



EAST AFRICAN COMMUNITY

**STATUS OF ELIMINATION OF
NON TARIFF BARRIERS
IN THE EAST AFRICAN COMMUNITY**

VOLUME 6 – MAY 2014



One People. One Destiny

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FOREWORD

I take this opportunity to present to the readers and especially the policy makers of EAC Partner States the 6th publication on the status of elimination (NTBs) within EAC region as per May, 2014

The publication highlights what EAC has achieved in the area of redressing NTBs in accordance with the decisions of the Sectoral Council on Trade, Finance, Industry and Investment during their meeting held on 30th May, 2014, Arusha, Tanzania. The publication shows that twenty four, nine and Sixty two NTBs were reported as unresolved, new and cumulatively resolved respectively.

I also note with appreciation the Council during its 28th meeting held on 29th November, 2013 among others adopted the Draft EAC NTBs Bill and forwarded it to the 16th meeting of the Sectoral Council on Legal and Judicial Affairs for legal input before it is forwarded to East African legislative Assembly for enactment into law. The enactment of the Bill into law will strengthen the EAC Mechanism on elimination of non-tariff barriers in the EAC region.

I commend the good work being done by the National Monitoring Committees and the EAC Regional Forum on NTBs in championing the elimination of NTBs. It is my expectation that the National Monitoring Committees on NTBs and the National Implementation Committees on the EAC Common Market will work hand in hand in pursuit of elimination of NTBs affecting Intra-EAC trade. The challenge now remains within EAC Partner States to eliminate the Non-tariff barriers in accordance with the agreed EAC Time Bound Programme.

I finally commend the Development Partners especially Trademark East Africa for their continued support in the elimination of NTBs affecting intra-EAC trade. It is my hope that this partnership will continue to grow stronger in future.

DR. RICHARD SEZIBERA
AMBASSADOR
SECRETARY GENERAL
EAC



GLOSSARY

CFS	Container Freight Services
COMESA	Common Market for Eastern and South African
EAC	East African Community
EU	European Union
eCO	Electronic Certificate of Origin
EWURA	Energy, Water and Utilities Regulation Authority
FTA	Free Trade area
GVW	Gross Vehicle Weight
KEBS	Kenya Bureau of Standards
KEPHIS	Kenya Plant Health Inspectorate Services
KRA	Kenya Revenue Authority
ICDS	Inland Container Depots
NTBs	Non-Tariff Barriers
NMCs	National Monitoring Committees
PCCB	Prevention and Combating of Corruption Bureau
SADC	South African Development Community
TCM	Transport, Communications and Metrology
TCCIA	Tanzania Chambers of Commerce, Industry and Agriculture
SPS	Sanitary and Pyhtosanitary
UNECA	United Nations Commission for Africa
UNCTAD	United Nations Congress on Trade and Development
UNECAP	United Nations Economic and Social Commission for Asia and the Pacific
UNBS	Uganda National Bureau of Standards
TCD Model	Time Cost Distance Model
TRA	Tanzania Revenue Authority
TANROADS	Tanzania Roads Authority
TTAC	Transit Transport Coordination Agency
RRA	Rwanda Revenue Authority
URT	United Republic of Tanzania
TBT	Technical barriers to trade



1.0

PURPOSE OF THE PUBLICATION

The 7th EAC quarterly report on NTBs gives the status of elimination of NTBS in EAC region as per May, 2014 after the meeting of the Sectoral Council on Trade, Industry, Finance and Investment which was held on 30th May, 2014 in Arusha, Tanzania and the 14th EAC Regional Forum on NTBs held on 27th – 29th February, 2014 in Arusha, Tanzania.

The EAC Regional Forum on NTBs considered:

- (i) Quarterly reports of National Monitoring Committees on non- tariff barriers and
- (ii) Updated the EAC Time Bound Programme on elimination of identified NTBs; and

2.0

QUARTELY REPORTS OF NMCS FOR THE PERIOD JANUARY TO MARCH, 2014

During the 14th EAC Regional Forum the Partner States presented their quarterly reports on NTBs as follows:

2.1 REPUBLIC OF BURUNDI

The Republic of Burundi reported that she held and NTBs workshop on 23rd December, 2013 at Rutana Province whose objective was to:

- (i) Sensitize national stakeholders on the status and impact of NTBs on trade and investment development and
- (ii) Raise awareness among Burundi economic operators

on the importance of eliminating NTBs as provided by EAC Customs Union.

Burundi also held a national preparatory meeting for NMC on 6th January, 2014 to prepare for the NMC meeting which was held on 10th February, 2014 to in preparation of the 14th EAC Regional Forum. During the meeting the EAC Time Bound Programme was updated.

New NTB reported:

Burundi reported the United Republic of Tanzania was charging US\$ 500 as road toll for trucks registered in Burundi when they transit though Tanzania while Burundi charges US\$ 152.

2.2 REPUBLIC OF KENYA

The Republic of Kenya reported that she held her NMC meeting on 17th February, 2014 to:

- (i) Review the report of the EAC Regional Forum held in December, 2013, and
- (ii) Prepare for the 14th EAC Regional Forum on NTBs.

The meeting updated the EAC Time Bound Programme and noted that there were long outstanding NTBs which required the attention of the Council on how to redress them. The meeting also recommended that Private Sector Associations in the Partner States should consider initiating bilateral forums to at private sector level to mitigate on some NTBs which cannot be solved at technical level.

The noted that the following NTBs have been in the TBG on NTBs for more that ten years and hence the need to forward that to the Sectoral Council for Trade, Industry, Finance and Investment for policy guidance on how to redress them:

- (i) Non recognition of EAC Rules of Origin for Motor vehicles manufactured in Kenya;
- (ii) Requirement of 70% and 75% material content for Tobacco products exported to EAC from Kenya; and
- (iii) Ban of beef and beef products from Kenya exported to Uganda.

New NTBs reported by Kenya

- (i) **Discrimination of East African Breweries (Kenya) Ltd products by the United Republic of Tanzania;**
- (ii) **Tanzania Food and Drug Authority (TFDA) has introduced new requirements that manufactures wishing to export to URT should label their products as per TFDA's specifications (Salt and Dairy products were cited as some of the products);**
- (iii) **There are numerous monetary charges required by various agencies in the UNITED Republic of Tanzania on exports of Dairy products from Kenya;**
- (iv) **United Republic of Tanzania has re-introduced yellow fever requirement at Namanga and Kilimanjaro Airport; and**
- (v) **Uganda Bureau of Standards is rubbing off batch numbers and shelf life marks by hand on tropical heats products exported by Kenya and thereafter rejecting the products as substandard.**

2.3 REPUBLIC OF UGANDA

Uganda reported that since the 13th EAC Regional Forum on NTBs, the following activities had been taken by her NMC on NTBs

- (i) On 15th January, 2014, a meeting was held in Kampala, Uganda with the representatives of the private Sector where critical NTBs were discussed;
- (ii) A stakeholders workshop for the trade related Non-Government Organizations (NGOs) and Civil Society Organizations was held on 23rd January, 2014 by Microjustice4all. The objective of the workshop was to develop a National and a regional mechanism for advocating for elimination of NTBs at the major border posts in Uganda;
- (iii) In February, 2014, the NMC participated in the Summit of the integrated Northern Corridor projects during which the Private sector was given an opportunity to share the NTBs related challenges that affect the flow of goods at the Northern Corridor; and
- (iv) An NMC meeting was held on 14th February, 2014 whereby challenges of exporting and importing goods in the EAC region were deliberated upon and EAC Time Bound Programme on NTBs was updated in preparation for the 14th EAC Regional Forum on NTBS.

The meeting the following challenges:

- (i) Evidence based reporting for NTBs is still limited; and
- (ii) Many Institutions and Stakeholders still have challenges of conceptualizing NTBS.

New NTBs reported

- (i) **Sugar: Kenya has introduced new requirements for export of Sugar in the country. Any exporter of sugar is required to obtain prior permission from Kenya Sugar Board (KSB) and any trader wishing to import sugar from Uganda to seek approval KSB.**
- (ii) **Numerous Weighbridges: The Ugandan traders are subjected to four weighbridges instead of two, one at the point of entry and the other one at point of exit.**

2.4 THE UNITED REPUBLIC OF TANZANIA

The URT reported that her NMC held two meetings, one in January and the other in February, 2014. The following was deliberated during the meetings:

- (i) Matters arising from the 13th EAC Regional Forum on NTBs;
- (ii) Essence of Time Bound Matrix and the commitment of URT on eliminating NTBs in the matrix. The Institutions forming the URT NMC reported that they were all committed to eliminate NTBs on time and asked for the relevant information and evidences on various NTBs to be availed to allow them eliminate them; and
- (iii) Sustainability of the NMC meetings hence the need for a budget line for its activities.

The NMC also undertook the following Borders and Surveillance Tours.

The tours in the Central Corridor and the Northern Tanzania linking to the Northern Corridor covered DarEsSalaamPort,MwanzaPort,WeighbridgesalongtheCorridorsandtheborders.TheBoedersofSirari,Shirati,Mutukula,Rusomo, Kabanga, Horohoro, Holili and Namanga.

The Surveillance was carried out to:

- (i) Find out facts about complains raised by transporters and other Stakeholders in relation to the routes (including the numbers, position and time taken by vehicles on road blocks, police checkpoints)
- (ii) Weighbridges along the Corridors

During the tour, the NMC members found that:

- (i) Administrative procedures for weighing of trucks at weigh bridges had been simplified and it took a truck two to five minutes to clear with weigh bridges and
- (ii) There were only fifteen official police check points along the Central Corridor and it takes a truck at most three minutes to clear with the police at the points.
- (iii) URT was implementing Electronic Certificate of Origin (eCO) system through Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA) through the support of TMEA. This system will minimize on time taken to process certificates of Origin by more than 50% thus addressing NTB related to processing of the certificates.

The tours and Surveillance missions were undertaken in order to advise the Government accordingly.

URT informed the meeting that Uganda and Rwanda were still charging duties on Rice from Tanzania despite the outcome of EAC verification mission which ascertained the rice was wholly produced in the country. The practice was hampering the EAC trade and was equally a disincentive to farming thus affecting the implementation of the EAC Food Security Action Plan.

2.5 REPUBLIC OF RWANDA

The Republic of Rwanda reported that her NMC had undertaken the following activities since the 13th EAC Regional Forum on NTBS

- (i) Preparations of a bilateral meeting on promotion of cross border trade and elimination of NTBs affecting trade between Rwanda and Burundi. The meeting was supposed to take place on 21st to 22nd January, 2014 where MOU on promotion of cross border trade and elimination of NTBs between the two Partner States was to be signed. However, the Bilateral was later postponed;

- (ii) A workshop was held for on 27th to 28th January, 2014 where NMC members were trained on how to run a Time Cost Distance (TCD) model. The Model is a toolkit designed by UNECAP and UNCTAD to monitor the performance of transport corridors on time cost and reliability incurred by user of transit Corridors. The workshop was organized by the Central Corridor Transit Transport Coordination Agency (TTCA) and was funded by UNECA;
- (iii) On 14th February, the NMC held a meeting to prepare for the 14th EAC Regional Forum on NTBs where the EAC Time Bound Programme on NTBs was updated; and
- (iv) On 21st February, 2014, the NMC was incited in the "Elimination Coalition" launch of the Rwanda Civil Society by EACSOF and Microjustice4allRwanda. The NMC made a presentation on the current status of NTBs in the EAC and provided advisory services on identifying, reporting, monitoring and removal of NTBs.



3.0

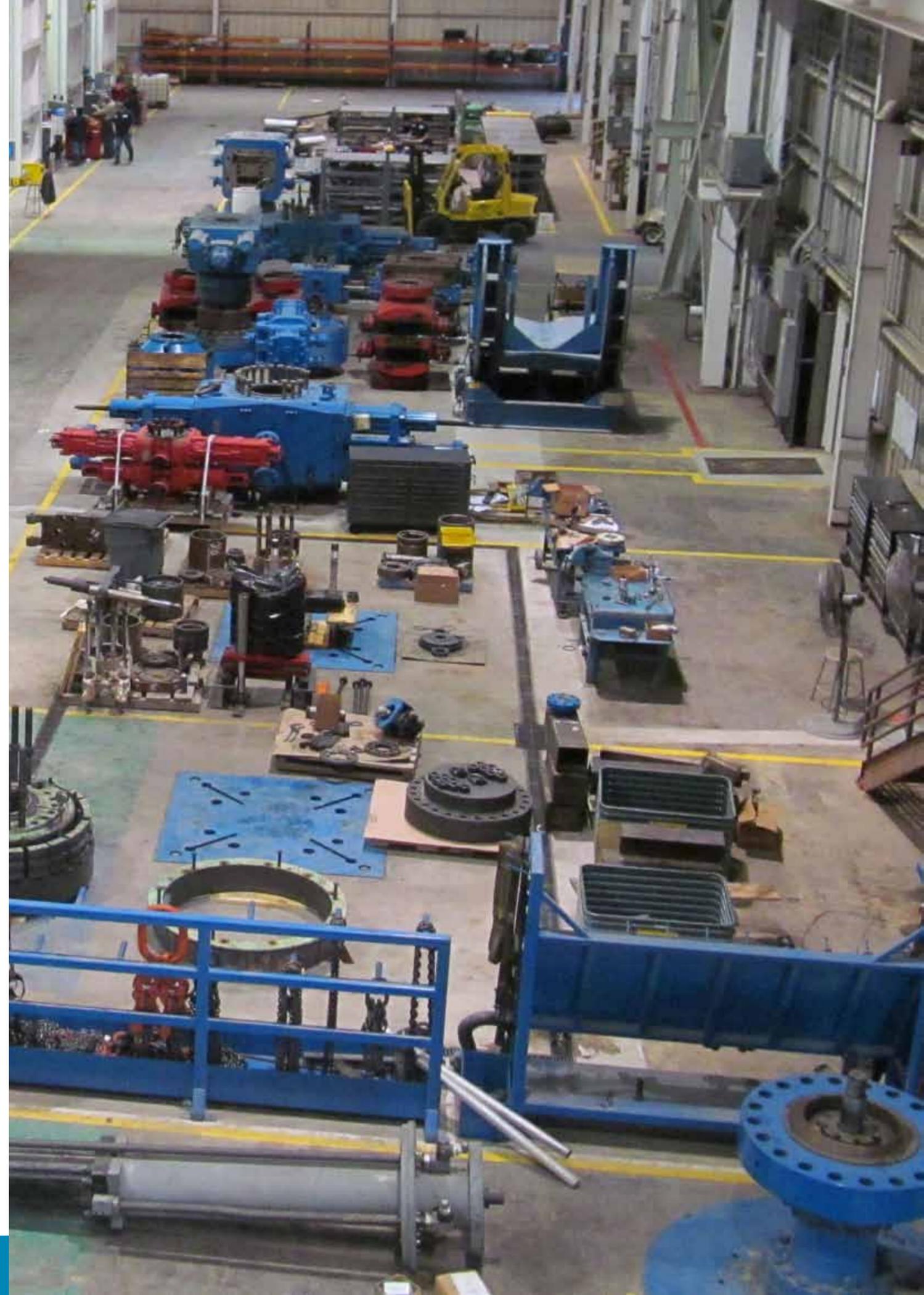
UPDATED EAC TIME BOUND PROGRAMME ON ELIMINATION OF NON-TARIFF BARRIERS AS PER MAY, 2014

The meeting of Sectoral Council on Trade, Industry, Finance and Investment which was held on 30th May, 2014 in Arusha, Tanzania among other considered the elimination of non-tariff in EAC region. The meeting further updated EAC Time Bound Programme on elimination of identified NTBs. The updated EAC Time Bound Programme shows that:

- (i) **Twenty four (24)** NTBs were unresolved;
- (ii) **Nine (9)** NTBs were reported as new; and
- (iii) **Sixty-two (62)** NTBs were reported resolved cumulatively.

The table below shows NTBs imposed by each Partner State:

PARTNER STATE	NUMBER OF NTBS IMPOSED
REPUBLIC OF BURUNDI	6
REPUBLIC OF KENYA	10
REPUBLIC OF UGANDA	9
REPUBLIC OF RWANDA	6
UNITED REPUBLIC OF TANZANIA	11



4.0 UPDATED EAC TIME BOUND PROGRAMME ON ELIMINATION OF IDENTIFIED NON TARIFF BARRIERS

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
1	<i>Lack of coordination among the numerous institutions involved in testing goods</i> <i>Reported in 2009</i>	All EAC Partner States	Statutory agencies.	Time wasted.	Need to invest in One-Stop-Centres and electronic single window systems at border stations Develop and implement mutual recognition instruments	Insufficient financial resources for investment in buildings, facilities and IT system/ equipment. Success Factor Collaboration of all institutions into fast-tracking the procedures under the same roof.	<p>The Ministers decided that: (i) Collaboration among the regulatory agencies be enhanced; (ii) agencies operate under one stop post as is currently being done between Kenya and Uganda; (iii) agencies collaborate at the national borders with a view to fast tracking clearance of goods at border entry points; and (iv) Mutual recognition of certificates issued by agencies is implemented.</p> <p><i>Status:</i> <i>TANZANIA:</i> (i) Reported that Dar Es Salaam port had started implementing electronic single window system; (ii) URT is currently working on her testing modalities to make sure that all tests are done at the port of entry instead of having to take samples to the headquarters. (iii) Taking initiative in starting one stop Inspection centre at the Central corridor/Tanzania has introduced three (3) stop inspection centres along the central corridor at Vigwaza, Manyoni and Nyakanazi; (iv) Holili /Taveta OSBP has been completed and will start operations by June 2014; (v) Kabanga/ Kobero OSBP is under construction and is expected to be completed by December, 2014.(vi) Mutukula, Rusomo and Namanga are under construction and will start operations by December, 2014</p> <p>Kenya/Malaba border between Kenya and Uganda is operating one stop border post; Taveta-Holili infrastructure has been completed and will soon be operational (KENTRADE): (i) There are Joint boarder verification of goods; (ii) OSBP at Lunga Lunga and Isebania are under construction and will be completed by April, 2014</p> <p><i>RWANDA</i> has introduced an electronic single window through which most testing bodies share information through the system electronically</p> <p>Rusumo One Stop Border Post is being constructed and is about 74% completed. It will be finalized by 15 November 2014. Kagitumba and Mirama Hill border posts OSBP construction has already started to be completed by December, 2014</p> <p>UNBS has introduced an electronic single window in two inspection centres and the preparations are on-going to introduce electronic single window in other inspection centres.</p> <p>Malaba OSBP infrastructure is under construction to be completed by December, 2014.</p> <p><i>BURUNDI:</i> Introduced one stop border post with Rwanda at RUHWA and Gasenyi which are operational.</p> <p>Burundi Bureau of Standards has introduced testing office at Kobero / Kabanga border post with Tanzania.</p>	December 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
2.	<i>Existence of several weighbridge stations in the Central Corridor.</i>	Rwanda Uganda and Burundi	Tanzania -TANROADS	Time lost at the weighbridges leads to loss of business as goods do not reach their destination in time	Reduction of weighbridges to two, one at the port of entry and the other at the port of exit	Political goodwill from the Partner States	<p>The EAC axle load enacted by EALA in May, 2013 and is awaiting assent by Partner states</p> <p>The Ministers decided: to reduce the weighing requirement for transit traffic to two, one each at the entry and exit points;</p> <p>Tanzania reported that she will comply with the Council decision by June, 2015.</p> <p>Tanzania has introduced three (3) stop inspection centres along the central corridor at Vigwaza, Manyoni and Nyakanazi</p>	June 2015
3.	<i>Ugandan restriction of beef & beef products from Kenya</i> <i>Reported in 1996.</i>	Kenya	Uganda Departments of Veterinary Services; Ministries of livestock development and Agriculture	Ban on market entry and loss of potential markets.	Political goodwill to mutually recognise inspection procedures, inspection reports and certificates	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets SUCCESS FACTOR Political goodwill to recognize EAC as a single market area	<p>The Ministers urged Republic of Kenya to review the legal notice No. 69 to address the issues of the BSE disease by December 30th, 2012.</p> <p>Kenya is yet to revise the legal notice and Kenya is the process of reviewing the various Acts including the Legal Notice. Updates by June, 2014</p> <p>The Secretariat is requested to coordinate the Bilateral before June, 2014.</p> <p>The meeting agreed that the Secretariat should organize the said Bilateral meeting before June 2014. If the NTB remains unresolved after the bilateral meeting, it will be referred to the SCTIFI.</p> <p>The meeting was informed that the matter was resolved.</p>	June 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
4.	<i>Several Police road blocks along Central Corridor, estimated at 30 between Dar es Salaam to Rusumo border. Reported in 2005</i>	Rwanda Uganda Burundi	Tanzania.	Adds to the cost of doing business.	Issue clear guidelines on reasons for stopping commercial vehicles, a daily record of vehicles stopped, reasons and measures taken.	Resistance to remove road-blocks on argument they are mounted for security reasons. SUCCESS FACTOR Follow-up on political decision to remove road-blocks	Tanzania has reduced road-blocks from Dar es Salaam to Rusumo from 30 to 8. Tanzania is in the process of reducing police roadblocks to 3 in the Central Corridor. There will be increased police patrols in the Central Corridor to ensure security in the route by June, 2015. The Ministers decided that: EAC Partner States undertake to explore measures to exempt transit traffic from inspection at the police road blocks; and Harmonized electronic cargo tracking system should be adopted. STATUS Tanzania Rwanda is working with TradeMark East Africa to initiate the Electronic Cargo Tracking system. Burundi reported that works on the Electronic Cargo Tracking system are underway. Kenya has introduced highway patrol along the Northern Corridor. Electronic Cargo tracking will be in place by September 2013	<i>December 2014</i>
5.	<i>Charges of plant import permit (PIP) at Malaba for tea destined for auction at Mombasa.</i>	Uganda, Burundi	Kenya Plant Health Services (KEPHIS)	Adds to cost of doing business.	Abolish charges.	Resistance from issuing authority	The ministers decided that Partner States should recognize certificates issued by accredited institutions of other Partner States. SPS Protocol was signed in July 2013 and Partner States are expected to ratify the Protocol by June 2014.	

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
6.	<i>Non recognition by Kenya for SPS certificates issued by Uganda for tea destined for Mombasa auction.</i>	Uganda and Burundi	Ministry of Agriculture Kenya	Uganda to identify	Mutual recognition of SPS certificates	Resistance from issuing authority.	The meeting noted that the issue will be resolved once EAC protocol on SPS has been ratified by Partner States. Kenya recognizes the SPS Certificate issued by the competent Authorities by the Republics of Uganda and Burundi and only issues certificates to the tea which is on transit without certificates. Uganda requested to go and confirm the above status as reported by Kenya and advise in the next Meeting. The NTB is to be resolved after ratification.	<i>December 2014</i>
7.	<i>Lack of harmonized port procedures manual.</i>	Partner States	TPA and KPA	Varying grace periods makes the importers to pay demurrage charges which increases cost of doing business in the region	TPA and KPA to harmonize port procedures manual grace periods.	Investments by port authorities	The Ministers decided that port procedures manuals should be harmonized. The issue is under consideration by Sectoral Council of the TCM The TCM is expected to meet by March, 2014. The United Republic of Tanzania submitted the manual to the Secretariat. The Secretariat will submit the manual to Uganda and Rwanda. Uganda and Rwanda will confirm the existence of the manuals and report in the next forum	<i>April 2014</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
8.	<i>Border management institutions' working hours are not harmonized.</i>	Tanzania, Uganda, Rwanda and Burundi	Revenue Authorities	Business community to identify impact Delays and extra cost to doing business	Harmonization of working hours	Security issues and awareness by Business community	The Ministers decided that: border entry points along the main transport corridors should operate 24 hrs for purposes of clearance of goods; and Partner States submit the names of the border entry points to start with by end of March 2012. UGANDA Malaba; Busia; Katuna; Mutukula- All the above border points work 24 hours KENYA: Mombasa Por; Malaba; Busia; Namanga; Lungalunga and Isebania - All the above border points work 24 hours URT: Dar es Salaam Port 24 hrs; Namanga-24 hrs; Rusumo-16 hrs; Horohoro-16hrs; Sirari- 24 hrs 7 days; Kabanga is working 16 hours, BURUNDI: Kobero -16 hrs; Kanyaru - 16hrs; Gasenyi - 18 hrs; Gasenyi is 18 hours RWANDA: Cyanika 16 hrs; Kagitumba 12 hrs; Rusumo 16hrs; Nemba 18 hrs; Akanyaru 12 hrs	June 2015

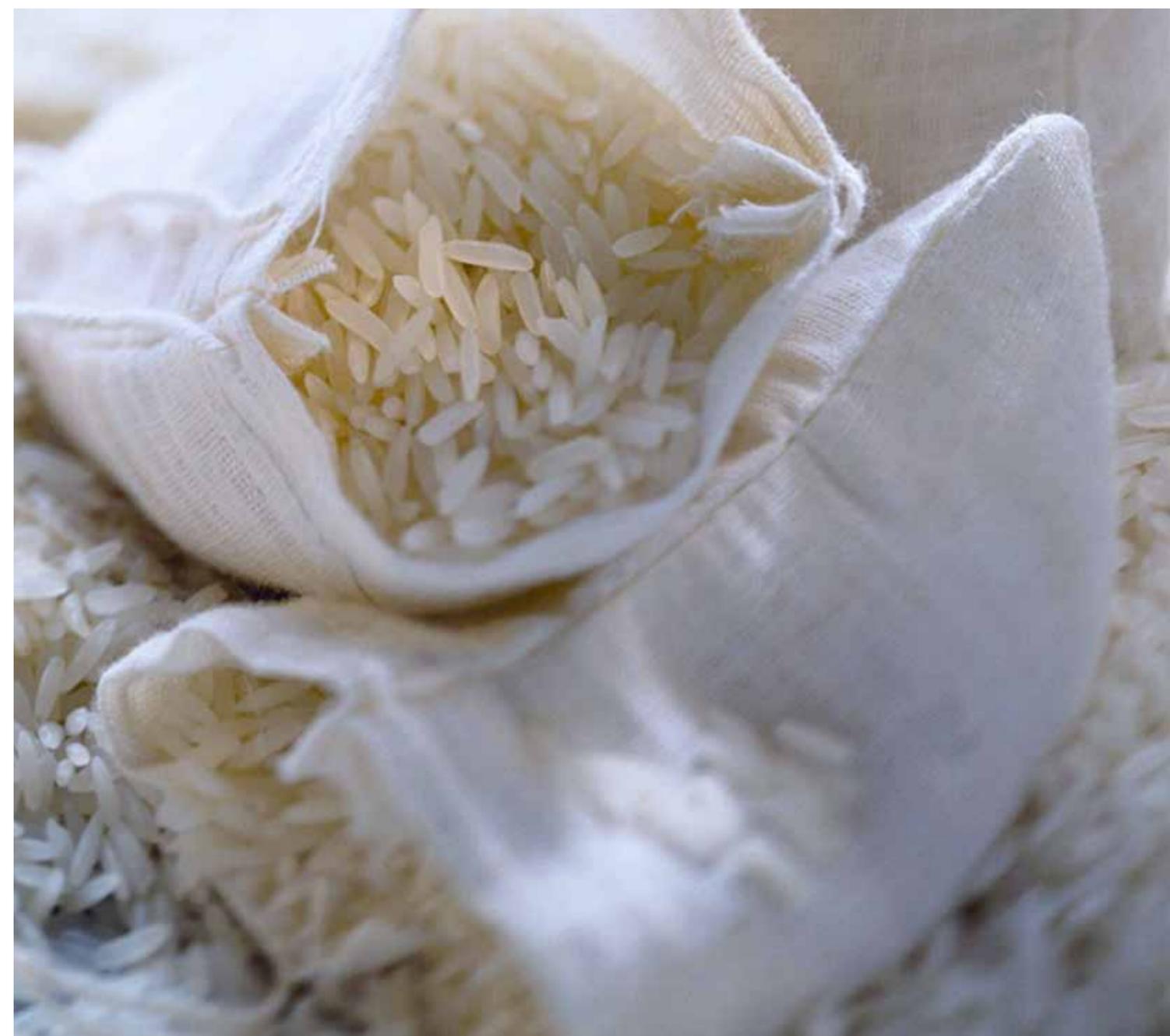
No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
9.	<i>Lack of Verification sheds and parking yards at border posts.</i>	Partner States	Partner States Revenue Authorities and Ministries of Works	Loss of business and spillages of cargo	Provision of sheds and parking yards	Inadequate financial resources	The Ministers urged Partner States to hasten construction of one stop border post. Verification sheds is provided for in the OSBP construction BURUNDI Burundi reported that Ruhwa one stop border post with Rwanda is already finalized and operational and verification sheds are operational and sufficient. On all other boarders the shed are operating 16hrs. Kabanga/Kobero OSBP is operational. Kasenyi/Nemba OSBP is also operational URT reported that Kabanga/ Kobero is operational while Rusumo construction is on-going Tanzania has finalized the process of allocating land for the OSBP. KENYA reported that Lungalunga and Isebania are operational while construction of Busia, Malaba Taveta and Nananga is in progress and will be completed by June, 2014. RWANDA At Rusumo border, construction is on-going and will be completed by December, 2014. Verification sheds are operational in other border posts. UGANDA Malaba and Busia OSBP is operational however, the verification shed in Malaba is fully functional and sufficient but the Busia shed is still wanting. Katuna, Mirama Hills and Mutukura do not have sufficient sheds although plans are underway to solve this. The meeting recommended that Partner States should initiate the construction of parking yards alongside OSBPs	June 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
10.	<i>Non-harmonized road user charges / road tolls</i>	All Partner States	Ministries of Transport and Infrastructure	Additional cost to doing business	Harmonize the road user charges / road toll		Harmonize the road user charges /road toll Work on the harmonization of road user/road tolls is currently being handled by Sectoral Council on TCM. The TCM is handling the NTBs The Secretariat is requested to be continuously updating the Forum until the NTB is resolved	April, 2014
11.	<i>Weighing of empty trucks in Tanzania</i>	Rwanda and Burundi	TANROADS	Unnecessary delays for trucks going to load in ports	Reverse the weighing of empty trucks	Resistance of TANROADS to amend the Road on Safety regulations	Consider reversing the process of weighing of empty trucks United Republic of Tanzania reported that: (i) has introduced weighing in motion and also checking physically; (ii) does not regard this as and NTB while Rwanda and Burundi consider it as an NTB. Rwanda and Burundi are waiting for the Council decision (iii) The meeting agreed that the matter be referred to the SCTIFI for consideration	December 2013
12.	<i>Requirement by KRA for transporters to have introductory letters from URA on certain products / consignments, e.g. tyres and spirits</i>	Uganda, Rwanda	KRA	Adds to the cost of doing business	Abolish the requirements	Fear of dumping	Abolish the requirement. Kenya requires a letter for importation of tyres; letter for methanol because it is diverted into the country. <i>KENYA</i> Sugar because of high risk of it being damped into the country. Uganda and Kenya to take it up bilaterally by January, 2014. Kenya will send to Uganda and Rwanda evidence by March 2014, of having removed the requirement of introductory letter and thereafter the matter will be considered as resolved.	January 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
13.	<i>Non-recognition of rules of Origin for motor vehicles</i>	Kenya	Tanzania, Uganda and Rwanda	Loss of business	Recognition of CTH Criteria in the EAC Rules of Origin		During the last meeting of the Sectoral Council on Trade, Industry, Finance and Investment, EAC Secretariat was directed to undertake a study on Motor Assemblers in the region. The Secretariat has contracted a Consultant and the study is in progress to be completed by end of January, 2014 and the report will be submitted to the next Sectoral Council by March, 2014. The meeting observed that by Legal Notice No. EAC/6/2009, the Council lifted the stay of application of the criteria on Change of Tariff Heading (CTH) under the EAC Rules of Origin. This implies that the CTH criterion was to apply. With respect to Motor Vehicles the criteria is that it must start from the level of completely knocked down (CKD) kits. Rule 4 (1) (b) (iii) applies and provides for this criteria. The challenges is that under the CET, unassembled motor vehicles are classified under the same heading in chapter 87 and therefore the CTH criteria does not apply. This matter has been addressed in the Revised Rules of Origin which is still in draft	By end of March 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
14.	<i>Cigarettes manufactured in Kenya exported to Tanzania required to have a local 75% tobacco</i>	Kenya	Tanzania	Loss of business	Abolition of the requirement	Resistance from the private sector.	<p>The NTB was considered during the Bilateral meeting between Kenya and the United Republic of Tanzania on 7th September, 2012. Kenya provided on the NTB and URT undertook to study it report back at end of September, 2012.</p> <p>Kenya urges URT to define local content as tobacco grown within East Africa</p> <p>URT informed the meeting that the issue of local content in cigarettes falls under domestic taxes.</p> <p>Kenya reported that this is an issue regarding non recognition of EAC ROO and is not an issue of domestic taxes.</p> <p>NTB to be considered by the next meeting of SCTIFI</p> <p>The meeting noted that the discriminatory treatment of cigarettes impoted Partner States vis-a vis those locally manufactured was inconsistent with the EAC instruments. The United Republic of Tanzania and the Republic of Uganda requested that this matter be addressed under a phased approach in 11/2 years. The Republic of Kenya was of the view that this matter should be addressed immediately and by harmonizing the treatment of cigarettes manufactured in the region.</p>	December 2013
15.	<i>Tanzania food and Drugs Authority requires companies exporting to URT to register the products before exporting</i>	Kenya	TFDA	Loss of market	Abolition of the requirement		<p>East African Standards Committees to handle the NTB</p> <p>The Standards Committee is to meet next year in February, 2013 to solve the issues related to standards</p> <p>The EAC Standard Technical Management Board to give technical guidance</p> <p>NTB will be considered by the next meeting of the SCTIFI</p>	April 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
16.	<i>Charging of full duty on aluminum products on EAC duty remission scheme.</i>	Kenya	Uganda.	Loss of Business.	EAC to fast track the study on how to treat products which not enjoy duty remission under companies in the EAC duty remission scheme.		<p>The meeting noted that EAC is currently under a study on how to treat products which do not enjoy remission scheme.</p> <p>Draft study report will be submitted by 18th October 2013.</p> <p>The Secretariat reported that the final study report will be submitted to the Sectoral Council by March, 2014.</p>	March 2014



No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
17.	<i>Rwanda and Uganda have not accorded preferential treatment on exports of rice from Tanzania through Rusumo and Mutukula borders respectively.</i>	United Republic of Tanzania	Rwanda and Uganda Revenue Authorities.	Adds to the cost of doing business.	Rwanda and Uganda should allow rice from URT to access their markets.		<p>Recognition of EAC Rules of Origin Uganda and Rwanda have not accorded the exports through bank guarantees and Uganda and Rwanda to request for a verification to ascertain whether rice is wholly produced in URT</p> <p>The verification mission has been conducted and Partner States are waiting for the report and the Secretariat is urged to fast track the process. The verification mission was undertaken. The findings revealed that the consignment of some rice was mixed Tanzania reported that the stock does not exist and that findings have to be adhered to. Unscrupulous business people taking advantage of preferential treatment should be dealt with Rwanda and Uganda reported that the rice from URT is given preferential treatment. Uganda and Rwanda will consult and report during the next meeting. The Secretariat will submit to Partner States the report of the verification mission.</p> <p>The Republic of Rwanda and the Republic of Uganda informed the meeting that duty free rice imports into Tanzania had been re-exported to Rwanda and Uganda under tariff preferences and that in order to stem the practice in the community that if a Partner State enjoys any tariff preferences, such goods once exported the other Partner States be subject to the full CET.</p> <p>Uganda further reported that the reason rice from Tanzania is not accorded free tariff treatment is because of the surge of rice from outside EAC coming through Tanzania. is not accorded free tariff treatment</p> <p>This makes it difficult for Uganda Customs to differentiate between rice grown in Tanzania and imported rice. The United Republic of Tanzania informed the meeting that, during the financial year 2013/2014 she has neither imported nor requested for stay of application of CET rate on imported rice. However, the rice originated from Tanzania is charged full import duty when exported to Uganda and Rwanda on the ground that, Tanzania had imported rice without paying EAC CET rate during the financial year 2012/2013. In October 2013, Tanzania requested the EAC Secretariat to intervene on this matter. The EAC Secretariat via letter Ref. C&T/1/1/4 dated 21st October 2013 and letter Ref. C&T/1/1/4 dated 30th October, 2013 advised Tanzania to pay duties under protest pending verification on the same. In December 2013, the EAC Secretariat together with the EAC Partner States concluded the verification mission to ascertain the originality of rice from Tanzania. The verification report confirmed that the rice originates from Tanzania and there huge stocks of rice in Tanzania. Hence should be accorded EAC preferential treatment when exported to other EAC Partner States. The EAC Secretariat disseminated this information to Partner States and advised Partner States to accord rice from Tanzania preferential treatment. However, despite the finalization of the verification mission of Tanzania rice, Uganda and Rwanda are still charging import duty on rice from Tanzania.</p>	March 2014

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18.	<i>Re-introduction of County transit Fee</i> <i>Reported in October, 2013.</i>	Tanzania	Kajiado and Kwale counties in Kenya	Adds to cost of doing business	Abolition of County transit Fee		<p>Abolition of County transit Fee Kenya reported that the issues are under consideration and requested for more time</p> <p>The meeting agreed to refer this matter to the next meeting of the SCTIFI</p>	June 2014
19.	<i>Introduction of a levy of 1.5% for railway development in Kenya.</i> <i>Reported in October, 2013.</i>	All Partner States	KRA	Makes imports to Kenya uncompetitive.	Removal of the levy		<p>The 28th Meeting of the Council of Ministers held on 29th November, 2013 directed the Republic Kenya to abolish the levy on EAC products.</p> <p>Kenya reported that she was in the process of implementing the decision of the Council of Ministers.</p> <p>Kenya requested for evidence from Partner States' private sector affected and will follow up on the implementation of the decision by the Council of Ministers.</p> <p>URT provided the evidence.</p> <p>The Republic of Rwanda reported that the Republic of Kenya continued to charge 1.5% railway development levy as of February 2014 and evidence was provided.</p> <p>Kenya informed the meeting that she had removed the railway development levy on transit traffic.</p>	Immediately
20.	<i>Auto-Axillary Ltd products (U bolt and Center bolts) are charged CET of 25%.</i> <i>Reported October, 2013.</i>	Kenya	TRA,URT	Adds to cost of doing business.	Recognition of EAC RoO		<p>The meeting recommended that Kenya provides documentary evidence during the 13th EAC Regional Forum on NTBs.</p> <p>Kenya provided the evidence through the Secretariat and URT is expected to provide an update in the 15th EAC Regional Forum on NTBs.</p> <p>Kenya will provide the evidence to URT. URT committed to follow up and addressing the matter before the next Forum</p>	September 2014

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
21.	<i>Metal products from Kenya are charged a CET of 25%. Reported October, 2013.</i>	Kenya	OBR, Burundi	Adds to cost of doing business	Recognition of EAC RoO		Burundi informed the meeting that she was charging 25% CET on imported metal products from Kenya after discovering that RoO were no authentic. The meeting recommended that Burundi writes to the Secretariat requesting for a verification mission in accordance with the EAC RoO manual. Burundi reported that she is in the process of conducting the verification process Burundi reported that she is no longer charging the 25% of CET A verification mission will be undertaken in March 2014	January 2014
22..	<i>URT is charging plastics from Kenya a CET rate of 25% Reported October, 2013.</i>	Kenya	TRA	Adds to cost of doing business	Adherence to EAC RoO.		Tanzania reported that she had instructed all border stations to give preferential treatment to plastics imports. Kenya was requested to provide documentary evidence	March 2014
23.	<i>70% local content requirement imposed on cigarettes imported from Kenya.</i>	Kenya	Uganda	Loss of Business	Adherence to EAC RoO		Adherence to EAC RoO During the meeting Kenya provided documentary evidence. Uganda undertook to consult and report back during the next meeting.	March 2013

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NEW NON-TARRIF BARRIERS								
1.	<i>charge \$500 for all trucks registered in Burundi when they ship cargo from Tanzania</i>	Burundi	URT				The meeting was informed by Tanzania that the US \$500 charges will be removed immediately. The meeting agreed on the need for harmonization of transit charges in the region. The Secretariat was directed to fast track the harmonization process.	Immediate
2.	<i>Discrimination of East African Breweries (Kenya) Ltd products.</i>	Kenya	URT	Denial of market.	Removal discrimination		Removal of discrimination.	Immediate
3.	<i>TFDA has introduced labeling requirement on Salt and dairy products imported into Tanzania</i>	Kenya	TFDA, URT	Denial of market access.	Partner States to notify each other on new requirement in good time before instituting the measures to prevent them being NTBS		The meeting agreed that the Secretariat will convene a Regional Meeting for the Bureaus of Standards and Institutions responsible for Food Safety, to resolve this matter.	December, 2014
4.	<i>Uganda National Bureau of Standards was rubbing off batch numbers and shelf life marks by hand on tropical heats products exported by Kenya and thereafter rejecting the products as substandard</i>	Kenya	Uganda Bureau of Standards, Uganda	Denial of markets for Kenyan products.	The issue to be handled by EAC Standards Committee.		Kenya informed the meeting that the matter had been resolved at a bilateral level between Kenya and Uganda	Resolved
5.	<i>Numerous monetary charges required by various agencies in the United Republic of Tanzania on exports of dairy products</i>	Kenya	URT		Harmonization of the charges.		United Republic of Tanzania informed the meeting that all Partner States have different charges and these charges are yet to be harmonized in the region. The meeting directed the EAC Secretariat to compile a list of fees charged on dairy imports by agencies and recommend the way forward in regard to the future treatment of these fees and levies.	December, 2014

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6.	Re-introduction of yellow fever requirement at Namanga border and Kilimanjaro Int. Airport	Kenya	URT	Delays at the border points.	Removal of the requirement.		<p>The URT informed the meeting that this was a health requirement for all travelers entering the URT.</p> <p>The meeting agreed to refer the matter to the Sectoral Council on Health for further guidance.</p>	
7.	Charging of 25% duty to consignment of Kiwi shoe polish of S.C Johnson & Son Kenya Ltd at Namanga border while the company had been degazetted from EAC Duty Remission Scheme	Kenya	URT	Adds to cost of doing business	To accord the products preferential treatment		To inform the border stations of companies degazetted from EAC Duty Remission scheme.	<i>Immediate</i>
8.	Mandatory requirement for all sugar importers to obtain prior permission and costly registration fees by Kenya Sugar Board for any sugar import	Uganda	Kenya	Adds to the cost of doing business	Removal of the requirement.		<p>The meeting was informed that it was a requirement for all sugar importers to obtain an import permit from the Kenya Sugar Board and this requirement is not discriminatory.</p> <p>The meeting noted that the permits for sugar imports was a creation under the COMESA trade regime by Kenya which is inconsistent with principle of duty free quota free regime of the EAC. With the commencement of the EAC Customs Union meant that the Partner States would apply the EAC trade regime amongst themselves and not the COMESA or SADC regimes.</p> <p>The Republic of Kenya reported that the requirement for permits was a control measure to monitor sugar imports and deter smuggling into Kenya which causes injury to the local sugar manufactures.</p> <p>The Republic of Uganda maintained that Kenya allows sugar from Uganda without any restrictions from the Sugar Board in line with the EAC trade regime.</p> <p>Kenya does not agree with the submission by Uganda on restrictions.</p>	<i>Immediate</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
9.	Numerous Weighbrifges: Containerized cargo is being subjected to Imposition of 4 weighbridges instead of agreed 2 as agreed by Partner States	Uganda	Kenya	Adds to cost of doing business.	Adherence to the Council decision Partner States to have Two weigh bridges at the point of entry and point of exit.		<p>Some importers have been inconvenienced by being subjected to 4 weighbridges instead of 2 as agreed by Partner States. These include Mulolongo, Gilili.</p> <p>The meeting was informed that transit cargo are weighed only twice at the point of entry and exit.</p> <p>However, there were additional checkpoints along the northern corridor for surveillance purposes in order to stem any illegal practices and also to take care of cargo originating from within the country.</p> <p>The Ministers decided to reduce weighing requirements for transit traffic to two, one each at the entry and exit points.</p> <p>The Ministers decided that EAC Partner States undertake to explore measures to exempt transit traffic from inspection at the police roadblocks, and harmonize electronic cargo tracking systems.</p>	<i>Immediate</i>

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RESOLVED NON TARIFF BARRIERS								
1	<i>Tanzania requires cash bonds for transportation of sugar to Rwanda.</i>	Rwanda	TRA	Adds to cost of doing business	Abolition of the requirement	Resistance from TRA because of possible dumping of sugar.	Tanzania reported that she is now using bonds rather than normal bonds.	<i>Resolved</i>
2	<i>Burundi charges entry fee for vehicles from other Partner States</i>	Kenya, Uganda, Tanzania & Rwanda	Burundi Customs	Adds to cost of doing business	Abolition of the charge		Burundi reported she had abolished the charge.	<i>Resolved</i>
3	<i>Varying application of axle load specifications</i>	All Partner States	Kenya Ministry of transport TANROADS Uganda Ministry of transport	Unnecessary time loss at the weigh-bridges Corruption	Introduce weigh-in motion systems and harmonization of axle load limits and gross vehicle mass (GVM) in the region	Insufficient financial resources Political disagreements on whether to adopt COMESA or SADC specifications	EAC Axle load bill was enacted into law in May, 2013 and is awaiting asset by Heads of State.	<i>Resolved</i>
4	<i>Imposition Visa to Burundians entering Tanzania</i>	Burundi	Immigration Department of Tanzania	Restriction of entering.	Removal of visa		Burundians are not charged visa fees.	<i>Resolved</i>
5	<i>Delays at the Ports of Mombasa & Dar Es Salaam, which affect imports and exports through the ports.</i>	All EAC countries through use of Northern & Central corridors	Kenya Ports Authority, Tanzania Ports Authority Kenya Revenue Authority, Tanzania Revenue Authority, Kenya Railway Corporation, Tanzania Railways Corporation and Uganda Railways Corporation	3-4 days lost at Dar Es Salaam port, 7-10 days at Mombasa port. Surcharge by shipping lines of USD 12.5 per day after 4 days of ship arrival. KPA charge of USD 20 for 20ft and USD 40 and 40ft containers after 15 days. KPA strip-ping levy of USD 75 per container.	Implement Community based systems (CBS) to ensure information. Flow between ports and customs along corridors. Implement one-stop documentation centers to speed up clearance of containerized cargo. Continue ports modernization including computerization of procedures to ensure faster clearance.	Insufficient financial resources for investment in modern cargo handling equipment at the ports, rail wagons and communication technology. Success Factor Sufficient budgetary Allocation.	The ports of Mombasa and Dar Es salaam are implementing National single window system to redress delays at the ports	<i>Resolved</i>

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6	<i>Restriction of Konyagi exports into Kenya Market</i>	Tanzania	Kenya Revenue Authority/Kenya Bureau of Standards	Loss of business	Removal of the restriction		Kenya informed the meeting that KRA has issued an import license and stamp duty and konyagi products are now imported into Kenya.	<i>Resolved</i>
7	<i>Lack of preferential treatment on galvanized sheets</i>	Kenya	Rwanda Revenue Authority	Loss of Business	Application of EAC Rules of Origin	Resistance from RRA	The issue is resolved	<i>Resolved</i>
8	<i>Requirement for certificates of analysis for goods destined for export to Rwanda and Burundi</i>	Tanzania, Uganda and Kenya	Burundi and Rwanda Bureaux of Standards	An extra cost of doing business	Mutual recognition of quality marks issued by Partner States National Standard Bureaux	Resistance from Rwanda Bureau of Standards	The issue is resolved	<i>Resolved</i>
9	<i>Levying of extra charges on Kenya pharmaceutical firms exporting to Tanzania</i>	Kenya	Tanzania Revenue Authority	Tanzania charges on sales vans-US\$20 for each entry and charges on sales persons-US\$200 per each entry.	Abolition of extra charges	Resistance from TRA	The levied have been abolished.	<i>Resolved</i>
10	<i>Requirement of TISCAN inspection procedure that requires documents to be transmitted to SA and cleared there for each lot.</i>	Kenya	Tanzania Revenue Authority	Loss of business	Abolition of the requirement	Resistance from TRA	Tanzania has abolished the procedure except for the traders who do not avail the bill of landing.	<i>Resolved</i>
11	<i>Requirement of road consignment note from transporters even before the goods have been packed.</i>	Kenya	Tanzania Revenue Authority	An extra cost of doing business	Abolition of requirement of road consignment noted	Resistance from TRA	Requirement of road consignment has been abolished.	<i>Resolved</i>
12	<i>Requirement for executing a bond for import taxes before being issued with stamps for excise duty purposes in Tanzania.</i>	Kenya	Tanzania Revenue Authority	An extra cost to doing business	Abolition of the requirement	Resistance from the Revenue Authority	Tanzania no longer demands execution of bonds.	<i>Resolved</i>
13	<i>Requirement for executing a bond for import taxes before being issued with stamps for excise duty purposes in Tanzania.</i>	Kenya	Tanzania Revenue Authority	An extra cost to doing business	Abolition of the requirement	Resistance from the Revenue Authority	Tanzania no longer demands execution of bonds.	<i>Resolved</i>

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14	<i> Holding, retesting milk and milk products bearing Uganda National Bureau of Standards quality marks and imposition of import quotas.</i>	Uganda and Tanzania	Kenya's Ministry of Fisheries and Livestock Development, Kenya Dairy Board and Kenya Bureau of Standards.	Denial of market entry and loss of potential markets.	Political goodwill to mutually recognize inspection procedures, inspection reports and certificates	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets <i>Success Factor</i> Political goodwill to recognize EAC as a single market area.	The issue has been resolved	<i>Resolved</i>
15	<i> Kenyan ban on Ugandan day old chicks</i>	Uganda	Ministries of Livestock Development and Agriculture	Ban on market entry and loss of potential markets.	Political goodwill to mutually recognize inspection procedures, inspection reports and certificates .	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets <i>Success Factor</i> Political goodwill to recognize EAC as a single market area	The issue has been resolved.	<i>Resolved</i>
16	<i> Cumbersome testing procedures for food exports and imports into Tanzania</i>	Kenya	Tanzania Food and Drug Authority (TFDA)	Cost & time incurred in testing & certification procedures	Need to harmonize national export/ import procedures under one technical body	Resistance from authorities currently in charge of exports/imports inspection (TFDA)	The issue has been resolved. TBS is the sole body for quality assurance and standards	<i>Resolved</i>
17	<i> Verification & classification goods(green, yellow, red)</i>	EAC Partner States	Partner States Revenue Authorities	Corruption during verification. Credible importers of goods classified under red channel have to undergo physical verification on each consignment.	Joint verification of goods at border posts.	Lack of verification sheds. Goodwill from Partner States Revenue Authorities.	Partner States Revenue Authorities are implementing Risk Management Systems.	<i>Resolved</i>

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18	<i> EAC Standards Bureaus have varying procedures for issuance of certification marks, inspection and testing.</i>	All EAC Partner States	National Bureaux of Standards EAC Ministries of industry.	Time and cost of complying with testing and certification procedures in the target export country	SQMT Protocol demonstrates political goodwill within EAC. Domestication of the protocol. Mutual recognition of standards marks. Continued harmonization of EAC standards	Lack of financial resources to set up facilities for certification <i>Success Factor</i> Sufficient funding to develop capacity in testing and certification at national and regional level	Mutual recognition of quality marks issued by Bureaux of Standards in accordance with the decision of the Council at its 7th meeting (EAC/CM7/2004) EAC Secretariat is in the process of finalizing procedures and regulations of testing in order to speed up implementation of SQMT Act 2006.	<i>Resolved</i>
19	<i> Non-recognition of EAC Rules & Certificates of Origin</i>	Kenya Uganda Tanzania	Partner States Revenue Authorities	Cost of organizing verification missions. Delays in processing mission reports of between 1-2 months. Loss of business opportunities	Adherence to EAC Rules of Origin Criteria of 30% local value added	Pressure from domestic businesses due to fear they will lose domestic markets. <i>Success Factor</i> Goodwill to treat EAC as a single market area.	Partner States are now recognizing certificate of origins and verification missions undertaken where origin criteria is doubted.	<i>Resolved</i>
20	<i> Charging 6% withholding tax by URA</i>	Kenya	Uganda dairy Board	Increased cost of doing business	Harmonization of internal withholding tax in the regional		Uganda informed the meeting this was a domestic tax.	<i>Resolved</i>
21	<i> Charge of 1.5% dairy levy</i>	Kenya	Uganda dairy Board	Increased cost of doing business	Abolition of the levy	Resistance from Uganda dairy board.	Uganda informed the meeting this was a domestic tax. Resolved	<i>Resolved</i>
22	<i> Uganda's certification procedures on exports of milk from Kenya</i>		Uganda dairy board	Denial of market entry and loss of potential markets. Loss of potential market valued at USD 1 million for one Kenyan milk processor.	Political goodwill to mutually recognise inspection procedures, inspection reports and certificates.	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets	The milk is allowed as long as it has certification.	<i>Resolved</i>

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23	<i>Release of cargo manifest</i>	All Partner States	Shipping lines	Increased cost of doing business	To release the manifest 72 hours before the ships dock.	Resistance from the shipping lines	CMA 2004 has been amended to allow submission of cargo manifest electronically by shipping lines within 72 hours.	<i>Resolved</i>
24	<i>Requirement that to export Herbal products to Tanzania you either be a member of Tanzania herbalists or to declare their formulas.</i>	Uganda	Tanzania Herbalists organization	Ban of products	Abolition of the requirement		Tanzania has already passed some regulations to be adhered to all Tanzanians Herbalists organization. Tanzania to avail the regulations to Uganda to ease trade in herbal medicine.	<i>Resolved</i>
25	<i>Reduction of grace period for transit cargo at Dar Es Salaam Port from 30 to 14 days</i>	All Partner States	TRA	More cost			The reduction is in conformity with the EAC Management Act 2004 section 34.	<i>Resolved</i>
26	<i>Delays at Malaba border for trucks driving to Uganda</i>	Rwanda	KRA	Delays in clearance of goods	Decongest the border	Lack of facilities at the border	Kenya has reported that the issue has been addressed.	<i>Resolved</i>
27	<i>Kenya has introduced Cash Bond on used clothes and shoes / other items considered of high value</i>	Uganda	KRA	Restricts business transaction	Abolish the cash bonds	Fear of loss of revenue	Abolish the cash bonds on used clothes and shoes Kenya reported that it was removed in April, 2012	<i>Resolved</i>
28	<i>Kenyan Trucks entering into Tanzania are charged a levy of US\$ 200 each</i>	Kenya	Tanzania Border Authorities	Loss of business	Removal of the levy		United Republic of Tanzania to remove the USD 200 levy on Kenya trucks. Tanzania has reported that the charge was abolished in June, 2012.	<i>Resolved.</i>
29	<i>Lack of availability of simplified certificate of origin issued by Tanzania</i>	Kenya	Tanzania Border Authorities	Loss of business	Avail simplified certificates of origin.	Implementation of EAC customs union.	Tanzania reported that certificates of origin had been dispatched to all border posts.	<i>Resolved</i>
30	<i>Non- implementation of EAC harmonized documents.</i>	All Partner states.	Revenue Authorities	Delays in using the harmonized documents	Implement the EAC harmonized documents	Resistance from Revenue Authorities and Business Community in the Partner States.	Secretariat to cross check and report whether the Partner States are implementing EAC harmonized documents. Burundi, Kenya and Rwanda have submitted documents used by Revenue Authorities. The Ministers decided that other Partner States submit by the set time frame. This issue is resolved since the EAC harmonized procedures manual has been adopted.	<i>Resolved.</i>

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31	<i>Lack of harmonized procedures manual.</i>	EAC Partner States	EAC Secretariat Partner States Revenue Authorities	Delays in of clearing imports Varied application of tariff duties	Harmonize export/ import documentation.	Revenue authorities may feel the procedures are sufficient. <i>Success Factor</i> Political goodwill at Council of Ministers level to apply harmonized procedures.	The EAC harmonized procedures manual was adopted during the meeting of SC-TIFI on 30thMay, 2012.	<i>Resolved</i>
32	<i>Visa charges of US\$ 250 for businessmen.</i>	Uganda, Kenya, Rwanda, and Burundi	TRA	Cost to business	Abolition of the Visa.			<i>Resolved</i>
33	<i>Re-introduction by Kenya of a cash bond on vehicles above 2000 cc and sugar transiting from Mombasa to Uganda.</i>	Kenya	Uganda, Burundi and Rwanda	Cost of doing business	Abolition of the requirement			<i>Resolved</i>
34	<i>Delays in issuing bonds at Kenya border with Uganda for tea meant for auction in Mombasa</i>	Rwanda	IRA	Increase in the cost of doing business	To allow more companies to issue the bonds	Fear of loss of revenue		<i>Resolved</i>
35	<i>Non recognition of EAC certificate of origin by TRA for furniture products manufactured in Kenya</i>	Kenya	TRA	Adds to cost of doing business.	Recognition of EAC CoO.			<i>Resolved</i>
36	<i>Tanzania has re-imposed a visa charge of between U.S\$ 200-250 on Ugandan business persons travelling to Tanzania.</i>	Uganda and Kenya	Tanzania	Increase in cost of doing business	Abolition of Visa requirement			<i>Resolved</i>
37	<i>Requirement for original documentation at the port of Mombasa and Dar Es Salaam for clearance of goods;</i>	Burundi	Kenya and URT	Increase in cost of doing business	Abolish the requirement			<i>Resolved</i>
38	<i>Kenya Import levy of Kshs 2 per Kg on Agricultural Products from Tanzania</i>	Tanzania	Kenya	Loss of business.	Abolition of the import levy.			<i>Resolved</i>

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39.	<i>Exports of plastic products from Kenya are subjected to 10% and 25% CET rate.</i>	Kenya	Tanzania Revenue Authority.	Increased cost of doing business	The exports to be charged 0% as per the EAC schedule on the elimination of internal tariffs.			<i>Resolved</i> <i>URT to send communication to customs at the borders</i>
40	<i>Tourist vans not allowed entry to URT</i>	Kenya	Tanzania	Loss of business	Allow Kenyan tourist vehicles to enter Tanzania	Abolition of the requirement	Tanzania to abolish the requirement The meeting recommended that Kenya to get relevant information from the Ministry of Tourism and report back in March, 2013. Kenya reported that this was a onetime incidence and it has not been encountered again.	<i>Resolved</i>
41	<i>Lack of interface within the customs' systems in the Revenue Authorities in Partner States.</i>	Partner States	Burundi Revenue Authority	Partner States to identify impact When customs systems are not interfaced, it delays clearance of goods under customs control hence increases cost of doing business and loss of market	Interfacing of the systems	RADDEX system has interfaced Rwanda, Uganda and Kenya. Rwanda is using ASYCUDA world and is interfacing with systems in Kenya, Uganda and Burundi, except Tanzania	The system has been rolled out in Burundi and staff is undergoing training on Asycuda world. Tanzania reported that she already operates on RADDEX system with Kenya and Uganda She is updating its system from version 1.1 to 2.0. The RADDEX 2.0 system in the five Partners States is currently in its testing stages and should be rolled out by December 2012, The Ministers noted the ongoing work on interfacing of computer systems. For the Partner States revenue authorities are developing RADDEX 2 to be ready by December, 2012	<i>Resolved</i>
42	<i>Requirement for OTS (Open Tender System) for bulk Fuel Procurement System</i>	Burundi	Bulk Fuel Procurement System.	Stock out of Fuel	Abolition of the requirement		Republic of Burundi provided the extra to authenticate the claims. URT has abolished the requirement.	<i>Resolved</i>
43	<i>Imposition of 75% CET duty or \$200 per metric ton on rice wholly produced in Kenya by Uganda</i>	Kenya	URA	Loss of market to Kenyan Farmers and Traders	Uganda to respond	Consignment recalled back to the country	Kenya is still under stay of application and as such her rice attracts full EAC CET rates.	<i>Resolved</i>

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44	<i>Cut-flower from Tanzania for re-exports to Europe and Russia blocked by Kenya</i>	Tanzania	KEPHIS	Loss of market to Europe and Russia	To harmonize the protocol on SPS	Delays act section Partner States to harmonize SPS protocol	Kenya reported that a draft quarantine agreement on rose and cut flowers was prepared and forwarded to URT in May, 2012. Kenya is awaiting response from URT, pending the finalization of the MOU by 31 st December, 2012. The Ministers urged URT to forward her comments in pursuit of finalizing the draft by December, 2012. URT is in the process of finalizing her comments on the draft agreement	<i>Resolved</i>
45	<i>Kenya had issued new immigration regulations whereby work permits will not be issued to other nationalities below the age of thirty five years and earning not less than K.shs168, 000 per month.</i>	EAC Partner States.	Ministry of Immigration and Registration of Persons	Adds to cost of doing business.	Abolition of the requirement.		Abolish the new immigration regulations. The requirement has been abolished.	<i>Resolved</i>
45	<i>Uganda Government has restricted the employment by NGOs to Ugandan's only.</i>	Tanzania	Department of Immigration, Uganda	Restriction on employment	Removal of the restriction on employment.		Uganda informed that the restriction does not exist	<i>Resolved</i>
46	<i>Charges by Container Freight Stations vary from port charges</i>	Uganda, Rwanda and Burundi.	Kenya Ports Authority	Increased cost of doing business	Kenya reported that the port charges by ICDs and CFS should be the one approved by port authorities		Kenya Ports Authority signed a service level agreement to guide charges by CFS.	<i>Resolved</i>
47	<i>Congestion at the Port of DAR</i>	Rwanda, Uganda and Burundi	TPA	Delays in cargo clearance	Increase the capacity of ports	Lack of financial resources	URT reported that TPA has improved yard density from 62% to 52% Several new equipment are under procurement to improve the services. Constructed ICDs to reduce congestion.	<i>Resolved</i>
48	<i>Payment of double handling charges at the ICDs and at the Dar Es Salaam port</i>	Burundi	Dar Es Salaam	Adds to cost of doing business.	Abolition of the double handling charges		The double payment has been abolished. URT requested to investigate and report back during the next NTBs forum in September, 2013.	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
49	<i>Payment of double handling charges at the ICDs and at the Dar Es Salaam port</i>	Burundi	Dar Es Salaam	Adds to cost of doing business.	Abolition of the double handling charges		Tanzania has abolished the double handling charges.	<i>Resolved</i>
50	<i>Inadequate Police Escort mechanism.</i>	Partner States	Police	Loss of business	Provide escorts for trucks	Lack of adequate infrastructure for Police escort	All Partner States are providing police escorts.	<i>Resolved</i>
51	<i>Controlled movements of Cargo Trucks between Isaka/Rusumo and Isaka/Kabangare not allowed to move beyond 6:00 pm within Tanzania</i>	Rwanda, Burundi & Uganda	Ministry of Infrastructure, Tanzania	Time lost	Removal of the requirement		URT is now providing police escort for more than 10 trucks but request can be placed for special trucks with sensitive goods.	<i>Resolved</i>
52	<i>Harassment of informal businessmen from URT by Kenyan Immigration Officials at Naman-ga Border.</i>	URT	Department of Immigration, Kenya.	Loss of business.	Kenya immigration Officials to stop the harassment		Kenya to adhere to the MOU signed on February, 2012 between the EAC Ministers from the two partner States.	<i>Resolved</i>
53	<i>Prohibitions of imports of food products from Burundi</i>	Rwanda	OBR, Burundi.	Loss of business.	Lifting of the prohibitions.		The prohibitions have been abolished.	<i>Resolved</i>
54	<i>Kenya Revenue Authority at Taveta Border requires certificates of Origin from Tanzania to have serial numbers</i>	United Republic of Tanzania	Kenya Revenue Authority.		Adherence to prevailing EAC practice that all certificates of origin bear only reference numbers.		Kenya it is now recognizing copies of EAC CoO.	<i>Resolved</i>
55	<i>Uganda is restricting export of mosquito nets produced by A to Z Mills Company in Arusha to access Uganda market. UNBS has introduced requirements that do not adhere to WHO, ISO and TBS standards</i>	United Republic of Tanzania	Uganda Bureau of Standards	Loss of business.	Adhering to EAC Rules of Origin		URA is honoring EAC RoO.	<i>Resolved</i>

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56	<i>Rice, Small Fish and Palm Oil from Burundi denied entry to Rwanda; Reported in October, 2013.</i>	Burundi	RRA	Adds to cost of doing business.	Allow entry.		The meeting was informed that Rwanda does not deny entry for the mentioned commodities and requires them to be packed properly and not in polythene bags. The meeting recommended that Burundi provides documentary evidence during the next meeting. The NTB was resolved	<i>December, 2013</i>
57.	<i>Lack of clearance of trucks at the border of Sirare between Kenya and URT by Tanzania Revenue Authority by declining to accept copies of bill of lading, clearing of part shipment, clearance of trunks without containers and not working on Saturdays and Sundays</i>	Kenya	Tanzania Revenue of Authority.	Loss of business.	Recognition of bill of lading and need to work on Saturdays and Sunday.		The meeting recommended that TRA facilitates clearance of trucks.	<i>Resolved</i>
58	<i>Kenya has notified clearing agents through their website that from next financial year (2013) that there will be no further extension of customs warehousing (to be dealt with later)</i>	Uganda	Kenya Revenue Authority	Adds to cost of doing business.	Allow for extension of time at warehousing.		KRA is requested to allow for extension of warehousing. Kenya reported that there is no requirement of non extension of warehousing period the provision of EAC-CMA on warehousing period apply. Uganda to confirm that the requirement does not exist and report on the next forum.	<i>Dec, 2013 Resolved</i>
59	<i>Kenya delays inspection of export goods at factory level</i>	United Republic of Tanzania	Kenya Revenue Authority	Adds to cost of doing business	Abolishment of the requirement		KRA requested to fast track the clearance process Kenya reported that delays have been minimized and provided hotlines for future complaints in order to fast track the inspection process However, URT requested to confirm and report back	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
60	<i>United Republic of Tanzania had restricted export of beer from Burundi through the border of Kobero/Kabanga</i> <i>Reported in December, 2013;</i>	Burundi	United Republic of Tanzania	Loss of Business.	Adherence to EAC RoO.		Removal of restriction	<i>Resolved</i>
61.	<i>Requirement by the Kenya Revenue Authority that tea from Uganda destined for Mombasa auction market should be stored at 3 selected Customs Transit Go-down in Mombasa.</i>	Uganda	Kenya	Increase in cost of doing business	Abolition of the requirement		Kenya to abolish the requirement Kenya reported that tea destined for auction at Mombasa for export must be warehoused in a bonded Customs warehouse (Transit Godown) of their choice. Uganda and Rwanda to confirm the above and report back in the next forum.	<i>Resolved</i>
62.	<i>Kenya requires oil to be transported through rail and by road to have bond guaranteed by bank</i>	Uganda	Kenya Ports Authority	Adds to cost of doing business.	Removal of the requirement.		The requirement should be abolished. Kenya to consult on the way forward on how to resolve the NTB Kenya reported that this NTB is resolved as directed by the SCT	<i>Resolved</i>



One People . One Destiny

VISION

A prosperous, competitive, secure, stable and politically united East Africa

MISSION

To widen and deepen Economic, Political, Social and Culture integration in order to improve the quality of life of the people of East Africa through increased competitiveness, value added production, trade and investments

EAC CORE VALUES

*Professionalism
Accountability
Transparency
Teamwork
Unity in Diversity
Allegiance to EAC Ideals*

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