moments in time; Kingdon (1995, p.165) calls these moments *policy windows* and defines them as fleeting opportunities for advocates of proposals to push their agenda forward (cited in Zahariadis 2007). Major policy reforms happen when "a window of opportunity" joins the three streams—in response to a recognized problem, the policy community develops a proposal that is financially and technically feasible, and politicians find it beneficial to approve it. Opportunity is lost when policy entrepreneurs use the wrong window to pursue their goals. For example, by defining bioterrorism as a security rather than a public health issue in U.S., policy entrepreneurs lost the opportunity to institute broad-based reforms that would improve not only the ability to manage a terrorist incident, but also meet other public health needs (Avery 2004, p. 275). Windows are opened by compelling problems of national significance or by events in the political stream. The crash of an airplane, for example, brings attention to air safety issues (Cobb and Primo 2003).

The *problem stream* consists of the concerns and needs that policy makers and citizens want addressed such as inflation, illicit trade, counterfeit goods, rising utility costs, government budget deficits, unemployment, a pandemic, environmental disasters, and so on. Policy makers find out about these concerns and needs through internal (and external) research and available indicators which allows them to compare the situations in different countries. Some concerns come to be defined as problems and consequently receive more attention than others (Rochefort and Cobb 1994). As a range of values is normally associated with a particular issue, changes in specific situations may violate those values and therefore activate interest and attention (Zahariadis, 2007).

The *policy stream* includes a "pool" of ideas that compete to win acceptance in policy networks (Zahariadis, 2007). Ideas generated by specialists in policy communities (networks that include bureaucrats, academics, researchers in think tanks, and researchers in parliament, who share a common concern in a single policy area such as health or environmental policy) are considered in various forums and forms, such as hearings, papers, and conversations. How ideas emerge in the policy stream and how fast they rise to point of acceptance vary from country to country. Only a few, out of the standing pool of idea normally get selected or receive serious consideration—depending on technical feasibility and value acceptability. Proposals that are or appear plausible (in terms implementation, etc), and conform to the values of policy makers have a higher chance of surviving this selection process (and final adoption).

The *politics stream* consists of three elements: the national mood (issue that resonate with majority in the country), pressure group campaigns, and administrative or legislative turnover (Zahariadis, 2007). The government can tell or monitor changes in national mood through public opinion polls. The support or opposition of interest groups can also serve as indicators of consensus or dissent in the broader political arena. Given the stake, it acts to promote certain items on the agenda or, conversely, to dim the prospects of others. For instance, if many interest groups voice their support for deregulation, it is likely that government officials will hasten to include the item on the agenda. In case of conflicting views, which is often the case, politicians formulate an image of the balance of support and opposition. The perception that the balance is tilting one way or another directly influences the issue's visibility or obscurity (Zahariadis, 2007).

Policy entrepreneurs are individuals or corporate actors who attempt to couple the three streams (a role that requires persistent, but also skilled at coupling). Immediately at every windows of opportunity, policy entrepreneurs seize the opportunity to initiate action—lest he loses the opportunity and has to wait for the next one to come along. They attach problems to their solutions and attempt to make politicians receptive to their ideas. The chances of being adopted, of any policy—as elaborated in Zahariadis (2007)—dramatically increase when all the three streams—problems, policies, and politics—are coupled in a single package.

The Policy Streams Approach due to Kingdon (1984) rises beyond the rigid institutionalism in which many political scientists seem to confine themselves, and incorporates an enlarged view of policy communities. It gives a prominent role to substantive policy information about real world problems and the impacts of previous governmental interventions, while acknowledging the role of serendipity in the policy process. However, much like other frameworks, the Policy Streams approach has not been free of criticisms. First, multiple streams deals with policy making under conditions of ambiguity—i.e. “a state of having many ways of thinking about the same circumstances or phenomena” (Feldman 1989, p. 5) — which is a recipe for vagueness, confusion, and stress (Zahariadis, 2007). Certain aspects of the framework need further work (Sabatier 1991) and Jones 1987), for example, the conditions creating windows of opportunity need further analysis. Sabatier (1988) would argue that Kingdon (1984) views policy analysts and researchers as being too apolitical, in disregard of the role of advocacy analysis and creating too much gap between the "policy" and the "political" streams—which seems to be at odd with what happens in practice. Sabatier (1991) goes ahead to suggest that more attention needs to be given to bureaucracies and courts in implementing those reforms. Added to this is the call for more recognition of the intergovernmental dimension in both policy formulation and implementation if the framework is to be expanded to include the entire policy process.

This is not all. Critics have attacked multiple streams for making a number of unrealistic assumptions and for under-specifying certain processes. Sabatier (1999, p. 267) tries to remind us that multiple streams has not generated enough clear, falsifiable hypotheses. MS does appear to be an argument that many scholars quote but few explicitly use. Mucciaroni (1992) and Bendor, Moe, and Shott (2001) question the appropriateness of conceptualizing independent streams, which according to them can be more fruitfully viewed as interdependent. In this manner, changes in one stream can trigger or reinforce changes in another, making coupling much less fortuitous and the process more purposive and strategic (Mucciaroni, 1992). For example, the problem of U.S. tax reform was tied to the supply-side tax cuts proposed by conservatives in symbolic and substantive ways long before Reagan’s ascend to power opened a policy window (Mucciaroni, 1992).

Although the multiple-streams framework is not always as clear and internally consistent as one might like, it appears to be applicable to a wide variety of policy arenas. MS has made some advances in mapping the belief systems of policy elites and analyzing the conditions under which policy-oriented learning across coalitions can occur and stimulated considerable interest in a number of developed countries (Schlager 1995) and may be applicable to a variety of policy fields in developing countries, including trade policy.

The Policy Diffusion Framework—developed by Berry and Berry (1990, 1992) to explain variation in the adoption of specific policy innovations across a large number of states or localities—views state adoptions of policies as emulations of previous adoptions by other state for specific reasons. For example, states may *learn* from one another as they use innovations perceived as successful elsewhere. State policymakers faced with complex problems may seek shortcuts in decision making as Walker (1969) hypothesizes (see also Glick and Hays 1991; Mooney and Lee 1995). Walker (1969) based his argument on the classic model of *incremental* decision-making (Lindblom 1965; Simon 1947). At times, states emulate policies of other jurisdiction to achieve an economic advantage over other jurisdictions or avoid being disadvantaged. It short, economies *compete* with each other. In some cases, as Walker (1969, p. 891) has argued, states/countries are under pressure to conform to nationally or regionally accepted standards. Such pressure leads states/countries to adopt programs that have already been widely adopted by other states/countries. In other cases, there is "normative" pressure on state officials to adopt the best practices in other states. Whereas policy diffusion framework has thus far been utilized almost exclusively in the United States, it should apply to variation among countries or within regions (e.g. the European Union, the OECD, Africa, etc), or any other set of political systems. Rogers (1983, p. 5) defines diffusion as "the process by which an innovation is communicated through certain channels over time among the members of a social system." Recently, Mintrom and Vergari (1998) integrated this framework with the literature on policy networks.

Punctuated-Equilibrium Framework (PE)—first developed by Baumgartner and Jones (1993) to explain changes in legislation—argues that policymaking in the United States is characterized by long periods of incremental change punctuated by brief periods of major policy change. The latter come about when opponents manage to fashion new "policy images" and exploit the multiple policy venues characteristic of the United States. PE has evolved to include some very sophisticated analyses of long-term changes in the budgets of the federal government (Jones, Baumgartner, and True 1998). The PE framework clearly meets all four criteria, at least for systems with multiple policy venues.

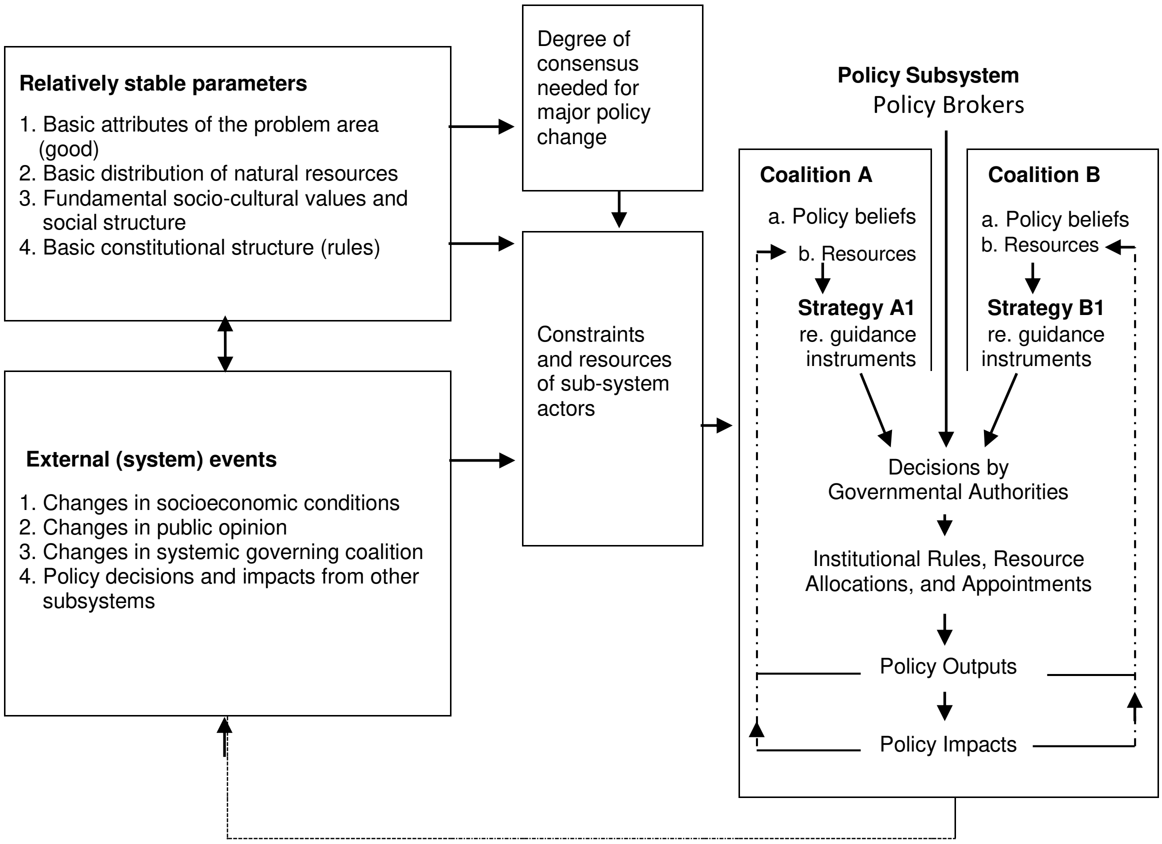
The Advocacy Coalition Framework (ACF)—developed by Sabatier and Jenkins-Smith (1988, 1993)—focuses on the interaction of advocacy coalitions (within a policy subsystem)—each consisting of multiple actors from a variety of institutions who hold set of policy beliefs and are motivated to translate those beliefs into actual policy (Figure 3), albeit in a policy ecosystem characterized by conflicting goals, and technical disputes (Hoppe and Peterse 1993).

Figure 3 presents an overview of the role of advocacy coalitions within the policy subsystem and the effects of two sets of factors exogenous to the subsystem that determine the constraints and opportunities affecting actors in the subsystem over time. The vast majority of policymaking as Sabatier (2007) explains, occurs within policy subsystems and involves negotiations among specialists. To understand the policy process, the ACF convinces us to assume that (1) belief systems are more important than institutional affiliation and (2) actors may be pursuing a wide variety of objectives, which must be measured empirically, and (3) to add researchers and journalists to the set of potentially important policy actors (Sabatier and Jenkins-Smith 1993), a view that is supported by recent studies, which show that researchers play an active role in policymaking processes (Herron et al. 2006; Zafonte and Sabatier 2004; Meijerink 2005; Weible 2005).

Policy change is a function of both competition within the subsystem and events outside the subsystem. The actors in the subsystem strive to translate components of their belief systems into actual policy before their opponents can do the same.

However, in order to have any prospect of success, they must seek allies, share resources, and develop complementary strategies.

Figure 3. The Advocacy Coalition Framework



Source: adopted from Sabatier (2007).

Corollary to a growing policy network literature and recognition of the link between interpersonal relations and human behaviour (Howlett 2002; Granoveter 1985; Provan and Milward 1995; Schneider et al. 2003; Thatcher 1998), the ACF predicts that stakeholder beliefs and behavior are embedded within informal networks and that policymaking is structured, in part, by the networks among important policy participants.

The ACF differs from rational choice frameworks primarily in its modeling of the individual (Sabatier and Schlager 2000; Schlager 1995). While rational choice frameworks assume individual actors rationally pursuing relatively simple material self-interests, the ACF believes that normative beliefs must be empirically determined and does not a priori preclude the possibility of altruistic behavior. ACF believes that scientific and technical information plays an important role in modifying the beliefs of policy participants. In developing countries, many subsystems are quite nascent because of the instability of the broader political system and the lack of trained personnel in the subsystem.

4 Trade policy process

4.1 Overview

This section discusses the various processes by which trade policy is made in Uganda. It offers answers to three questions: Who determines Uganda's trade policy (who are the actors and how do the elements of the process combine together to produce policy choice)? To what extent, are the processes informed by the existing theories of trade policy process? Why are some economic interests better able to impose their preferences on trade policy than others?

Borrowing from Schlager (2007), the term "process" —from "trade policymaking process"—"connotes temporality, an unfolding of actions, events, and decisions that may culminate in an authoritative decision, which, at least temporarily, binds all within the jurisdiction of the governing body." In discussing the trade policymaking processes, therefore, we put emphasis, much more on the unfolding than on the authoritative decision, including the structure, context, constraints and dynamics of the process, as well as to the actual decisions and events that occur. Discussions of the policymaking process are tied to theories, which are grounded in a framework (Ostrom, 2007).

By looking at the participation of different actors in the different aspects of the process section 4.3–4.4 offers insights into the inclusiveness of the trade policy process, particularly the role of women and women's organisations, in shaping trade policy decisions, and in dialogue with power holders at national level. We focus on the relations between actors and not on the actors' characteristics, and analyze the complex pattern of interactions of private and public sector actors in trade policy decision making processes.

4.2 Actors in the trade policy process

Trade policymaking in Uganda involves participation of several actors—the Ministry of Tourism, Trade, and Industry (MTTI), with other relevant ministries, and agencies interacting with consultative bodies, in close consultation with interest groups including civil society and experts in think tanks and academic institutions (in some cases), providing assistance through research and analysis. These multiple actors, from a variety of institutions pursue their goals in a coordinated and consultative manner, tend to mirror the *advocacy coalition* (ACF) tradition—put forward by Sabatier and Jenkins-Smith (1988, 1993). Detail accounts of the roles of various actors are provided in Table 12.

The overall responsibility of trade policy making lies primarily with the Ministry of Tourism, Trade, and Industry (MTTI). However, capacity limitations in the MTTI have resulted in other ministries—most notably, the Ministry of Finance, Planning, and Economic Development (MFPED) stepping in (in most cases) and assuming roles in trade policy making that traditionally are MTTI's. This has precipitated a vicious circle whereby MTTI finds itself in the periphery, resulting in even less funding through government budget being made available to it. The MTTI is in charge of export/import licenses and policy coordination, particularly the activities of the Inter Institutional Trade Committee for Trade (IITC)—a working group which spearheads the country's participation in various trade negotiations. Again, capacity limitations of MTTI have undermined the effectiveness of the IITC. The first step in addressing the capacity gap within the MTTI is implementation of the Functional Analysis Plan, and the completion of the draft National Trade Policy (NTP) that was discussed with stakeholders in October 2006. Adoption of the NTP can help drive MTTI activities. One way to strengthen the IITC is to provide training to the IITC sub-committee members and having committee meetings chaired by members from outside government establishment. Giving IITC legal status could also help attract donor funds for specific studies and projects. The proposal in the functional analysis plan of setting up a separate liaison group (the Export Growth Group) should be abandoned in favour of efforts to strengthen capacity within the MTTI and IITC.

Considering recent policy development, the general view is that trade policy process is increasingly becoming a crowded field. In his study of non-tariff barriers, Ayoki (2008) observed that, "Why some stakeholders may have the impression that government agencies are not coordinated arise from the fact that some institutions have duplicated roles or functions". For example, in the area of food safety, there are currently four government agencies directly involved:

- Uganda National Bureau of Standards (UNBS)
- Ministry of Tourism, Trade and Industry (MTTI)
- Ministry of Agriculture, Animal Industry and Fisheries (MAAIF), especially: Department of Livestock and Entomology; Department of Animal Production; Department of Crop Protection (DCP); Department of Fisheries Resources
- Ministry of Health (MOH), Environmental Health Division
- National Drugs Authority (NDA).

While Sanitary and Phytosanitary (SPS) issues are the mandate of the ministry of agriculture, there are instances where several government agencies are involved with competing roles and influences on the SPS issues (Ayoki, 2008). It has never been resolved, who is the lead institution on food safety issue; whether it falls under the ministry of agriculture, ministry of health or National Drug Authority. All of them struggle to exert influence in this area. Two agencies are directly involved with regards to standards, Uganda National Bureau of Standards (UNBS) with various MAAIF departments for agriculture market access, and UNBS with various industrial development agencies for industrial standards.

A number of ministries and agencies are responsible for the management of trade negotiations and implementation of different trade agreements, for example, Ministry for East African Community Affairs (with MFPED and MTTI) on EAC; MTTI on COMESA; and MTTI on WTO.

Gender mainstreaming has become a central part of development discourse. However, the current reality is that the Ministry of Gender and Social Development (MGSD) which is responsible for initiating and coordinating 'gender responsive development', including monitoring the formulation and implementation of 'gender aware' policies in line ministries, is not among participating institutions in trade policy process in Uganda (Table 12). Moreover, the link between the department of Gender within the MGSD and private sector organisations, including those promoting women welfare, is nonexistent. Even the link between Ministry of

Gender and other line ministries associated with trade policies are weak. These institutional gaps obviously have some implications for design of gender-aware approaches and their successful incorporation into trade policy and implementation.

Table 12. Major actors in the trade policy processes

Actors	***Stages***		
	Consultation	*Formulation*	*Implementation*
The Parliament	•	•	•
Ministry of Tourism, Trade and Industry	•	•	•
Ministry of Finance, Planning & Economic Development	•	•	•
Ministry of Foreign Affair	•	•	•
Ministry of Agriculture, Animal Industry and Fisheries	•	•	•
Ministry of Health	•	•	•
Ministry of Justice	•	•	•
Private Sector Foundation	•		•
Uganda National Chamber of Commerce and Industry	•		•
Uganda Manufacturers Association	•		•
Civil Society	•		•
Research Institutions	•		
Uganda Revenue Authority	•	•	•

Source: Author's compilation based on information from MTTI, and MFPED

Analysis at meso level shows that representation of women is very low in all the institutions involved in trade policies processes - ranging from zero to 20 percent. In the Parliament, 25.2% of the MPs are women (Parliamentary Public Relations Office: September 10, 2003). But women chair only two of the 12 Standing Committees of parliament, while other two committees have women MPs as their vice chairpersons. Two out of the ten Session Committees had women MPs as their chair; and four had female vice chairpersons.

Women account for less than 25 percent of the senior managers and technical staff in government ministries that are responsible for formulation of exports and imports strategies, tax policies, and foreign exchange policy.

Nevertheless, women-led organizations maintain that the recent democratic changes in Uganda, brought by the NRM Government has provided them a new space for dialogue with power holders at national level, and that government has become more inclusive in its decision processes. The challenge is that they are usually consulted late in the policy process. Their contribution is sought after the agenda has been set already (blue print). They are expected to operate within this 'blue prints' or template. This allows them no room to bring in new idea or issues that are of particular concerns to them.

4.3 Stages of the policy process

Trade policy process in Uganda evolves through a sequence of "hazy stages"—the Ministry of Tourism, Trade and Industry initiating a policy to address a problem that has been identified and discussed, for instance, public health risks imposed by influx of unregulated food imports, and deciding an appropriate policy response to it, and its implementation—involving a continuous process of interactions among actors. Theoretical explanation of this phenomenon centres on the possibility of rational, evidence-based policymaking, collaboration to solve complex trade-related problems, feedback between different aspects of the policy process, and tracking the status of the policy measure. Our accounts are based on the experience with the processes that produced the policy measures implemented in the past two decades—under each of the three policy tracks: multilateral, regional and unilateral arrangements—including abolition of import licensing requirements and pre-shipment inspection, liberalization of export regime, and rationalization and reduction of import tariffs, from a weighted average of over 30 percent in 1987 to 13.5 percent in 2005. Mesh

These processes do not evolve in a pattern of clear-cut sequences; instead, the stages are constantly meshed and entangled in an ongoing process. A problem (e.g. limited access to essential commodities due to increased cost of imports, caused by regulatory requirements, etc) is identified by actors in- and/or outside government. The problem is discussed in various forums, with (in some cases) experts in think tanks and academia, providing assistance through research and analysis. Ideas and recommendations emerging from these forums are synthesized into a policy proposal and shared with key stakeholders for comments and inputs, and in preparation for further discussions. You may call this stage, "initiating a policy". However, Uganda also participates in different negotiations—under regional and multilateral frameworks. Each category poses different demands and challenges and thus determines the scope of consultation. Series of consultations have taken place to develop trade positions and secure beneficial trade deals in regional agreement (e.g. recent EAC Customs Union), and to respond to the requirements of various international agreements e.g. EAC, COMESA, and WTO.

The scope of the consultation depends on the issue at hand. Past consultations have largely involved members of the Inter Institutional Trade Committee (Table 13), selected civil society organisations, a few politicians and experts in the field. In principle, the process is participatory and emphasises "citizen's ownership" on an understanding that successful policies need to have the citizen's "participation"—not only the support of the "key stakeholders", but also a broad consensus within the population—to be effectively implemented. Government is aware; policies imposed from the outside without participation of the groups affected by it, would be circumvented, may induce resentment, and would not withstand the vicissitudes of the political process. However, the traditional structure of policy consultation has evolved; increasingly, issues that dominate national discussions today seem to originate from Arusha and Geneva. This top–down phenomenon has created uneasiness in the broader public; that government is giving up some of its political and economic autonomy needed to pursue the course of our development. However, government is confident that the process is robust and that its response is informed by evidence on weighing the balance between the negative consequences and the opportunities that may come from the policy proposal, whether it originates from EAC, COMESA, Geneva or Kampala.

Consultations are complete and the Ministry of Tourism, Trade and Industry (in consultation with the Ministry of Finance, Planning and Economic Development, and sometimes, the President's Office) formulate alternatives and select policy solutions; and those solutions get implemented after the Cabinet's approval. From this stage, much of the work takes place out of the public eye. The policy proposal is approved by Cabinet and the policy is published and ready for implementation. Under special circumstances a policy may be subject to a legislative process by Parliament. For example, policy with a tax component has to come to parliament either as a Bill, a budget speech or a statutory instrument, and laid before parliament for days. The same applies to ratification of international agreement. In principle, all domestic measures or aspect of trade policy are framed in line with the EAC, COMESA and WTO Agreements, and it is the duty of the Ministry of Tourism, Trade and Industry and the Office of the Attorney General to ensure the consistency and coherence between domestic legislation and these international Agreements.

Returning to the question raised in the Introduction (Do institutions outside government matter for trade policy in Uganda?), one can conclude that they do, but not all of them. A few influential groups (e.g. members of Uganda Manufacturers Association) are known to have close links with policy makers, and to have influenced tariff policy in the EAC (under the Customs Union Protocol), including some aspects of corporate taxes. In some instances, government (acting unilaterally or under influence of donors) has pushed policy through without consulting the public or relevant stakeholders, or it does, the policy is introduced even if it is not widely supported. A case in point is the idea leading to privatization of state enterprises and public utility services tax, which can be traced to the door step of the World Bank, and the introduction of 7% excise tax on air time, and subsequently 10%, which can be traced to the door step of the IMF.

Given the staggering complexity of the policy process, the gap between theories of the policy process (see Section 3) and actual trade policymaking is apparent. Although the new narrative of a participatory process (involving wider section of the public) seems appealing from the public eye, this has rarely, if at all, shaped the outcomes of the trade policy process in recent years. We find no evidence to suggest that these stakeholders drive major policy changes, formulation of new policies, or in contextual analysis of the impact of various commitments.

4.4 Periodic policy review and consultation

Uganda does not have statutory independent advisory or review bodies, which specifically handle economic and trade policies. The Presidential Economic Council (PEC), together with the Uganda Manufacturer's Association (UMA), the Uganda National Chamber of Commerce and Industry (UNCCI), and other industry associations and relevant line Ministries carry out periodic reviews jointly. The PEC in conjunction with UMA annually holds a forum on strategic management, investment promotion and export growth, whose recommendations are used to inform policies. The forum brings together Cabinet Ministers, top policymakers in Government and private sector operators, and academia.

The Private Sector Foundation (PSF), association of industry and Government agencies involved in trade and investment policies, co-ordinates activities of the forum sub-committees. The PSF uses this opportunity to, also review how particular aspect of policy (e.g. in the national budget) is going to impact the private sector.

4.5 Machinery for trade policy consultation

A working group—Inter Institutional Committee for Trade (IITC)—set up by the Ministry of Tourism Trade and Industry (MTTI) coordinates the implementation of multilateral trade agreements (MTAs) particularly the WTO agreements, and helps in the preparation for future trade negotiations. Originally, IITC was to deal with the various WTO obligations and issues facing Uganda as a member of the WTO, but it now works operates as coordination and dialog institution for all trade policy matters. The IITC covers both the functions of inter-ministerial co-ordination, and dialogue and consultation with stakeholders, particularly the private sector.

The main IITC committee is large, consisting of 50-60 members, coming from about 25 organizations (Table 13), including about 5 government ministries; and 7 autonomous bodies (Bank of Uganda, Civil Aviation Authority, Law Reform Commission, Uganda National Chamber of Commerce and Industry, Uganda Bureau of Statistics and Export Promotion Board); 5 civil society organizations; 2 business associations; and a media organization.

Table 13. Representation on the Inter Institutional Trade Committee

Institutions	Male	Female	Total
Ministry of Tourism, Trade & Industry	7	1	8
Ministry of Finance, Planning & Economic Development	2	0	2
Ministry of Agriculture, Animal & Fisheries	0	1	1
Ministry of Justice and Uganda Law Reform Commission	2	0	2
Ministry of Foreign Affairs	1	0	1
Uganda Revenue Authority	2	0	2
Uganda Export Promotion Board	0	2	2
Uganda Investment Authority	1	0	1
Uganda National Bureau of Standards	0	1	1
Bank of Uganda	1	0	1
National Agricultural Research Organisation	1	0	1
National Environment Management Authority	0	1	1
Makerere University Business School	1	0	1
Makerere Law school	0	1	1
Civil Aviation Authority	1	0	1
Law Development Centre	1	0	1
Private Sector Foundation	3	2	5
Uganda Manufacturers Association	1	1	2
Uganda Service Exporters Association	1	0	1
Civil Society	2	2	4
Uganda Law Society	1	1	2
Network of Trainers	2	0	2
The Plan for Modernisation of Agriculture	1	0	1
Members of Parliament	3	0	3
Total	34	13	47
Percentage representation	72.3	27.7	100

The Permanent Secretary of MTTI chairs IITC. However, the real work of the IITC is done by sub-committees, which focus on specific contemporary issues (of interest), and are generally of a more manageable size. There is an effort to give IITC full legal status which would apparently make it easier for donor funds to be utilized directly in support of its activities. According to the IITC Bill, tabled by MTTI to Parliament, IITC is coordinated by the MTTI, and is set to perform the following functions:

(a) undertake all trade negotiations and handle all issues relating to trade at national, regional, bilateral level;
(b) assist and advice the Minister on the World Trade Organisation issues;
(c) facilitate and sustain awareness of the impact of the World Trade Organisation and globalization on the national and regional economies;
(d) promote market access opportunities under bilateral, regional and multilateral trading systems;

(e) carry out research and disseminate research findings on trade and trade related issues through seminars, workshops and publications;
(f) develop trade policy on national, regional and international trade and advice government on harmonizing these with political and socio-economic integration activities;
(g) to advise and act on matters of disputes related to the agreements or arising out of the proposed WTO Implementation Act to be enacted by parliament;
(h) ensure expedient understanding and implementation of international obligations arising from trade agreements.

The main channel of introducing the recommended policies is through the IITC. However, private sector respondents were doubtful as to the degree to which IITC deliberations actually leads to real changes in government policy positions, which dampens their (private sector) enthusiasm in participating in IITC.

Under IITC is the National Development Trade Policy Forum (NDTPF). The objective of the NDTPF is to develop a group of people with particular areas of expertise who can participate in negotiations at the detail level as required. This expertise will be needed in the forthcoming EPA negotiations with the EU. The Ministry of Tourism Trade and Industry (MTTI) is responsible for taking forward advice generated from IITC within the government system. However, the effectiveness of the IITC is undermined by the inherent capacity weaknesses and limited budget within MTTI. Until recently, the capacity weakness within MTTI had worked to undermine its representation and voice in shaping policy and public debate, including national economic development priorities. But this is beginning to change. MTTI's contribution featured in the revised PEAP. Within the context of overall national policy (planning) framework, trade features in 2 of 5 pillars of the PEAP.

4.6 Gender representation on policy subsystems

With poor representation on IITC of women (Table 13), the view from representatives from women-owned organisations is that women may be marginalized in the WTO issues. About half of the organizations on the IITC have had only male counterparts (since 2001), while 20 percent of the organizations have been sending only women to IITC meetings. Opportunity for integrating women's voice and women's perspectives into the trade policy process especially that pertains to multilateral negotiations may be limited by the gender imbalances on the IITC representations. Within the IITC are six sub-committees: sub-committee on Agriculture; Treaties and Health; Trade Remedies and Facilities; Trade in Services; New Issues; and Trade Investment and Technical Transfer. One committee that is not directly part of the IITC is that concerned with COMESA issues.

Considering the representation in various COMESA meetings between 2001 and early 2002 (Table 14), it is easy to see that there were 60% more men in these meetings than women (i.e. 10 women compared to 40 men participated in the meetings). Similarly, three of the four delegates to Geneva (WTO) in 2002 were men. The same applies to the experts committee on Rules of Origin, which was dominated by men.

Table 14. Gender Representation on COMESA Committee Meetings, 2001 - early 2002 and the WTO negotiating team to Geneva

Uganda's delegates on COMESA Committees	Number of:			Venue/Year
	Male	Female	Total	
Trade and Customs Committee	1	1	2	Lusaka: Zambia (2001)
Council of Ministers	12	4	16	Cairo: Egypt (2001)
Steering Committee on Safeguards & Remedial Measures	1	0	1	Lusaka: Zambia (2001)
Inter Governmental Committee	3	2	5	Cairo: Egypt (2001)
Working of Experts on Rules of Origin	2	0	2	Lusaka: Zambia (2001)
Committee of Central Bank Governors	9	0	9	Kampala: Uganda (2001)
Ministers of Justices & Attorney Generals	1	0	1	Lusaka: Zambia (2001)
Inter Median Trade Committee	3	1	4	Kampala: Uganda (2001)
COMESA Gender Policy 1/	4	2	6	Kampala: Uganda (2002)
World Trade Organization	4	0	4	Geneva, Switzerland (2002)
Total	**40**	**10**	**50**	
Percentage	*80*	*20*	*100*	

1/ This was a workshop conducted in Kampala aimed at equipping participants with skills of identifying and addressing gender concerns when undertaking development policy decisions. Participants were drawn from all COMESA member countries and over ten women in total attended the workshop. Two women from Uganda were chosen to represent Uganda in another COMESA Gender Policy workshop, which took place in Zambia July 2002.

The Ministry of Gender, Labour and Social Development that is expected to champion gender mainstreaming in sector policies is not represented on the IITC. The key ministry, MTTI, has had a single woman on the IITC, compared to 10 men. Ministry of Finance, Planning and Economic Development; Ministry of Foreign Affairs; and Ministry of Agriculture, Animal Industry and Fisheries, did not have a female representative on their IITC team. On average, about 22 percent of those who participated in IITC meetings between 2001 and 2003 were women. In addition, men dominated the committee on gender policy where we would expect to see a more balanced representation. All the nine Ugandan participants at the Central Bank Governors forum were men.

However, members of the IITC interviewed, seem to hold the view that despite the imbalances on the IITC representation, IITC pays equal attention to issues affecting men and women. They argued that 'numbers do not really matter' but ability to speak does. One of the participants commented, "one bad thing with most people is that, they want to see that every committee has equal number of women and men; but this is not the point; it may not happen anyway… For us, we have relatively fewer women in our sub-committee, but I have realised that in many meetings, women tend to dominate the discussions" (IITC member, MTTI).

We also considered the composition of the *Cabinet (and key decision making in ministries).* The representation of women is highest in junior ranks—Ministers of State. In June 2002, women occupied 17.4% of the Uganda Cabinet posts and 27.3% of the positions of the State Ministers. Women make up less than 20% of the number of decision makers in government ministries. We define decision makers as officers from the rank of Head of Department (Commissioners or Deputy Commissioners) to Directors, Under-secretaries, and Permanent Secretaries.

We further considered gender composition of personnel in senior level positions in key line ministries working on trade policy issues: The Ministry of Tourism, Trade and Industry (MTTI); the Ministry of Finance, Planning and Economic Development (MFPED); as well as the Ministry of Foreign Affair; Ministry of Justice; Ministry of Agriculture, Animal Industry and Fisheries; and Ministry of Health. The MTTI is responsible for formulation of tourism, trade and Industrial policies; covering trade facilitation and export diversification; schemes; import and export licensing; industrial development; international trade negotiations and consumer protection through quality control; conservation of natural resources and cultural heritage. The MTTI is responsible for initiating, coordinating and monitoring the formulation and implementation of trade policies and programmes - in consultation with relevant line ministries. The MTTI also chairs the Inter Institutional Committee for Trade (IIC). The department within the ministry, which is directly responsible for trade issues, is the Department of Trade. There are three other departments: department of industry, tourism and wildlife antiquities that are not directly concerned with trade and trade policies. The department of trade had a total of sixteen employees (i.e. 16.7 percent of the total employee of the ministry) by end of December 2002. The rest (eighty members of staff of the ministry) were working in the department of industry, tourism and wildlife antiquities. Out of the sixteen employed in the department of trade, only three (18.8 percent) were women – with only one woman in senior position. Out of thirteen male employees, four of them were in senior level position. With this imbalance, it is easy to think that the interest of women may not be well articulated in such environment where women's participation is almost non-existent.

One aspect that could strengthen gender position in a similar environment is to have a gender desk. A Gender Focal Point or Gender Desk would help with gender mainstreaming policy through the design and implementation of specific policies in the ministry, and measuring their outcomes. Although government has in the past emphasized the need to create a Gender Desk in every ministry, this has rarely been followed. The existence of a gender desk is seen as a way to improve communication flows with Ministry of Gender, Labour and Social Development for successful implementation of the national gender policy.

The role of Ministry of Finance, Planning and Economic Development (MFPED), as it is specified in the constitution is to manage and control public finances in a prudent and sustainable manner, to ensure efficiency and effectiveness of all public spending. The MFPED is also responsible for ensuring gender-responsive budgeting and development (i.e. to ensure that available resources are directed to gender responsive programmes and institutions dedicated to women affairs).[2] The MFPED is further mandated to oversee the planning of national strategic development initiatives - in order to facilitate economic growth, efficiency, stability, and eradication of poverty and enhance overall development. Other responsibilities include managing the economic activities of the country through fiscal and monetary policies so as to ensure sustainable economic growth, price stability, increased level of employment, and a fair distribution of income.[3] The MFPED is represented on the IITC. The Tax Policy Department of the MFPED prepares proposals for tariffs and tax changes (every year) and incorporates them in annual national budget, which is presented to cabinet and parliament (in form of Finance Bill) for approval. The Tax Policy Department had 13 officers (technical staff) by end of September 2003, 11 men and 2 women.

A meaningful gender mainstreaming in policy process requires the availability of detailed gender-disaggregated and reliable data, and the availability of trained staff to undertake analysis to inform gender-based policies. The Uganda Bureau of Statistics (UBOS) is mandated by an Act of Parliament to perform this function. UBOS collects information needed for economic management and planning. This

---

[2] The National Gender Policy, Ministry of Gender and Community Development, page 9.

[3] Ministerial Policy Statement to the Parliament for the Financial Year 1999/2000

involves collecting and analyzing data, publication of statistical information, creation and regular updating of a national database on the economy in general for use by both government and the general public. Despite the magnitude of resources available, data is still lacking on women's participation in the economy (sex disaggregated data). Use of available data in gender analysis is limited because most of the data are not segregated by gender. Gender segregated figures for trade impacts are still missing. Specific quantitative and qualitative impacts on women are also scarce.

Finally, we want to mention that close consultation with the business community (private sector) has been a key factor in the re-orientation of Uganda's trade policy. The private sector has continued to enjoy respect of the Government, which is supportive of its (private sector) participation in the policy formulation. Government main contacts to the business communities are through the Private Sector Foundation (PSF)[4] and Uganda Manufactures Association (UMA). The two umbrella organisations for the private sector (UMA and PSF) have evolved into key institutions in representing the interest of their members –in policy dialogue, negotiating for fair taxes, and curbing malt practices such as smuggling. In 1991, UMA spearheaded the setting up of the Presidential Economic Council (PEC). The Forum is chaired by the vice president and includes key policymakers and the private sector. Another regular engagement between government and the private sector occurs in the national budget process.

The UMA and PSF have actively involved their members in this budget process. Their contribution has been well received by Government. There is strong evidence of lobbying during the budget process particularly issues related to taxation. The level of trust seems to grow with time. In September 2001, the PSF organized and managed (on behalf of government) the SMART dialogue in Munyonyo – Kampala, which 14 Heads of States and governments in developing countries attended.

Table 15. Business Associations: who has more influence in trade policy process?

Organizations representing different commercial interest	*Rank*
Private Sector Foundation	1
Uganda Manufacturers Association	1
Uganda National Chamber of Commerce	2
Uganda Clearing and Forwarding Agents Association	2
Uganda National Farmers' Federation	2
Horticulture Association	3
Uganda Fish Processors and Exporter Association	2
Uganda Flowers Exporters' Association	3
Sector Association	1

[4] The responsibility of the PSF is to facilitate businesses become effective players in international trade by dissemination of information, commissioning research and fostering debate on key issues in the WTO, COMESA, EAC, Cotonou Agreements, and the African Growth and Opportunity Act (AGOA). Present the concerns and positions of the private sector on trade policy to government to ensure that the business community benefits from international and regional trading arrangements.

5 Conclusions and implications for policy

This paper explores how the existing theories of trade policy process have informed recent trade policy development in Uganda, and analyses the role of institutions in trade policymaking. There have been significant attempts to involve several stakeholders in the policy process, including women's organization as shown by diverse representation from government institutions, private sector and civil society organisations. However, their chance to influence policies is limited as evident by poor representation of women in those organisations. The gender balance of the institutions at the centre and those on the periphery of the policy process largely favours men. While the national machinery for trade policy consultation and formulation has made some in-roads in ensuring the participation of women, in practice the point of entry for women organizations fall outside key points of influence in the policy dialogue. Additional evidence is based on the observation that organisations biased towards women issues are not part of the policy dialogue (not in the IITC or national consultative groups), but have to work through other (affiliates) organisations that represent them on these forums.

This illustrates both the institutional and analytical gaps which need to be bridged if more gender-base approaches are to be successfully incorporated into trade policy and practice. It is important to involve stakeholders, right from initial stages of policy development and to take their views into account. The presence of women in decision-making (e.g. sizable number of women in parliament: over 20%) is not enough to guarantee that gender perspectives will be built in but it is an important step. They can help lobby for more gender-oriented policies. There is need to enhance participation of civil society organisations especially those that were set up to purely work on women related issues. In addition, it is important to make use of the periodic policy reviews including WTO reviews for Uganda, and sectors reviews done jointly with all stakeholders including donors, to influence trade policies.

Finally, in line with the recommendations of the Beijing Platform of Action, there is a need to engender the design and formulation of trade policies as well as gender mainstreaming and capacity building in trade ministries. The gender implications of all issues under negotiation should be fully assessed and discussed within regional and multilateral trade negotiations. Gender mainstreaming in trade policy formulation requires deeper and conceptualised understandings of the interactions between gender inequalities, class-based inequalities and poverty on one hand, and trade policies and trade performance on the other. This calls for strengthening the capacity of the MTTI.

References

Anderson, James. 1975. *Public Policy-Making*. New York: Praeger.

Ayoki, Milton & Obwona, Marios & Ogwapus, Moses. 2005. "Tax Reforms and Domestic Revenue Mobilization in Uganda," MPRA Paper 80328, University Library of Munich.

Ayoki, Milton & Obwona, Marios. 2005. "Illicit Trade in East Africa: What Do We Really Know?," MPRA Paper 80128, University Library of Munich, Germany, revised Dec 2009.

Ayoki, Milton. 2006. "A Primer on Development Dimension of Trade Negotiations in the WTO: The Doha Development Agenda," MPRA Paper 83084, University Library of Munich.

Ayoki, Milton. 2007. "Agricultural market in Uganda: A profile," MPRA Paper 80900, University Library of Munich, Germany.

Ayoki, Milton. 2008. "Non-Tariff Trade Barriers in East Africa: A profile," MPRA Paper 80963, University Library of Munich, Germany.

Avery, George. 2004."Bioterrorism, Fear, and Public Health Reform: Matching a Policy Solution to the Wrong Window." *Public Administration Review* 64:274–288.

Berry, Frances Stokes, and William Berry. 1990. "State Lottery Adoptions as Policy Innovations: An Event History Analysis", *American Political Science Review* 84 (June): 397–415.
______. 1992. "Tax Innovation in the States: Capitalizing on Political Opportunity", *American Journal of Political Science* 36 (August): 715–742.

Brewer, Gary, and Peter deLeon. 1983. *The Foundations of Policy Analysis*. Monterey, CA: Brooks/Cole.

Chubb, John, and Terry Moe. 1990. *Politics, Markets, and America's Schools*. Washington, DC: Brookings Institution.

Cobb, Roger W., and David M. Primo. 2003. *The Plane Truth: Airline Crashes, the Media, and Transportation Policy*.Washington: Brookings Institution.

Cohen, Michael, James March, and Johen Olsen. 1972. "A Garbage Can Model of Organizational Choice," *Administrative Science Quarterly* 17 (March): 1-25.

Dowding, Keith. 1995. "Model or Metaphor? A Critical Review of the Policy Network Approach." *Political Studies* 43 (March): 136–159.

EAC. 2003. "East African Community: EAC Treaty and Challenges to the Community", Occasional Papers, Arusha: EAC Secretariat.

EAC. 2002. "East African Customs Union: Information and Implications", EAC Secretariat.

Feldman, Martha S. 1989. *Order without Design: Information Production and Policy Making*, Stanford, CA: Stanford University Press.

Jones, Charles. 1970. *An Introduction to the Study of Public Policy*. Belmont, CA: Wadsworth.

Kingdon, John. 1984. *Agendas, Alternatives, and Public Policies.* Boston: Little, Brown & Co.

Kingdon, John. W. 1995. *Agendas, Alternatives and Public Policies*. 2nd ed. New York: Harper Collins.

Kiser, Larry and Ostrom, Elinor. 1982. "The Three Worlds of Action," in *Strategies* of *Political Inquiry,* ed. E. Ostrom. Beverly Hills: Sage, pp. 179-222.

Lasswell, Harold. 1956. *The Decision Process*. College Park, MD: University of Maryland Press.

March, James and Olsen, Johan. 1984. "The New Institutionalism: Organizational Factors in Political Life," *American Political Science Review* 78 (September): 734-749.

Miller, Gary. 1992. *Managerial Dilemmas*. Cambridge, England: Cambridge University Press.

Mintrom,Michael, and Sandra Vergari. 1998. “Policy Networks and Innovation Diffusion: The Case of State Educational Reform.” *Journal of Politics* 60 (February): 120–148.

Moe, Terry. 1984. “The New Economics of Organization.” *American Journal of Political Science* 28 (November): 739–777.

Mucciaroni, Gary. 1992. “The Garbage Can Model and the Study of Policy Making: A Critique.” *Polity* 24:459–482.

Nakamura, Robert. 1987. “The Textbook Process and Implementation Research.” *Policy Studies Review* 1:142–154.

Nash, J and Takacs, W. eds. 1998. *Trade Policy Reform: Lessons and Implications*. Washington, D.C: The World Bank.

Ostrom, Elinor. 1986. “An Agenda for the Study of Institutions.” *Public Choice* 48:3–25.

Ostrom, Elinor. 1990. *Governing the Commons*. Cambridge, England: Cambridge University Press.

Ostrom, Elinor, Roy Gardner, and James Walker. 1994. *Rules, Games, and Common-Pool Resources*. Ann Arbor, MI: University of Michigan Press.

Ostrom, Elinor, Larry Schroeder, and Susan Wynne. 1993. *Institutional Incentives and Sustainable Development*. Boulder, CO:Westview Press.

Rochefort, David A., and Roger W. Cobb, eds. 1994. *The Politics of Problem Definition: Shaping the Policy Agenda*. Lawrence, KS: University Press of Kansas.

Sabatier, Paul A.1991. “Toward Better Theories of the Policy Process”, *Political Science and Politics*, Vol. 24, No. 2. (Jun., 1991), pp. 147-156.

Sabatier, Paul A., ed. 1999. *Theories of the Policy Process*. Boulder, CO: Westview.

Sabatier, Paul A., ed. 2007.*Theories of the Policy Process,* Boulder: Westview Press.

Scharpf, Fritz. 1997. *Games Policy Actors Play*. Boulder, CO:Westview Press.

Scholz, John, James Twombley, and Barbara Headrick. 1991. “Street Level Political Controls over Federal Bureaucrats.” *American Political Science Review* 85 (September): 829–858.

Sharkansky, Ira. 2002. *Politics and Policymaking*. Boulder, CO:Westview.

Shepsle, Kenneth. 1989. “Studying Institutions: Some Lessons from the Rational Choice Approach.” *Journal of Theoretical Politics* 1:131–147.

World Bank. 1990. *Uganda: An Agenda for Trade Policy Reform.* Washington, D.C: The World Bank.

Zahariadis, Nikolaos. 2007. “*The Multiple Streams Framework:* Structure, Limitations, Prospects”, in Sabatier, Paul. ed. A. 2007.*Theories of the Policy Process,* Westview Press.

Appendix

Informal cross-border trade

Table 16. Trend in Uganda's informal agricultural export to Kenya through Busia (US$)

Commodity	2005	2006	2007
Beans	29,363,861.65	16,349,532.36	6,633,740.87
Maize	22,740,263.86	14,969,032.87	6,512,703.49
Fish	5,967,641.00	10,518,469.52	6,457,139.93
Groundnuts	2,794,080.86	4,535,908.82	4,450,939.02
Millet	3,230,721.19	2,223,930.94	3,567,249.14
Vegetables (Tomatoes)	*6,426.86*	2,049,083.54	1,852,729.71
Eggs	756,644.12	*1,031,766.85*	1,461,109.50
Water Melons	*291,539.68*	-	1,369,854.02
Others	3,949,920.81	2,874,570.59	6,022,831.70
GROSS TOTAL	**69,101,100.03**	**54,552,295.49**	**38,328,297.38**

Source: Author's compilation based on UBOS data

We see a dramatic decline in overall flow of food into Uganda, between 2006 and 2007, in particular rice and fish; attributed partly to shift of exports to other markets (such as Southern Sudan) and part of the global trends where agricultural food production generally declined in 2007 which culminated into 2008 food crisis.

Table 17. Trend in Kenya's informal agricultural export to Uganda through Busia (US$)

Commodity	2005	2006	2007
Rice	98,641.35	3,164,114.21	746,325.15
Coffee (Unprocessed)*	365,529.86	979,802.43	336,301.52
Peas	55,374.22	102,413.44	275,468.12
Root crop (Potatoes)	130,874.29	249,626.58	243,117.90
Maize	50,239.43	*2,491.11*	120,263.97
Fish	*27,892.81*	388,662.71	62,913.97
Beans	10,396.87	1,231,486.75	36,963.72
Passion Fruits	245,258.16	74,092.59	29,460.16
Others	182,668.00	248,003.27	309,539.08
GROSS TOTAL	**1,166,874.99**	**6,440,693.09**	**2,160,353.59**

Source: Author's compilation based on UBOS data

*Unprocessed. The main fruits include bananas, ripe bogoya, apple bananas, pineapples, water melon, cabbage and pumpkins, oranges, lemons, mangoes and tomatoes while the main vegetables include greens especially sukuma wiki (cordies).

Table 18. Uganda's informal agricultural export to Southern Sudan through Oraba (US$)

	2005	2006	2007
Fish	688,267.89	875,562.48	18,537,472.14
Onions	160,854.86	-	6,406,531.83
Beans	146,380.42	88,699.33	4,687,165.82
Chicken	*11,751.21*	*42,925*	2,532,402.28
Cattle	*9,086.64*	*27,765*	2,467,518.53
Bananas	*12,351.02*	111,469.87	2,386,751.46
Root crops (Potatoes)	91,787.35	54,436.35	2,366,840.24
Tomatoes	*21,017.08*	*8414.43*	2,346,820.39
Others	471,499.42	454,045.98	15,378,895.35
Gross Total	**1,612,995.89**	**1,663,318.14**	**57,110,398.04**

Author's compilation based on UBOS data

Table 19. Trend in Sudan's informal agricultural export to Uganda through Oraba (US$)

	2005	2006	2007
Hides & Skins	18,909.68	135,825.54	93,324.4
Tobacco	*1,963.62*	-	51,377.4
Beef	-	*771.85*	34,188.6
Ground Nuts	296,794.28	32,993.63	30,402.2
Rice	*405.08*	*4,147.12*	24,676.2
Meat	*1,135.86*	-	22,573.9
Goats	23,651.92	12,318.89	18,609.0
Beans	*2,722.72*	12,260.09	15,695.3
Others	**76,723.11**	**54,684.50**	**70,959.0**
GROSS TOTAL	**422,306.27**	**253,001.62**	**361,805.9**

Author's compilation based on UBOS data

Table 20 Uganda's informal agricultural export to Tanzania through Mutukula (US$)

Commodity	2005	2006	2007
Beans	80,958.88	800,327.29	1,396,358.8
Maize	644,329.20	5,771,861.22	1,228,722.0
Bananas	2,472.80	41,624.95	340,842.4
Millet	-	*7,400*	125,681.8
Eggs	3,802.57	19,141.69	105,450.4
Sorghum	-	*48*	57,981.4
Groundnuts	*3.03*	154,766.65	45,895.2
Coffee	*37.28*	**57,863.05**	36,834.8
Others	**5,704.60**	**50,415**	**85,165.9**
GROSS TOTAL	**737,308.36**	**6,903,447.9**	**3,422,932.6**

Author's compilation based on UBOS data

Table 21. Tanzania's informal agricultural export to Uganda through Mutukula (US$)

Commodity	2005	2006	2007
Coffee (Unprocessed)	*360*	919,663	498,901.8
Beans	12,705	568,747	250,009.3
Fish	2,471	128,506	187,329.4
Rice	196,087	395,998	123,745.8
Meat	*212*	58,534	45,465.5
Peas	-	761,543	41,424.4
Bananas	14,816	79,838	35,731.9
Milk (Fresh)	-	30,230	19,909.0
Others	**6,801**	**125,973**	**95,687.2**
GROSS TOTAL	**233,451.8**	**3,069,031.6**	**1,298,204.3**

Author's compilation based on UBOS data

Table 22 Trend in Uganda's informal agricultural export to Rwanda through Katuna (US$)

	2005	2006	2007
Maize	289,363.51	1,142,373.71	3,883,483.81
Beans	150,020.42	973,544.50	1,006,246.21
Potatoes (Irish)	755,656.52	-	947,075.25
Bananas	325,506.09	272,280.61	655,456.54
Tobacco	337,916.77	459,401.76	600,985.58
Sorghum	*8,480.0*	*4,077.63*	147,294.54
Pineapple	*6,961.8*	7.80	139,778.68
Apples	*8,878.1*	-	131,256.81
Others	**262,317.7**	**393,634**	**387,144.94**
GROSS TOTAL	**2,145,100.84**	**3,245,320.43**	**7,898,722.36**

Note: According to Key informant interviews, maize flour and wheat flour are the leading commodities from Uganda to Rwanda, followed by Irish potatoes and bananas.

Table 23. Rwanda's informal agricultural export to Uganda through Katuna (US$)

	2005	2006	2007
Peas	123,103.71	147,368	70,393.3
Passion Fruits	109,167.19	211,665	63,184.8
Ovacadoes	13,678.34	20,000	37,784.9
Onions	*21*	12,645	32,817.6
Chicken	52,607	-	27,761.5
Berries	-	-	15,763.6
Egg Plants	*1,528*	-	8,815.0
Cabbages	*390*	-	4,217.7
Others	**12,346**	**8,840**	**12,433.8**
GROSS TOTAL	**312,841.3**	**400,518.6**	**273,172.2**

Author's compilation based on UBOS data base