



# Bringing Business to the Fore: Enhancing Private Sector Participation in NTFCs

INSIGHTS FROM THE GLOBAL ALLIANCE  
FOR TRADE FACILITATION



## **Global Alliance for Trade Facilitation Lessons Learned Series**

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This paper is part of the Global Alliance for Trade Facilitation Lessons Learned Series. It was prepared by Candice White, International Consultant.

The authors' views do not necessarily reflect the views of the Alliance, its host organisations, implementing partners, donors, or business partners.

# CONTENTS

<b>The Global Alliance For Trade Facilitation</b>	<b>4</b>
<b>Executive Summary</b>	<b>5</b>
<b>1. Introduction</b>	<b>6</b>
The important role of NTFCs	7
Methodology	7
<b>2. Lessons Learned and Best Practices: Facilitating Public-Private Partnership in the NTFC</b>	<b>8</b>
Committed public and private sector stakeholders	9
Clear structure and well-organised operations	10
Employ efficient monitoring techniques	11
<b>3. Private Sector Perspectives on NTFC Best Practices</b>	<b>13</b>
Type of activities	13
Factors for a well-functioning NTFC	14
Factors for strong private sector engagement in the NTFC	15
<b>4. Summary of Key Success Factors for Private Sector Engagement in the NTFC</b>	<b>16</b>
<b>5. The Way Forward</b>	<b>18</b>
<b>Annex</b>	<b>19</b>
<b>Bibliography</b>	<b>22</b>
<b>End Notes</b>	<b>23</b>

# THE GLOBAL ALLIANCE FOR TRADE FACILITATION

The Global Alliance for Trade Facilitation supports governments in developing and least developed countries in implementing the World Trade Organization's Trade Facilitation Agreement. Alliance projects cut through red tape and end costly delays at borders by bringing together governments and businesses of all sizes as equal partners to deliver targeted trade reforms.

By emphasising digitalisation and delivering other best practices, Alliance projects enable businesses to trade more easily thanks to streamlined and more predictable processes. Governments save time and resources by modernising trade procedures while safeguarding their borders. Ultimately, Alliance projects boost trade competitiveness and business conditions, which are key drivers of inclusive economic growth and poverty reduction.

The Alliance is led by the Center for International Private Enterprise, the International Chamber of Commerce, and the World Economic Forum, in cooperation with Gesellschaft für Internationale Zusammenarbeit (GIZ). It is funded by the governments of the United States, Canada and Germany.

## LESSONS LEARNED SERIES

The Global Alliance for Trade Facilitation Lessons Learned Series is a collection of papers documenting the technical and operational insights gained from the Alliance's experience in implementing trade facilitation reforms. Its goal is to share lessons and emerging best practices as a resource for governments, businesses, other organisations and initiatives in the trade facilitation and related fields.

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# EXECUTIVE SUMMARY

The Global Alliance for Trade Facilitation is a public-private partnership for trade-led economic growth. Through each trade facilitation project, the Alliance builds relationships between local government agencies and local business representatives to establish sustainable mechanisms for collective reform. Wherever possible, the Alliance collaborates with the local National Trade Facilitation Committees (NTFCs), and in some instances the Alliance has brought its public-private partnership approach to the NTFC, enabling business to take a role in shaping trade reform through this institutionalised trade coordination body.

NTFCs that have a strong public-private collaboration tend to lead to more impactful and sustainable trade facilitation reforms because the community of traders directly impacted by trade policies and programs can influence them. However, certain factors must exist to facilitate a strong public-private collaboration in the NTFC.

This paper shares learnings from the Alliance's work with NTFCs, with a particular focus on projects in Kenya, Colombia and Jordan that concentrated on improving private sector participation in the NTFC. In addition, the paper collates these learnings with the results of a literature review and interviews conducted with nine private sector members from six NTFCs across Sub-Saharan Africa and South and Central America.

The Alliance's experience facilitating public-private partnership in NTFCs has revealed three overarching best practices which are also supported by the literature. First, it is necessary that the NTFC have **committed public and private stakeholders**, including a high-level political commitment to the NTFC and attendance from stakeholders who are senior enough to enact policy changes. There should also be dedicated roles for private sector personnel, and private sector should be sufficiently well organised to represent themselves. Second, the NTFC should have a **clear organisation and structure** that includes a strategic level, a secretariat or operational level and a level for sub-committees or working groups. The operations should be well organised with dedicated budget and personnel, and there should be a consistent cadence of meetings and communications. Third, the NTFC should **use monitoring techniques in order to recognise progress** on priorities and requests.

The Alliance's interviews with private sector participants have helped to confirm the key success factors necessary for strong business engagement in the NTFC. The interviews show that

## Understanding NTFCs

The Trade Facilitation Agreement (TFA) is a binding multilateral trade agreement between members of the World Trade Organization (WTO) which aims to reduce trade barriers caused by complex border regulations.

While the TFA offers many benefits, implementing it fully can be challenging as it requires coordination across different national agencies. To address this, Article 23.2 of the TFA states that all WTO members must establish a National Trade Facilitation Committee (NTFC).

These committees serve as platforms for consultation and coordination among stakeholders, providing a framework for public-private collaboration. They are an important platform to coordinate trade facilitation reforms among various national agencies and private sector stakeholders who are essential participants in trade.

the private sector generally takes on a consultative role in the NTFC, with business representatives rarely being involved in a strategic or leadership capacity.

Interview participants indicated that the most important element for business engagement is to have **a functional NTFC that can fully deliver on its mandate while tracking and highlighting progress**. The NTFC must be backed by **high level political commitment that is sustained over time**, and it must also provide room for leadership or dedicated roles for the private sector. Finally, an NTFC can only be successful if it has been given **dedicated resources to carry out consistent and productive meetings and follow-ups**. Therefore, from a business perspective, it is crucial that there is government will to support the NTFC, and a strong trust-based public-private partnership is established.

The results of this research show that there is great consistency between the key success factors for an NTFC and for having strong private sector engagement in an NTFC. Although NTFCs are making strong progress in their engagement with private sector, they can reap further benefits from enhancing private sector partnerships and enabling business representatives to take a greater leadership role in the committee. The Alliance will continue fostering public-private partnership in its projects and hopes that the success factors highlighted in this paper will encourage NTFCs around the world to do the same.

## Key Success Factors to Strong Private Sector Participation in NTFCs



### 1. Committed public and private sector stakeholders

High-level political support and active private sector involvement with a focus on trust and expertise to ensure effective decision-making.



### 2. Clear structure and well-organised operations

Well-defined operations, including private sector integration at all relevant levels, with dedicated resources and consistent, productive meetings to facilitate decision-making and enforcement.



### 3. Employ efficient monitoring techniques

Use of monitoring tools to track project progress, celebrating successes, and ensuring concrete outcomes.

# 1. INTRODUCTION

**The Alliance's work has spanned more than 30 countries that are committed to implementing the WTO's TFA. In all these projects the Alliance brings its unique approach to working jointly with the public and private sectors, and, whenever possible, the Alliance works in coordination with the country's NTFC.**

NTFCs are government-led bodies, but best practice recognizes that an NTFC should include private sector representation to best fulfil its mandate of coordinated and effective trade reform. This is because it is widely recognized that business can help shape trade policies that are most effective in reducing the time and cost of trade since they are exposed daily to trading challenges. Large associations and chambers of commerce also have access to a wide network of local traders and can source feedback on specific challenges and solutions from across industries and regions to inform policies and programs. Private sector representatives add value in other ways as well. As international traders, they have exposure to global best practices and can bring this important know-how locally. They also play a role in capacity building for both government and business stakeholders, thereby helping to foster public-private partnership. For these reasons, it is essential to include the private sector in NTFCs.

In many countries, NTFCs draft and monitor the roadmaps to TFA implementation or related trade policy strategies, and hence play a central role coordinating donor and development projects like those delivered by the Alliance. Given its expertise in public-private partnership, some Alliance projects have directly focused on improving collaboration between business and government in the NTFC. For example, in Kenya the Alliance worked alongside United Nations Trade and Development (UNCTAD) to ensure that the NTFC operations, priorities and structures incentivised private sector participation. And in Jordan, the Alliance is strengthening the NTFC by consolidating the various bodies who share this mandate and instilling a structure to reflect best practices.

The Alliance's experience has allowed it to gather knowledge and best practices for facilitating private sector engagement in NTFCs. To supplement our project knowledge and fill a gap in the literature, the Alliance also conducted research to understand the best practices for a well-functioning NTFC from the private sector perspective. This Knowledge Paper will share those learnings and summarize best practices that enable an NTFC to have strong private sector engagement. The objective of sharing these learnings is to enable other committed NTFCs and development entities supporting NTFCs to facilitate the adoption of such best practices and realise the benefits of public-private collaboration for trade reform.



## The important role of NTFCs

Article 23.2 of the WTO's Trade Facilitation Agreement places an obligation on its members to establish and/or maintain a national committee on trade facilitation or designate an existing mechanism to facilitate both domestic coordination and implementation of the TFA<sup>1</sup>. Now officially known as NTFCs (or in some countries NCTFs or NTFBs<sup>2</sup>), these committees provide a useful platform for driving trade facilitation reforms, which demand coordination and consensus building among various national agencies and private sector stakeholders who are essential participants in trade.

Although the TFA provides the legal basis for establishing NTFCs, it does not provide details on their specific functions and establishment mechanisms. To fill this gap, several institutions have undertaken complementary work to offer best practices for implementing and operating NTFCs. Even before the TFA's official entry into force in 2017, the United Nations Centre for Trade Facilitation and Electronic Business (UN/CEFACT) published Recommendation 4, which builds on a 1974 Recommendation and offers a detailed description of the steps for establishing an NTFC<sup>3</sup>. Additionally, Recommendation N°40 builds on N°4 and suggests stakeholder consultation approaches in trade facilitation<sup>3</sup>. As will be seen in the coming pages, engagement of the private sector is consistently shown to be a best practice.

As of 2024, UNCTAD has recorded the existence of 134 NTFCs, a majority of WTO members<sup>4</sup>. Some NTFCs, mostly in developed countries, have existed for a long time. For example, the Swedish Trade Procedures Council (SWEPRO), the current body acting as NTFC, was previously a body established in the 1950s to reduce red tape and facilitate trade in the lumber industry<sup>5</sup>. Although the NTFCs across these 134 countries have varying terms of reference, priorities, compositions, and institutional frameworks, one consistent observation is that their performance impacts the implementation and sustainability of trade facilitation reforms. Given that an NTFC with strong private sector involvement is more likely to make trade facilitation successful, it is important to understand how NTFCs can best facilitate a "public-private" partnership model.

\* NCTF stands for National Committee for Trade Facilitation. NTFB stands for National Trade Facilitation Body.

## Methodology

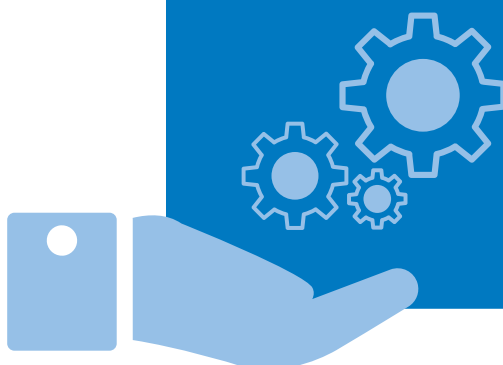
To draft this Knowledge Paper the Alliance has conducted a two-pronged research approach. First, a literature review of existing best practices for NTFCs and public-private partnerships was conducted.

Through this review the Alliance realised that many publications have looked at factors to help an NTFC optimally fulfil its mandate, but few publications have identified best practices that help facilitate private sector engagement or public-private partnership in the NTFC. Furthermore, there is a gap in literature sharing the private sector perspective on a well-functioning NTFC. As a result, the Alliance embarked on a series of interviews and surveys with private sector NTFC members as well as internal Project Officers whose projects have contributed to building NTFC capacity or have had extensive engagement with the NTFC.

To draw from the Alliance's experience, thirteen Project Officers working across South America, Southeast Asia, the Middle East and Sub-Saharan Africa were surveyed on their experience of growing private sector engagement in the NTFC and the related success factors. In addition, internal documents for certain projects that focused more heavily on improving public-private partnership in the NTFC were reviewed. For example, the Alliance's projects in Kenya and Jordan have specifically focused on revitalising the NTFCs to facilitate private sector participation. The results of the literature review and this piece of research are detailed in Section 2.

Furthermore, a total of nine interviews with private sector NTFC participants across six countries in Sub-Saharan Africa, Central America and South America were held. Efforts were made to have regional diversity in the respondents; however, some regions remain unrepresented due to a lack of responsiveness. The participants were all from associations or chambers of commerce, with the exception of one company in Nigeria. It is commonplace that private sector is represented in the NTFC by associations or chambers of commerce as opposed to specific companies due to their role as an organiser and liaison on policy matters. Participants were asked about the process they followed to become involved with the NTFC, the type of participation they have, and their opinion on factors for a well-functioning NTFC as well as what entails a strong private sector participation in the NTFC. The full list of interview questions is available in Annex 2, and the results of this research are detailed in Section 3.

Section 4 summarizes the two pieces of research and draws out the key findings from both. By conducting this two-pronged research approach, the paper builds on the existing literature and the experience of the Alliance to uncover and share additional best practices from the perspective of the private sector.



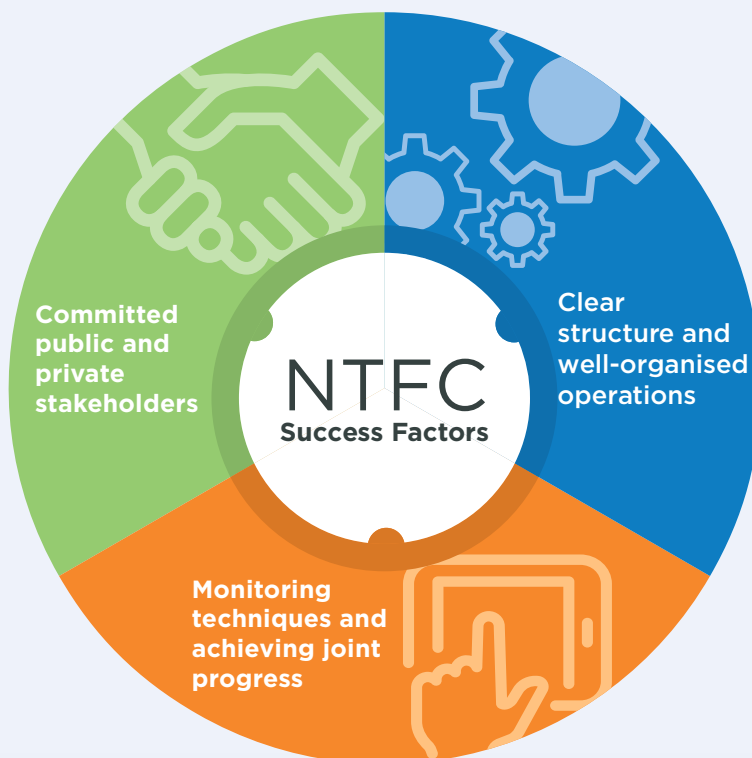


## 2. LESSONS LEARNED AND BEST PRACTICES: FACILITATING PUBLIC-PRIVATE PARTNERSHIP IN THE NTFC

While there is no one approach to establishing an NTFC, inclusive private sector participation is consistently underlined as a success factor. In 2014, UNCTAD published a study with ten recommendations for creating and strengthening an NTFC which included “always involve the private sector”<sup>6</sup>. Furthermore, UN/CEFACT Recommendation<sup>4</sup> notes that important success factors for an NTFC include: “favorable economic development and trade policies; a robust and dynamic private sector; the availability of human and financial resources; and a strong political will to improve the performance of international trade transactions and supply chains”<sup>7</sup>. Some of these success factors are further supported by a 2022 study conducted by UNCTAD which found that the sustainability of NTFCs relied on a high-level political commitment, private sector involvement, and financial assistance, among others<sup>8</sup>. Annex 1 includes a list of key success factors for well-functioning NTFCs, as identified in recent UN, WTO and CIPE publications.

The literature review and the survey of thirteen Alliance Project Officers enabled us to identify **three overarching success factors for the engagement of the private sector in the NTFC**. This section will share those findings. It will also add to the body of knowledge by highlighting experiences from Alliance projects that focused on enhancing the involvement of business in NTFCs, specifically those in Kenya, Jordan and Colombia.

Figure 1: NTFC Success Factors





## 1. Committed public and private sector stakeholders

The first factor is having **committed public and private sector stakeholders**. An UNCTAD survey from 2022 found that in most cases the NTFC is hosted within the Ministry of Trade, but sometimes it is hosted by the Customs Authority, Ministry of Transport, or in very few cases, by a Chamber of Commerce<sup>9</sup>. Regardless of where it sits, the entity responsible for carrying out the activities of the NTFC must have leadership personnel that are determined to deliver on the NTFC's mandate. This usually includes a high-level political commitment that establishes the NTFC, outlines the entity responsible for the secretariat role, and a consistent source of support. For instance, in Colombia the government established the new NTFC structure in 2018 by a Decision at the presidential level<sup>10</sup>, while in Kenya the NTFC was institutionalized through an official decree<sup>11</sup>. More so, in Colombia the NTFC is part of the Executive Committee of the National System of Competitiveness, Science, Technology and Innovation, a cross-sector committee. In both cases this provided legitimacy and high-level public commitment to the NTFC operations.

An optimally functioning NTFC also requires **dedicated personnel from the private sector** who recognize the value of informing the trade facilitation agenda and are incentivised to participate. This should include both private sector traders as well as private sector trade service providers, as put forth in UN/CEFACT Recommendation n°4<sup>12</sup>. However, often the challenge is not the desire and commitment of private sector, but rather that they have not been overtly included, or are not sufficiently organised to contribute.


In many instances the private sector is represented at the NTFC through the local business associations or chambers of commerce. Thus, if such organisations are pre-existing in the country and have

strong credibility among their members as well as a clear agenda, it becomes much more straightforward for business to be strongly engaged once the door is opened to them.

The literature confirms that the **profile of NTFC members from the public and private sector is also important**. According to UNCTAD, both the public and private sector members should nominate senior staff who ***“will not just fulfil a representative function but who should be able to contribute meaningfully to the debates and take at least certain decisions on behalf of their organisations”***<sup>13</sup>. Thus, it is important that private sector is sufficiently organised with staff who can meaningfully contribute to the NTFC.

In Kenya, the Alliance played a strong role in building the capacity of the local business associations to be active members in the NTFC. The local Alliance representative, in partnership with UNCTAD, gave a series of presentations to raise awareness on the TFA, convince business on the important role of the NTFC, and the necessity to speak to government with one voice. To do this effectively required having a strong partnership with the business organisations, particularly the apex umbrella association, the Kenya Private Sector Alliance (KEPSA). It also required the ability to clearly communicate the strong benefit of being at the table with government agencies and the benefits that could be gained from being actively involved in TFA implementation. See Box 1 for further information.

In Colombia the local Alliance project manager knew that the private sector was already well-organised and highly motivated to actively participate in the NTFC. Thus, the Alliance played a key role in ensuring the Ministry of Trade would not only invite business representatives, but actively engage with and listen to their feedback



“A significant challenge for the private sector in engaging with the NTFC is the lack of influence over the meeting agenda. This limits the ability to proactively address issues, as the discussions often become reactive, addressing problems after they arise rather than anticipating and preventing them. Additionally, the absence of smaller working groups or regular consultative meetings further hampers effective participation and the ability to provide timely input on policy matters.”

– Interview Respondent.

on reforms and decisions. This was made possible through the Alliance local representative having a strong relationship with the main actors involved in the NTFC. Eventually the Alliance's role contributing to the trade facilitation reform agenda of the NTFC led to the Alliance receiving a position as an honorary member of the NTFC.



## 2. Clear structure and well-organised operations

The second factor for successful public-private partnership in the NTFC is having a **clear structure and well-organised, yet inclusive, operations**. According to UN/CEFACT, NTFCs should have a strategic level for mandate setting, an operational level with a permanent Secretariat for administrative management, and ad-hoc committees to carry out more technical tasks<sup>14</sup>. Ideally public and private sector stakeholders would be represented at all levels, although it is rare that the leadership is equally public and private. The Chairperson is frequently a government representative from the Ministry of Trade or Customs, but in some cases, there is co-chairing between the public and private sector<sup>15</sup>. The NTFC in Kenya is one example where the Ministry of Trade co-chairs the NTFC with KEPISA, the main business association<sup>16</sup>.

In Jordan, the Alliance project on 'Introducing Electronic Certificates of Origin (e-CO) and Enhancing the National Consultation Mechanisms' is also taking action to establish a new National Trade and Transport Facilitation Committee (NTTFC) structure that reflects international best practice. The role of the NTFC is played by the Technical Committee on Trade and Transport Facilitation (TCTTF). Established in 2005 and chaired by the Ministry of Transport, the TCTTF has suffered from a lack of clear structure and operational procedures<sup>17</sup>. The TCTTF has a secretariat and a plenary

forum for strategic discussion, but the lack of technical working groups has made the operations challenging due to having too many voices in the plenary and an absence of follow-through on tasks. Through the project, the Alliance is providing assistance to the TCTTF in establishing smaller working groups specific to trade facilitation topics where private sector actors' technical expertise is represented, and they can work on more detailed proposals alongside select government agencies.

Moreover, the permanent secretariat level of the NTFC would ideally be staffed with **dedicated resources**. It is not uncommon that the NTFC is just one of many responsibilities of the staff of the secretariat, as is the case in Jordan where three officials spend an average of 20% of their time on the TCTTF<sup>18</sup>. This limits staff's ability to completely commit time to driving forward trade facilitation priorities. A lack of **dedicated budget** for the day-to-day NTFC operations further limits its effectiveness. In 2017, UNCTAD found that only 21% of NTFCs surveyed had available budget for the activities of the NTFC, such as costs to host regular meetings<sup>19</sup>. To foster private sector participation, the NTFC needs to be well resourced so that operations are productive, and goals are accomplished.

An NTFC's structure and operations are very important to enable sustainable private sector participation. When an NTFC is new and there is no strong

history of public-private collaboration in the country, well-organised operations help establish clear ways of working and set the foundation for building a new relationship. It also provides an opportunity for the NTFC to set a clear role for private sector members, and avoid a situation where business feels either unwelcome or unproductive. For example, in Kenya the Alliance team helped the NTFC to establish its structure, which included the creation of various Working Groups to tackle topics of interest to both the public and private sectors. Alternatively, in Colombia the NTFC hosts national meetings with a specific sectoral focus on an on-demand basis, enabling private sector members to contribute to setting the NTFC's priorities.

For all NTFCs the existence of **consistent meetings and opportunities to interact** is important for growing trust and understanding between the sectors. The right cadence depends heavily on the country context, but UNCTAD's surveys over the years reflect that the majority of NTFCs meet on a quarterly basis<sup>20</sup>. Nevertheless, meetings in and of themselves are not adequate; what matters more is that there are strong follow-ups and action is taken on items discussed in order to improve confidence and grow the level of trust between the parties.





### 3. Employ efficient monitoring techniques

Finally, NTFCs that **employ efficient monitoring techniques** are better able to engage with the private sector since they **track and acknowledge successes**, proving that the sectors can make progress together. To facilitate this, UNCTAD has created a Reform Tracker which is a web-based project management and monitoring tool for trade facilitation reforms<sup>21</sup>. In Kenya, UNCTAD provided training on the Reform Tracker to the private sector members of the NTFC ensuring their capacity to contribute to it. Use of the Reform Tracker is expected to lead to an enhanced monitoring of TFA implementation.

In Colombia, the National Planning Department hosts the Secretariat of the NTFC. Their role as a transversal body guaranteeing strong coordination and delivery of commitments across government agencies has been positive for ensuring priorities outlined in the NTFC are documented and actioned. For example, the Secretariat jointly with the Ministry of Trade, created a matrix detailing the problems raised in the NTFC which allowed them to track the projects underway and raise requests for assistance to development partners such as the Alliance. When the Alliance was implementing the Centre project on advanced rulings and customs harmonization, the NTFC was key to addressing challenges, such as issuing the Decree to establish the Centre as well as set up the Division on Trade Facilitation and services within the customs authority (DIAN)<sup>22</sup>. This reflects how an efficient monitoring process with clearly identified owners can enable an NTFC to drive and support efficient trade reforms. On the other hand, a lack of accountability negatively impacts the NTFC's functioning and disincentivises private sector participation.

It is important that donor-funded trade facilitation projects such as those of the Alliance be known to the NTFC so that progress is tracked and so that the NTFC can be used as a lever to address any challenges that arise. In addition, the Alliance found that awareness of its projects can also be helpful to the NTFC by showing that public-private collaboration can make concrete progress on trade facilitation reforms.

The private sector is more likely to engage with the government and the NTFC when they see that sought after reforms are being achieved.

Furthermore, when specific projects are associated with the NTFC, the public and private sectors can take advantage of this momentum and good will to make further joint progress. For example, in Zambia the Alliance project became a special subcommittee of the NTFC which enabled the NTFC and the project to be closely connected, bringing the four Customs Broker Associations engaged in the project to interact with the NTFC more closely. As Alliance projects are bastions of strong public-private interaction, having them connected to the NTFC is helpful for monitoring progress, building public-private trust, and growing the credibility of the government actors through showcasing achievements.



“We are happy to be sitting around one table with government and the other associations to be resolving challenges with trade. The Alliance’s project to introduce standards for customs clearing agents has enabled us to grow our public-private partnership under the framework of the NTFC.”

- Maxwell Changwe  
Secretary General, Zambia  
Freight Forwarders Association



## BOX 1: Enhancing the role of the private sector in the Kenya NTFC

The conclusion of the TFA spurred the introduction of new NTFCs across many countries, with UNCTAD's Empowerment Programme for NTFCs<sup>23</sup> acting as a key supporting actor. In Kenya, UNCTAD worked with the government to establish the NTFC and build capacity for government stakeholders. Given that the initiative was predominantly public sector-focused but that there was a desire to facilitate private sector participation in the NTFC, UNCTAD collaborated with the Alliance to leverage its private sector engagement expertise.

As a first step towards more thorough private sector inclusion in the NTFC, the Alliance embarked on a process to systematically raise awareness about the TFA and the NTFC among the various actors in the private sector community. The Alliance organised physical and virtual meetings with the country's main private sector leaders to present the Alliance's work, establish valuable rapport, and highlight the importance of the NTFC in addressing private sector trade challenges.

As the NTFC materialised, the Alliance ensured that the private sector was engaged to provide feedback on a draft Needs Assessment report that outlined a potential scope of work for the NTFC. The Alliance organised a meeting of private sector members

to review and provide feedback on the draft and mobilised the participation of private sector actors in the Thematic Working Group meetings where the Needs Assessment report was finalised.

The Alliance and UNCTAD also realised the importance of building the capacity of the private sector to ensure their effective contributions to the NTFC. Hence the Alliance and UNCTAD jointly carried out a sensitisation of the private sector members on their role in TFA implementation, as well as the role they would hold in the NTFC Thematic Working Groups. UNCTAD held further trainings on the Reform Tracker – a monitoring tool used by the Kenyan NTFC to track progress.

This project also enabled the private sector to provide input into the NTFC's operations and work plans. With the help of the Alliance, the NTFC held a workshop with strong private sector representation that led to the creation of a business-led NTFC Thematic Working Group. The purpose of this Working Group is to focus on assessing the impact of TFA implementation. The structure allows for the Working Group Chairs, who are business representatives, to influence and ask for consultations on the work of other Thematic Working Groups as needed.

Finally, the Alliance also helped grow the participation of women in the NTFC by facilitating an official letter from the Nairobi chapter of the Organisation of Women in International Trade (OWIT) to join the NTFC. This reflects the Alliance's dedication to ensuring that an inclusive set of private sector stakeholders are present in public-private partnership so that trade reforms will benefit all genders equally. Evidence from UNCTAD illustrates that most NTFCs lack gender balance which can significantly affect inclusive outcomes<sup>24</sup>.

This work has led to an increase in participation of the private sector in the NTFC. The Alliance followed a process to first build bilateral trust, then build capacity, and finally to ensure that business is actively involved when the NTFC structure is formed, and its focus areas are outlined. Private sector input into TFA implementation plans are expected to lead to much more durable reforms that will benefit business and contribute to inclusive economic growth in Kenya.





# 3. PRIVATE SECTOR PERSPECTIVES ON NTFC BEST PRACTICES

The learnings and best practices shared in Section 2 have been sourced from the experience of various Alliance projects and the literature published by development organizations such as UNCTAD who have thoroughly surveyed government NTFC members and worked on establishing well-functioning NTFCs. The nine interviews conducted by the Alliance with private sector NTFC participants across six countries in Sub-Saharan Africa, Central America and South America fill the gap in this literature by adding a business perspective.

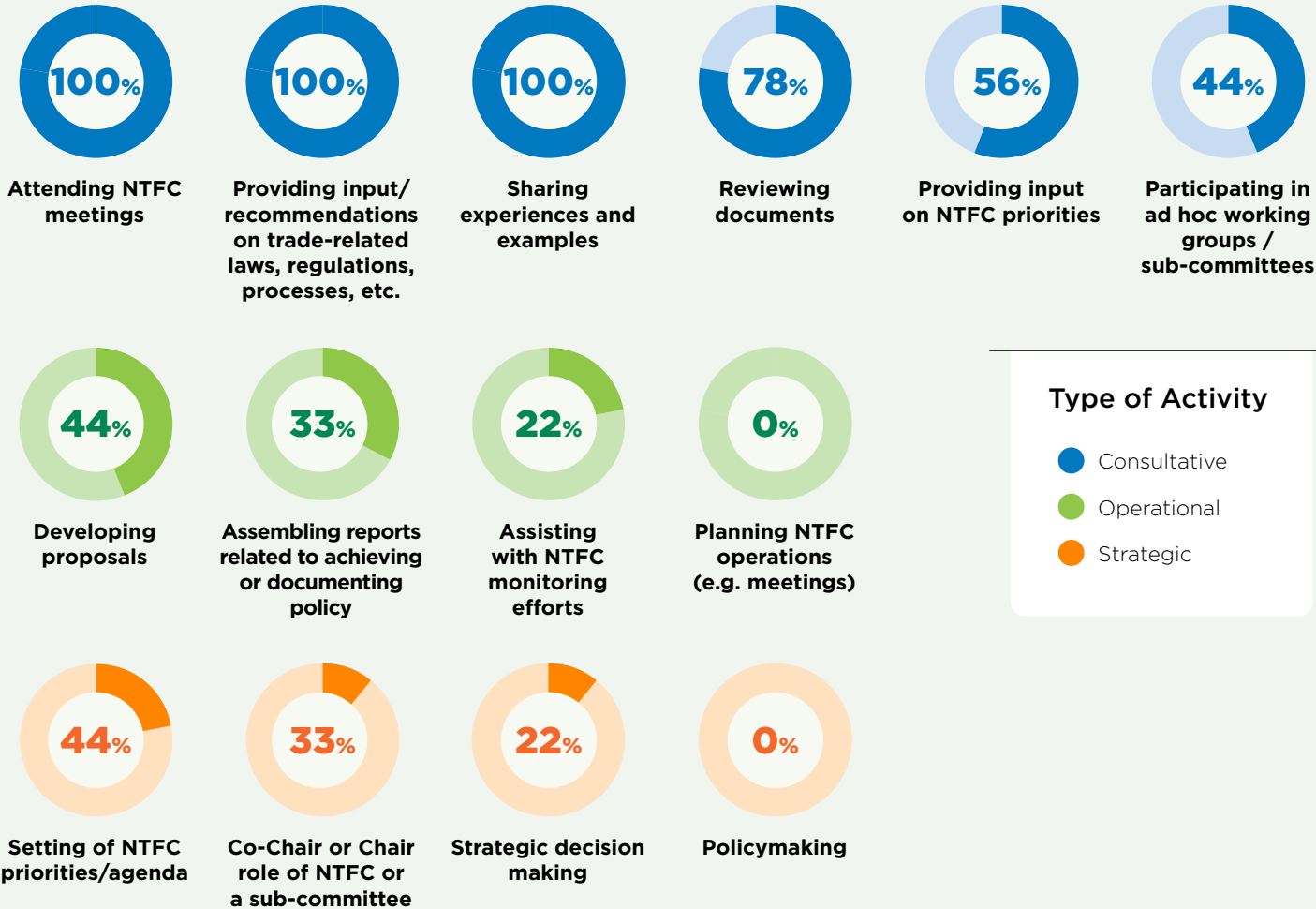
## Type of activities

Of the nine private sector interview participants, the majority reported being involved mostly in consultative and operational activities with their NTFC (see Table 1). Only two respondents reported the private sector being engaged in strategic and/or leadership roles such as decision making or

an established Chairperson role. All participants reported that they attend NTFC meetings, that they provide input on trade-related laws, regulations and processes, and that they share their experiences with the committees. A majority of respondents also said that they review documents and provide

feedback, such as reviewing new free trade agreements or amendments to customs regulations. This confirms previous findings from UNCTAD that private sector is generally in a consultative role in the NTFC, and very rarely in a leadership role.

**Table 1: Private sector participation in different NTFC activities\*  
% Proportion of Private Sector Respondents Participating**



\* List of activities based on literature review.

## Factors for a well-functioning NTFC

With regards to factors that support a well-functioning NTFC, participants highlighted the **use of monitoring tools to track requests and progress** and **having strong government commitment** as the most important elements (see Table 2). With regards to monitoring, the UNCTAD Reform Tracker is a solution that has been deployed in many countries but relies on the will of the government to ensure that reforms are implemented. Hence these two points are deeply intertwined.

Most respondents also emphasized the importance of a **dedicated secretariat with budget and resources**. The private sector discussed the need to have a government agency acting as secretariat and tasked with a clear mandate to call meetings, take minutes, conduct follow ups and look at outcomes. A majority of respondents also spoke to the importance of **productive meetings**, where there is a well-defined process for conducting meetings and voting, a clear action plan, and clear monitoring of results. Productivity and a dedicated secretariat evidently rely on government commitment and overt support in the form of funding and personnel resources to sustain effective operations.

For instance, some private sector stakeholders shared the challenges they face with government turnover and a change in the domestic trade agenda. Countries whose government priorities shift away from trade tend to underuse the NTFC, for instance, calling fewer meetings. As trade reform requires constant attention, the private sector feels this negative impact and states a preference for stable NTFC funding, resources and attention. On the other hand, when a

government highly prioritises trade reform it can be a boon to the NTFC. For example, the Office of the President in Zambia has created a Presidential Delivery Unit to deliver on specific priorities and has a representative from this Unit sitting in the NTFC to monitor progress. A high-level government commitment can make a big difference to an NTFC's progress, but equally such a commitment is most effective if it is sustained over time, suggesting the need to institutionalize the NTFC.

Relatedly, one of the mandates of the NTFC is to coordinate policy changes across the many government agencies involved in regulating trade. As a result, private sector pointed out that **how the NTFC is structured and who has a leadership role** can seriously impact the effectiveness of NTFC policymaking. For example, in one country, despite hosting frequent meetings where public and private sectors are well represented, the NTFC has focused mostly on administrative changes and substantial issues are rarely tackled. Because both public and private sectors have a vote, the committee is not a productive forum for policymaking. Moreover, when there are so many government agencies involved in trade, an overarching hierarchy needs to be in place for the NTFC to take trade policy decisions that can apply across different government institutions. Thus, differing ministerial mandates and government bureaucracy limit the NTFC's effectiveness if it lacks the right leadership and reporting structures.

Speaking about the impact of a change in government, an interview respondent stated: **"At the beginning we were active**

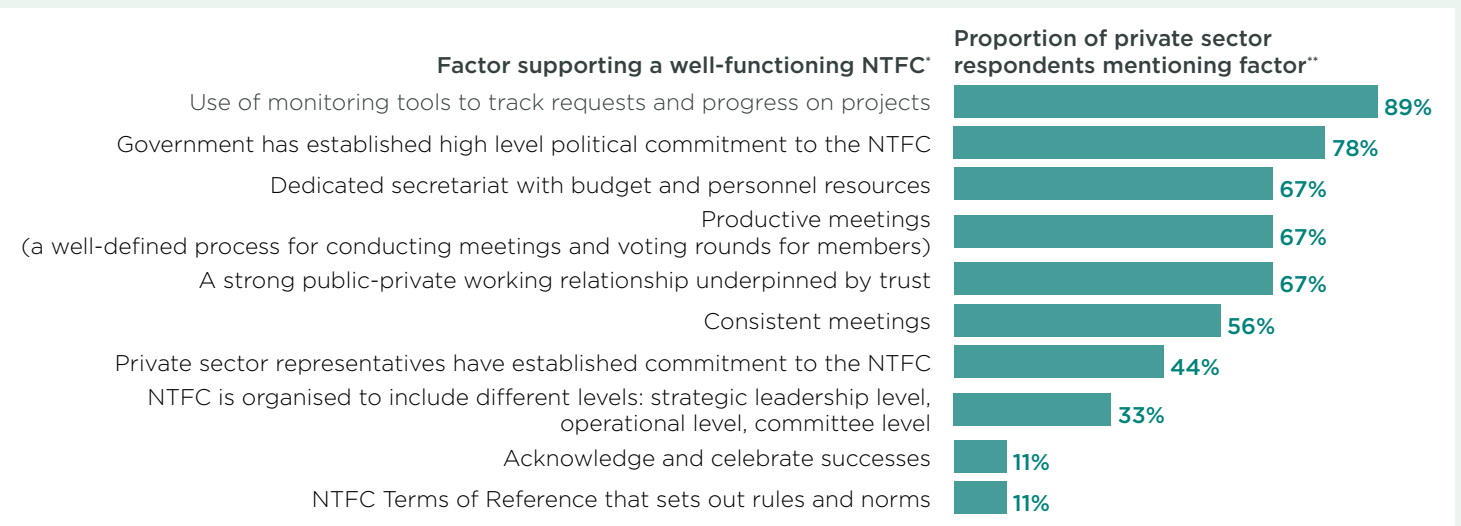
**"It is critical to have an agenda that considers the short, medium and long term from the government and the private sector perspective. There are 26 public institutions that are involved in the process of trade and licensing, therefore without an agenda and a well-structured committee it is very difficult to consider the needs of the private sector in the NTFC."**

- interview respondent.

**participants and could set the agenda... now we have an NTFC to comply [with TFA obligations], rather than for proactive or forward-looking reforms."**

Respondents also discussed the importance of having a **strong public-private working relationship** for the NTFC to function well. Every interviewee described the necessity of the private sector voice and the value they can add in an NTFC, and many cited the importance of building one on one relationships with the various government stakeholders. Moreover, most associations cited already having pre-existing relationships with agencies such as Customs before the NTFC, but the NTFC has now provided a structured forum for engagement with many different agencies. However, this forum is only worthwhile if the NTFC has a facilitating structure, and the government actors are open to listen and act on recommendations.

**Table 2:** Private sector perspective on factors for a well-functioning NTFC



\* List of factors based on literature review.

\*\* When asked about important factors, respondents often discussed the areas that were lacking instead of existing. For example, terms of reference were often pre-existing but not seen as essential for a well-functioning NTFC, and only those representatives from NTFCs without sub-committees spoke to their importance.

## Factors for strong private sector engagement in the NTFC

While it can be assumed that the factors mentioned above for a well-functioning NTFC can also produce strong private sector engagement, it is also important to explore other actions an NTFC could take to explicitly foster private sector participation. This acknowledges that private sectors attendance in the room is not enough for the NTFC to be a true public-private partnership. Instead, the NTFC should create a space where business representatives can speak openly, contribute to agenda-setting, make suggestions, bring solutions, and overall operate as a partner to the public sector in facilitating trade reform.

Private sector interview respondents stated that the main way the NTFC could facilitate a true partnership with them was by **making concrete progress on reforms**, reflecting the need to have a productive NTFC and one that monitors progress, as mentioned above. Respondents also discussed at length the importance of **having dedicated roles for private sector** and **having private sector represented at different levels of the NTFC** (see Table 3).

Most NTFCs are organised with a strategic level, an operational level and a level with working groups or sub-committees. Four out of six countries we spoke to shared that their NTFC reflects this structure. The two countries who do not have sub-committees expressed their desire for them to tackle items at a more detailed level. In one case, a private sector representative reported that they are only present in the technical sub-committees and not in the general meeting. In another case, the representative shared that over time the NTFC reduced the number of sub-committees because the quantity of meetings and time requirement was hefty for the private sector. This

suggests that working groups are useful, but that a balance must be struck so as to use resources most efficiently.

As mentioned above, very few of the business representatives we talked to have a leadership or Co-Chair role in the committee. However, many of them mentioned a desire for a larger leadership role where they can set agendas and be viewed as an equal partner in trade reform. Interviewees pointed out that as government priorities can change, having the private sector be more involved **"like a mother to the work of the committee"** is a strong solution for NTFC sustainability. The idea of a Co-Chair between public and private sector in the general committee or a sub-committee was of interest, as it not only enables the private sector to drive trade facilitation priorities, but also sends a signal of an equal partnership.

Another factor that facilitates private sector engagement in the NTFC is having a **consistent cadence of meetings and communication**. Several respondents shared that private sector engagement can be improved if the Secretariat for the NTFC shares meeting invitations and agendas well in advance, thereby allowing them to prepare. For example, if a meeting will address challenges at a specific border point, the private sector association can solicit feedback from their local chapters or members who trade through that border point. A consistent cadence of meetings and a strong and transparent communication allows for the NTFC to operate more productively as private sector can come prepared. It will also help provide a feedback loop on changes, so that NTFC participants can see the progress being made.



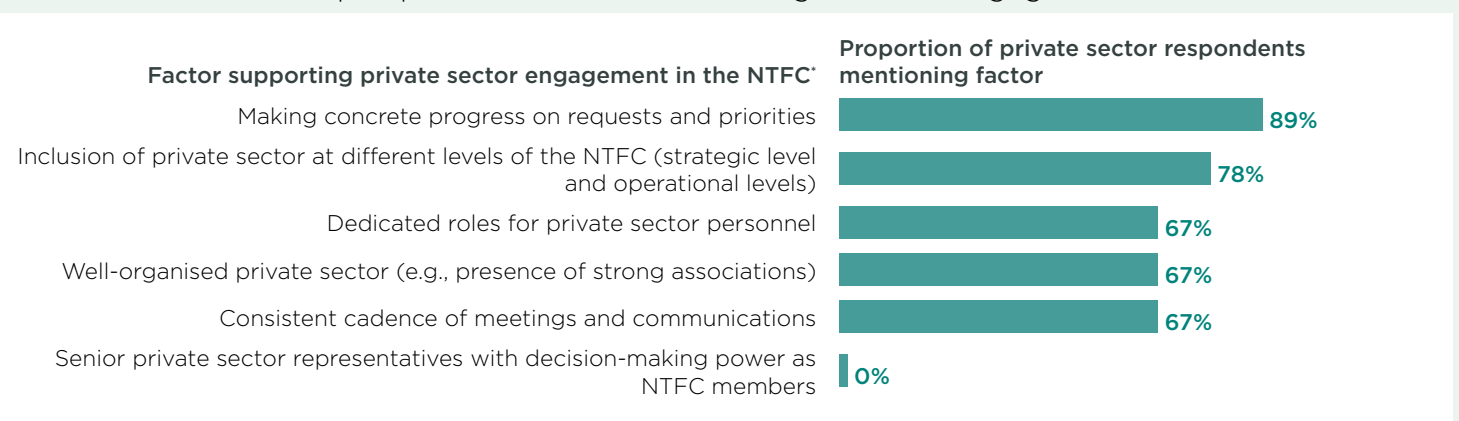
**"We had a good start with the NTFC and the private sector participation, but we want more. We want to be more invested in the whole thing, we want a more active role than passive."**

**- interview respondent.**

Some respondents also spoke about **the importance of the private sector being well-organised** to speak with one voice since it helps make the meetings more productive and priorities are easily outlined. Often this coordination falls to an apex business association who has been given a permanent seat on the NTFC. When no such organisation exists, it can significantly increase the workload of individual associations and companies to organise among themselves. This is one of the reasons why individual companies are represented less often in the NTFCs in comparison to associations and chambers of commerce.

Interestingly, private sector also highlighted a **need for technical expertise in the committee** meetings rather than high level decision makers, to avoid becoming a 'talk shop'. What may be an ideal solution is the presence of technical experts from both public and private sectors on sub-committees, and the presence of decision makers in the general committee who have the power to vote on strategic items such as agendas and policy changes.

**Table 3:** Private sector perspective on factors for strong business engagement in the NTFC



\* List of factors based on literature review.

## 4. SUMMARY OF KEY SUCCESS FACTORS FOR PRIVATE SECTOR ENGAGEMENT IN THE NTFC

This research has revealed a lot of consistency in the best practices for establishing NTFCs and the best practices necessary for strong private sector engagement in the NTFC. Largely the private sector has confirmed that the three success factors discussed above hold true. However, there are also certain nuances highlighted by the business representatives.




**First, the NTFC must have committed public and private sector stakeholders who are proactive and dedicated to the trade facilitation mandate.** The private sector confirms that a consistent government commitment to the NTFC is the lynchpin for sustainable public-private partnership on trade reform in the NTFC. Equally, the private sector also needs to be well-organised and willing to consistently contribute to the NTFC, and there needs to be inclusion of diverse actors from across the private sector, including traders, service providers, MSMEs and women-owned businesses (see Box 2). Moreover, the two sectors must have an openness to engaging and building their relationship.

**Second, the NTFC must have a clear structure and well-organised operations** so as to operate efficiently and avoid becoming only a ‘talk shop’. The need for a dedicated budget and resources for the secretariat of the NTFC is evident across the literature and from the private sector perspective. Furthermore, such support will enable the NTFC to consistently organise meetings, give transparent and advanced communications, and structure the NTFC operations in a meaningful way. This also includes having sub-committees that allow private sector representatives to contribute technical expertise and draft proposals, while also contributing to strategic direction in the plenary committee.

**Third, the NTFC must employ efficient monitoring techniques** so that progress can be tracked, and wins can be recognized, thereby providing positive reinforcement to the public-private relationship. Monitoring and making progress on reforms were the two most highlighted success factors from the perspective of the private sector and are intertwined considering that strong monitoring is essential to realise results.

The three key success factors and their sub-factors are summarized in Table 4. As countries continue their journey toward growing public-private partnership in NTFCs, these learnings will help inform the structure, mandate and priorities of the committees.

**Table 4:** Key Success Factors to Strong Private Sector Participation in NTFCs

 <p><b>1. Committed public and private sector stakeholders</b></p> <ul style="list-style-type: none"> <li>◦ High level political commitment</li> <li>◦ Dedicated membership for private sector</li> <li>◦ Well organised private sector</li> <li>◦ A strong public-private working relationship underpinned by trust</li> <li>◦ Membership includes senior level staff with decision-making power and technical staff providing expertise.</li> </ul>	 <p><b>2. Clear structure and well-organised operations</b></p> <ul style="list-style-type: none"> <li>◦ Inclusion of private sector throughout levels (e.g. Co-Chair role for sub-committees)</li> <li>◦ Dedicated budget and personnel resources</li> <li>◦ Consistent cadence of meetings and communications</li> <li>◦ Productive meetings with well-defined process</li> <li>◦ Organisation includes strategic leadership levels, operational levels and committee levels</li> <li>◦ A structure conducive to decision-making and enforcement across government agencies</li> </ul>	 <p><b>3. Employ efficient monitoring techniques</b></p> <ul style="list-style-type: none"> <li>◦ Use of monitoring tools to track requests and progress on projects</li> <li>◦ Making concrete progress on requests and priorities</li> <li>◦ Acknowledge and celebrate successes</li> </ul>
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- KSF from the literature review and Alliance experience
- KSF highlighted by most private sector interviewees
- KSF from the literature review and Alliance experience, also highlighted by most private sector interviewees



## BOX 2: Gender Mainstreaming and Private Sector Inclusion in the NTFC

As trade reform is not gender neutral, it is essential that policymakers utilise gender mainstreaming to ensure that policy reforms do not discriminate against any one gender. As the primary coordination body for trade reforms, NTFCs play an important role in ensuring that a country's policies and trade facilitation measures are not gender blind. There are several good practices that countries can adopt to ensure that their NTFC is inclusive, and that policies are made through a gender lens, such as:

- Ensure a balanced representation of women and men and include local women's associations as members in the NTFC. For example, the local chapter of the Organisation of Women in International Trade is a permanent member in the Nigeria NTFC<sup>25</sup>.
- Establish a sub-committee on gender that is co-led by local women's associations and is tasked with reviewing current or upcoming trade reforms through a gender lens and proposing gender-responsive initiatives<sup>26</sup>. For example, the NTFC in Ghana has adopted a Trade and Gender sub-committee with the assistance of the World Bank<sup>27</sup>.
- Gender disaggregate all data and measurement indicators used by the committee<sup>28</sup>.
- Provide capacity building for women-owned businesses and MSMEs. Trainings can help raise awareness of national trade priorities and provide the skills and knowledge needed to advocate for changes in the NTFC.





## THE WAY FORWARD

The Alliance approach to helping countries implement the WTO's TFA heavily prioritizes public-private partnership. Support to NTFCs is not the Alliance's bread and butter, yet there have been opportunities for the Alliance to aid the functioning of some NTFCs since they play an essential role in providing a permanent space for public-private dialogue. As a best practice example of engaging private sector in trade reform, the Alliance can bring its expertise and credibility as a convener to improve public-private partnership in the NTFC. This has enabled the Alliance to gather knowledge on building effective and inclusive NTFCs which have been shared in this text.

The paper concludes that there are three overarching success factors that drive strong private sector engagement in the NTFCs: committed public and private stakeholders, a clear structure and well-organised operations

and the deployment of efficient monitoring techniques in pursuit of concrete reform. Yet, the Alliance's experience also confirms that there is no silver bullet solution to a well-functioning NTFC, and each public-private partnership will be adapted to the unique country context.

Through reducing the time and cost to trade, trade facilitation reforms have the potential to grow economies all around the world. It is acknowledged that these reforms will be most effective when public-private partnership is placed at the centre. Therefore, optimizing NTFCs to include and value the inputs of the private sector is a crucial component to ensuring that the benefits of TFA implementation are unlocked. The Alliance will continue to share best practices for building public-private partnership and will work with its many partners to ensure that such knowledge is implemented in NTFCs.







# ANNEX

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## **Annex 1**

Summary from literature of Key Success Factors for NTFCs

## **Annex 2**

Interview/Survey Questions

# ANNEX 1: SUMMARY FROM LITERATURE OF KEY SUCCESS FACTORS (KSFs) FOR NTFCs

<b>UN/CEFACT Recommendation n°4 2015<sup>29</sup></b> KSFs for NTFC organisation, administrative arrangements and operations	<b>UNCTAD Transport and Trade Facilitation Series No. 19 2022<sup>30</sup></b> KSFs for NTFCs long-term sustainability – survey of 107 countries	<b>WTO TFAF Experience Sharing Series 2016<sup>31</sup></b> 6 principles of successful NTFCs – based on 25 country presentations	<b>CIPE ‘Building Effective PPPs in NTFCs’ 2024<sup>32</sup></b> Factors to galvanize private sector participation and efficient NTFC management
Resources (both human and financial) to support the implementation of agreed measures	Financial assistance and having adequate resources	Sustainable funding arrangements and appropriate personnel resources such as a technical secretariat	Funding and financing sources outside of government influence
Collaborative development of measures to reduce the cost and improve the effectiveness of international trade transactions	Private sector involvement	Active participation of the private sector	Private sector is actively involved in NTFC decision making processes, drafting initiatives, leading sub-committees, etc.
	Cooperation among members and having common understanding, goals and mutual trust		Consolidating public and private interests: focus on shared goals and identifying bottlenecks
	High-level political commitment		Political commitment and trust
	Commitment and high participation of members		Incentives for private sector membership: Co-Chair or leadership opportunities
	Regularity of meetings and communications to NTFC members	Institutional framework, including formal organisational structures, committee rules, clear mandate, roadmap and terms of reference	Institutionalizing principles and values: well organised meetings, setting clear roadmaps and following through, utilizing project management principles
Provision of a national focal point for the collection and dissemination of information on best practices and standards in international trade facilitation		Effective system of measurement and monitoring to concretely demonstrate impact	
Participation in international efforts to improve trade facilitation efficiency		Regional cooperation among NTFCs	
	Capacity building	Capacity building	
Identification of factors affecting the cost and efficiency of the country's international trading performance, and the setting of priorities for action on these issues			



## ANNEX 2

# INTERVIEW/SURVEY QUESTIONS

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### Interview/survey Questions for Private Sector Participants in the NTFC

1. Please describe your/your organisation's experience at the beginning of your engagement with the NTFC. How did you learn about the NTFC and who initiated your organisation's involvement?
2. Describe your engagement with the NTFC (past or present)? What activities did you engage in/ what was your role?
3. In your opinion, what factors contribute to a well-functioning NTFC?
4. In your opinion, what factors enable strong private sector engagement in an NTFC?
5. In your opinion, what should be the role of the private sector in the NTFC?
6. How would you describe your engagement with the NTFC today in comparison to when you started working with the NTFC? How would you describe the working relationship between the public and private sectors?

### Interview/survey Questions for Alliance Project Officers

1. How did the project engage with the local NTFC?
2. How has your project contributed to improving the private sector voice, representation and/or engagement in the NTFC?
3. If applicable: What do you think indicates that the private sector voice, representation and/or engagement in the NTFC has improved?
4. If applicable: What challenges did you encounter and how did you mitigate those challenges?
5. If applicable: In your opinion, what practices/factors contribute to improving the public-private functioning of the NTFC, particularly the involvement of the private sector?

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