



EAST AFRICAN COMMUNITY

STATUS OF ELIMINATION OF NON TARIFF BARRIERS IN THE EAST AFRICAN COMMUNITY AS OF DECEMBER 2015



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ARUSHA, TANZANIA



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**STATUS OF ELIMINATION OF
NON TARIFF BARRIERS
IN THE EAST AFRICAN COMMUNITY
AS OF DECEMBER 2015**

**EAST AFRICAN COMMUNITY
ELIMINATION OF NTBS
REPORT**

EAC Secretariat
Arusha, Tanzania,
December, 2015

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EAC SECRETARIAT
ARUSHA, TANZANIA
DECEMBER, 2015



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“ I call upon the Partner State’s National Monitoring Committees and EAC Regional Forum on NTBs to address the unresolved NTBs in the EAC Time Bound Programme (TBP) in accordance with the agreed timelines.



FOREWORD

I take this opportunity to present the readers, the policy makers of EAC Partner States, researchers and all the stakeholders, the status of Non-Tariff Barriers (NTBs) within EAC region as of December, 2015.

The report highlights what EAC has achieved in the area of elimination of NTBs in accordance with the decisions of Council of Ministers to promote Intra-EAC trade for the mutual benefit to the people of East Africa. The updated EAC Time Bound Programme (TBP) on Elimination of NTBs which is a monitoring and evaluation tool used to track and eliminate NTBs in the region shows that as of December, 2015, Twenty two (22), One (1) and Ninety five were reported as unresolved, new and cumulatively resolved.

I call upon the Partner State’s National Monitoring Committees and EAC Regional Forum on NTBs to address the unresolved NTBs in the EAC Time Bound Programme (TBP) in accordance with the agreed timelines. I also call upon the Partner States to hold bilateral meetings in accordance with Council decisions to redress the unresolved NTBs in the EAC TBP.

Last but not least, I take this early opportunity to thank the Development Partners who have continued to assist us in the promotion of EAC integration process. It is my hope this partnership will continue to grow stronger in future.

DR. RICHARD SEZIBERA
AMBASSADOR
SECRETARY GENERAL
EAST AFRICAN COMMUNITY



GLOSSARY

CFS	Container freight services		Management and Information System
COMESA	Common Market for Eastern and South African	RRA	Rwanda Revenue Authority
EAC	East African Community	SADC	South African Development Community
EU	European Union	SPS	Sanitary and Pyhtosanitary
EWURA	Energy, Water and Utilities Regulation Authority	TANROADS	Tanzania Roads Authority
FTA	Free Trade Area	TBP	Time Bound Programme
GVW	Gross Vehicle Weight	TBT	Technical Barriers to Trade
ICDs	Inland Container Depots	TCD	Time, Cost and Distance
KEBS	Kenya Bureau of Standards	TCD Model	Time Cost Distance model
KEPHIS	Kenya Plant Health Inspectorate Services	TCCIA	Tanzania Chambers of Commerce, Industry and Agriculture
KNNCI	Kenya National Chamber of Commerce and Industry	TCM	Transport, Communications and Metrology
KRA	Kenya Revenue Authority	TCCIA	Tanzania Chambers of Commerce, Industry and Agriculture
KSB	Kenya Sugar Board	TTAC	Transit Transport Coordination Agency
MITC	Ministry of Industry, Trade and Cooperatives	TRA	Tanzania Revenue Authority
MoU	Memorandum of Understanding	UNCTAD	United Nations Congress on Trade and Development
NCTTA	Northern Corridor Transit and Transport Agreement	UNECA	United Nations Commission for Africa
NCTO	Northern Corridor Transport Observatory	UNECAP	United Nations Economic and Social Commission for Asia and the Pacific
NTBs	Non Tariff Barriers	UNBS	Uganda National Bureau of Standards
NMCs	National Monitoring Committees	UNBSICIMS	Uganda Bureau of Standards Import and Clearance Information System
PCCB	Prevention and Combating of Corruption Bureau	URT	United Republic of Tanzania
PSF	Private Sector Foundation	VLC ACT	Vehicle Load Control Act
RBS MIS/ERP	Rwanda Bureau of Standards		

1.0: INTRODUCTION

The status report on elimination of Non-Tariff Barriers as of December, 2015 outlines what the EAC region has achieved in the field of elimination of NTBs as at the 19th EAC Regional Forum on NTBs which was held from 8th to 10th December, 2015 at Royal Orchid Azure Hotel, Nairobi, Kenya.



2.0: REPORTS OF NATIONAL MONITORING COMMITTEES (NMCS) ON NON TARIFF-BARRIERS: SEPTEMBER- DECEMBER, 2015

During the meeting Partner States presented their NMC reports as follows:

2.1: Republic of Burundi

The Republic of Burundi reported that during the period under review, the NMC organized two activities due to the budget constraints as follows:

- (i) Made a follow up on the issue regarding Work Permit and Right of Residence for Burundi Customs Officers posted at the Port of Dar es Salaam under the implementation of the EAC Single Customs Territory. This resulted to Burundi Customs Officers being granted the Work Permit and Right of Residence (Exemption Certificate).
- (ii) A meeting was held on 3rd, December, 2015, to prepare for the 19th EAC Forum on NTBs and deliberated on:
 - (a) Non-Tariff Barriers which are in the EAC Time Bound Programme; and
 - (b) New Non-Tariff Barriers.

2.2: Republic of Kenya

The Republic of Kenya reported that their NMC undertook the following activities for the period under review:

2.2.1 NMC meeting

A meeting was held on 27th November 2015 to prepare for the 19th EAC Regional meeting where NTBs in the EAC Time bound were deliberated upon..

2.2.2 SMS NTBs reporting system

With the support from TMEA, Kenya has embarked on the process of designing, benchmarking, developing and commissioning of an SMS based NTBs Reporting System to intensify efforts to eliminate NTBs. The system is expected to be in place by 30th June, 2016.

2.2.3 Tripartite Training of Trainers workshop

On 9th to 13th November 2015, Kenya hosted the Tripartite Training of Trainers workshop on Classification of SPS and TBT Regulations and Measures which was coordinated by COMESA. The workshop was attended by thirteen COMESA – EAC – SADC countries. The workshop was held in pursuit of development of an FTA TBT database.

2.2.4 Bilateral meeting between the Republic of Kenya and the United Republic of Tanzania

The meeting was held on 17th to 18th November 2015 in Dar es Salaam, Tanzania and deliberated and agreed as follows:

(i) EAC Rules of Origin

- United Republic of Tanzania to implement the revised EAC Rules of Origin immediately and report back progress during the next meeting of Council of Ministers;
- All outstanding NTBs on RoO will be resolved by the implementation of the revised EAC RoO.

(ii) EAC Certificate of origin

- Tanzania Revenue Authority to accept EAC RoO certificates issued by the competent Authority from Kenya or officially reject them in writing to their counterpart citing reasons for not accepting rather than simply disregarding the documents.

- Tanzania Revenue Authority to release goods under security guarantee or bond whenever there is doubt, request the issuing Authority (KRA) for further clarification in accordance with the revised EAC Rules of Origin.

(iii) Fees and Other Levies Charged on Goods Originating from Kenya.

- The two Partner States to work together and harmonize the fees and levies in line with SCTIFI decisions;
- The two Partner States to investigate the local authorities and County governments for the purposes of abolishing the fees and levies in line with EAC Customs Union Protocol and Common Market Protocols.

(iv) Stringent Requirement by Tanzania Food and Drugs Authority (TFDA)

- There was no shared understanding on the roles of TFDA, TBS, KEBS,
- TFDA and counterpart agency in Kenya to meet and discuss the issues and come up with solutions.

(v) Refusal by TFDA to certify some Kenyan brands;

Kenya to provide detailed information on the brand of consignments that were denied certification and, Tanzania to respond to the matter immediately.

(vi) Change of Validity of Veterinary Permits from 30 to 15 days.

Kenya to provide the detailed information and United Republic of Tanzania to respond immediately.

(vii) Lengthy procedures for issuing of work permits by Tanzania

- Both Partner States to work together in order to fast track the process of harmonization of work permit fees, forms and classes.

- To convene a bilateral meeting of experts from immigration and labor Departments to review and resolve issues of common interests.
- (viii) Tanzania's demand for Custom Entries before issuance of permit
The United Republic of Tanzania to consult and report back.
- (ix) Uplifting of invoice values for VAT by URT
The meeting agreed that the NTB be forwarded to the Committee on Customs with a view to resolving the issue.
- (x) Yellow fever requirements
Kenya to provide evidence of the different charges and United Republic of Tanzania to report back on the same.
- (xi) Non recognition of transit goods license for conveying goods under customs control
Tanzania undertook to consult on the NTB and report back during the 20th EAC Regional Forum on NTBs..
- (xii) Discriminatory treatment of Kenyan manufactured cigarettes
The United Republic of Tanzania undertook to comply with the EAC Council of Ministers Directive and she is expected to report progress during the 33rd meeting of the Council.
- (xiii) Infrastructure Levy
In line with the outcome of SCTIFI meeting, United Republic of Tanzania undertook to exempt EAC imports from the levy.
- (xiv) Single Customs Territory
The Partner States to direct the Single Customs Territory Committees to address the challenges of IT Systems and documentations with the view to harmonizing them and report back the progress;

- Partner States Revenue Authorities to find a way to integrate IT systems and share the information; and
- KRA and TRA to initiate mutual Agreement through an MoU to facilitate the flow of trade between the two Partner States.
- (xv) Restriction of Tanzania ethanol product by KRA
- Kenya Revenue Authority should remove the requirement and allow the ethanol from Tanzania to access the market.
- (xvi) Tanzania students studying in Kenya are required to pay school/tuition fee as foreign international students.
The Republic of Kenya will consult and report back during the 20th EAC Regional Forum on NTBs.

2.2.5 Bilateral meeting with Uganda

The Bilateral meeting between Kenya and Uganda was held from 29th to 30th October 2015, in Nairobi, Kenya and deliberated on the following:

- (i) Goods with Outstanding issues.
 - Sugar
 - Beef and beef products
 - Maize
 - Tea
 - Rice
 - Road construction equipment auctioned at the Port of Mombasa
 - Trade in pharmaceuticals
 - Products under the EAC Duty Remission Scheme
- (ii) Emerging challenges to trade and investment
 - Security of cargo in transit
 - Companies with cross border investments – Uchumi supermarkets and Imperial Bank
 - Savanna Cement
 - Clinker Cement
- (iii) New NTBs
Bar Soap produced by Bidco is not being accorded preferential treatment when exported to Uganda instead they are discriminately charged 10% import duty.

2.3: Republic of Rwanda

Rwanda reported that her NMC undertook various activities for the period under review in an effort to address outstanding NTBs. Rwanda raised awareness on several initiatives on trade facilitation in the region and collected evidence and data on existing NTBs at national and regional level. In this regard, the following activities were undertaken:

- (i) NMC members were invited to meet the CEO of TICTS (Tanzania International Container Terminal Services Ltd) during his courtesy visit to Rwanda in October 2015. Issues discussed were mainly related to the performance of Dar es Salaam Port in handling transit goods, safety of goods along the Central Corridor and at the port and implementation of the Single Customs Territory at Dar es Saalam Port.
- (ii) The NMC visited three border posts between Rwanda and Uganda from 19th to 23rd October 2015 namely, Kagitumba, Gatuna and Cyanika. The visit was meant to evaluate progress in the implementation of the signed MoUs between Rwanda and Uganda aimed at promoting cross border trade and elimination of NTBs. Findings revealed that the level of understanding of the signed MoUs and the Simplified Trade Regime (STR) from the majority of small scale cross border traders and border officials was still low. This is mostly due to relocation of border staff especially border managers and new members of cross border trade cooperatives. To address this, the NMC were preparing to conduct an awareness campaign on signed MoUs and STR at the three border posts from 15th to 22nd December 2015.
- (iii) Rwanda NMC is conducting an assessment on time and cost along the Northern and Central Corridors to monitor the progress in reducing transit time and cost as well as quantifying the impact of several trade facilitation initiatives on time and cost reduction. Primary data has already been collected using UNCTAD template on Time, Cost and Distance. The draft report is expected to be submitted in January 2016.
- (iv) Four NMC focal points were trained on "UNCTAD classification and categorization of Non-Tariff Measures (NTMs) and data collection" during a training workshop held in Nairobi from 9th to 13th November 2015 by the Tripartite COMESA-EAC-SADC RECs. The focal points also assisted the Tripartite online system administrator to collect documents and regulations containing Non-Tariff Measures in Rwanda during her visit to the country on 23rd and 24th November 2015.

- (v) In preparation for the 19th EAC regional forum on NTBs, a meeting of the NMC was convened to deliberate on the outstanding NTBs in the EAC Time Bound Programme held on 26th November 2015. During the meeting, an information session on the progress in the implementation of the Single Customs Territory in EAC was facilitated by Rwanda Revenue Authority with the view to update NMC members on the status and challenges in implementing the SCT.
- (vi) On 3rd December 2015, a visit to Rugende police stop point was made to assess progress in implementation of resolutions taken to address this NTB. This stop was introduced in an effort to reduce traffic jam in the city of Kigali during evening hours but it lacked basic facilities for drivers. All the basic infrastructure required to improve the environment at Rugende have now been put in place. These include public lights, a canteen, toilets, a fence and bath rooms. The national police no longer stops trucks except when they arrive at the same time and in big numbers. In this case, trucks are temporarily stopped to avoid causing traffic jam and one truck is released after every ten minutes instead of stopping all of them simultaneously for five hours (4-9pm) as it used to be.

Further, Rwanda NMC members during the meeting of 26th November 2015 raised issues concerning safety of transit goods in Tanzania and Uganda that need to be taken on board by NMCs of the two Partner States. Rwanda Mining Association addressed letters to the Ministry of Trade and Industry on theft of minerals of Mineral Supply Africa Ltd and Trade Services Logistics that occurred in Dar Port between May and August 2015 for 3 containers worth of about US\$ 2 million. The theft cases at the port are increasing. Measures have been taken at Dar Port to ensure safety of goods in transit but mechanisms should be put in place to monitor implementation and identify new loopholes in the system to prevent future thefts.

NMC members also made a complaint from bus drivers regarding armed attacks and robberies which often happen during festive season on Mbarara-Kampala highway. The attacks happen from time to time specifically at night. One case was reported to Uganda NMC about the ONATRACOM bus which was attacked on 30th April 2015 by many armed men between Katovu and Lyantonde. No case of injury or death was reported however thieves took money from passengers and the driver and broke three bus glasses. NMC members wished to alert the police which is part of the NMC increase vigilance specifically and patrol for the coming festive season.

2.4: United Republic Of Tanzania

The United Republic of Tanzania reported that their NMC undertook the following activities for the period under review:

(i) NMC meeting

The United Republic of Tanzania (URT) organized one quarterly NMC meeting on 3rd November, 2015. The objective of the meeting was to deliberate on:

- (a) Behind(internal) the borders NTBs,
- (b) To receive updates from the NMC Members on NTBs that fall under their Institutions; and,
- (c) To receive new NTBs for discussion, updating the EAC Time Bound Programme on the elimination of Non-Tariff Barriers (NTBs) in preparation for the 19th EAC Regional Forum on NTBs.

Some of the complaints registered during the meeting were:

- Introduction of conformity assessment for all products imported in Kenya by KRA and KEBS
- Introduction of 18% VAT by Uganda on rice originating from Tanzania
- Discrimination of Tanzania students studying in Kenya through charging of higher school fees than what is applicable to Kenya nationals.

(ii) Training on elimination of NTBs for stakeholders on Lake and Northern Zones of Tanzania from 28th September to 2nd October, 2015.

The training brought together stakeholders from the Lake zone (Mwanza, Geita, Mara, Shinyanga, Kagera and Simiyu) and the Northern Zone (Arusha, Kilimanjaro, Manyara and Tanga). The main objective of the trainings was to:

- (a) equip stakeholders with basic knowledge on NTBs;
- (b) Inform the participants about the other key trade issues including market opportunities available in the, East Africa Community (EAC).

(c) Creating awareness to the participants on the mechanisms in place for reporting and monitoring NTBs.

(iii) Bilateral meeting with Kenya

The Bilateral Meeting was held between 17th to 18th November 2015, in Dar es salaam, Tanzania in accordance with the EAC Council of Ministers' Directives that Partner States conduct bilateral meetings to consider and resolve trade matters especially on elimination of Non-Tariff Barriers (NTBs) and report progress to the Council of Ministers. The meeting was convened at the Senior Officials and the Permanent/Principal Secretaries levels.

(iv) Introduction of online portal by Tanzania Food and Drugs Authority (TFDA)

TFDA with assistance of Trade Mark East Africa (TMEA) launched an Online Portal on 27th November, 2015 with the aim of simplifying registration of products, import and export procedures and providing various information related to TFDA to all stakeholders.

The portal will enable TFDA's customers to apply for import and export permit online thereby reducing the cost in terms of time and actual money which is spent in processing the documents.

The portal is accessible via website <http://www.tfda.or.tz/portal>

(v) Tripartite training of trainers on Non-Tariff Measures (NTMS) workshop

The NMC members participated in the above workshop which was held in Nairobi, Kenya from 9th to 13th November, 2015. The training was organized by COMESA and, the FTA members from COMESA-EAC-SADC attended. Awareness about the existing NTMs will help the stakeholders to adhere to the procedures and therefore reduce the number of complaints that are usually reported as NTBs.

2.5: Republic Of Uganda

Uganda reported that her NMC undertook the following activities for the period under review:

(i) Bilateral meeting with Kenya

The NMC members participated in a bilateral meeting with Kenya which was held from 29th to 30th October 2015, Kampala, Uganda. The meeting considered the following:

(a) Market access challenges faced by Ugandan products exported to Kenyan Market.

The products considered included sugar, tea, Aflotoxins and maize exports into Kenya along the Uganda-Kenya borders, including rice and cement clinkers.

(b) Auctioning of road construction equipment

The meeting discussed the issue of the road construction equipment belonging to UNRA that were auctioned by Kenya Revenue Authority that is yet to be resolved as the matter is in court.

(c) Beef and beef products

The meeting also considered progress made by Kenya in revising Laws and Regulations regarding importation and exportation of beef and beef products into Uganda. The issue was eventually resolved pending submission of documents on amended laws on fulfillment of conditions for control of bovine and other import diseases into Kenya, by Kenyan authorities to the Ugandan High Commission in Kenya for onward transmission to Uganda Government

(d) Multiple weighing of transit cargo

Multiple weighing of transit cargo trucks from Mombasa-Kenya to Uganda was also discussed and remained a matter in contention till an appropriate solution is obtained in spite of the automation that has so far been done by KENHA.

(e) Sugar

Kenya Sugar Board was yet to carry out a verification mission on the production capacity of sugar in Uganda although USMA has no problem so far except for the cost of the permit which they find contrary to the spirit of the Common Market Protocol.

(ii) NTB reporting System

The NMC also undertook continuous sensitization of the business community and other MDA's on the NTB reporting System. This has increased awareness and use of the System by the business community. Billboards displaying messages to the public showing how to use the NTB reporting system have been placed at strategic points along the Northern and Central Corridors and at border points for access by transporters and the entire business community.

(iii) NMC meetings held in September 2015

An NMC meeting was held on 27 to 29 September 2015 and considered the following NTBs reported during the 18th EAC Regional Forum on NTBs in September, 2015, Arusha, Tanzania:

(a) Exports of ethanol

United Republic of Tanzania in the 18th Regional NTB forum raised the issue regarding Customs Valuation of Ethanol purchased from Tanzania (Kilimanjaro Biochem Ltd). Internal consultations were carried out and found out that Kilimanjaro Biochem Ltd. sells ethanol to various customers in Uganda at different prices. Documents submitted portray inconsistencies in sale prices to various companies that import ethanol from them, contrary to the company's bulk buyer scheme (Purchase price is stated as US \$1.05 per Liter for less than 200,000 liters monthly while discount of 20% i.e. US \$ 0.84 per liter is only meant for those bulk purchases of more than 200,000 monthly.

The discriminatory nature of this bulk buyer scheme policy with instances where certain clients are offered a price of US \$ 0.84 per liter despite purchasing less than 200,000 liters per month raises concerns of unfair trade practices far from arm's length transactions, prompting government to

query some transaction with invoice prices of US \$ 0.84 per liter for those purchasing less than 200,000 liters per month as mandated under section 122 of the East African Community Customs management Act 2004 and its annex on fourth schedule. This position has been communicated to Kilimanjaro Biochem Ltd. A letter to effect has been written to Kilimanjaro Biochem Ltd with a copy to the EAC Secretariat explaining the same.

(b) Weigh bridges

The NMC meeting in Entebbe in September 2015 considered the current challenges faced by transporters at weighbridges and noted that UNRA is in the process of procuring new weigh bridge equipment while calibration has been done for all weigh bridges.

(c) Payment of ten thousand Uganda shillings by Rwandan buses.

The payment of ten thousand Uganda shillings in every district in Uganda all the way from Kigali and back was discussed in the NMC meeting in Entebbe and some details on the nature of payments is yet to be ascertained although the Head of State directed that it should cease immediately if the fee is a levy being imposed by the local government district officials on buses transiting through the districts along the highway.



The Republic of Kenya reported that bar soap produced by Bidco Oil Refineries Ltd was not being accorded preferential treatment when exported to Uganda instead they are discriminately charged 10% import duty.

Evidence was provided.

3.0: NEW NON-TARIFF BARRIERS REPORTED DURING THE 19TH EAC REGIONAL FORUM

The Republic of Uganda requested for adequate time to analyze the evidence and consult relevant institution at home and promised to give a response during the 20th EAC Regional Forum on NTBs.



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

The EAC Time Bound Programme on elimination of identified NTBs was updated during the 19th EAC Regional Forum on NTBs. The following eight (8) NTBs were reported as resolved during the 19th EAC Regional Forum:

The Republic of Uganda charging of 25% duty rate on products manufactured by Vayas Kenya Ltd in using glucose imported under EAC duty remission

URT is charging USD 200 as transit fee for containers with chemical products

Mamimou Charcoal Export Ltd based in Kigali is charged transit fees on charcoal exports to Dubai via Mombasa Port

Rwanda Revenue Authority was not according preferential treatment to G&B Soap Industries (Ltd) exported by URT

Salt exports from Kenya are not accorded preferential treatment in United Republic of Tanzania

Plastics Stripping products exported to URT are not accorded preferential treatment by URT;

Fish exports from Kenya to DRC are being confiscated in Uganda;

Reintroduction of county transit fee by the counties of Kajiado and Kwale in Kenya.

A summary on the status of elimination of NTBs in the EAC time bound program of the region shows that:

- (i) **Twenty two (22) NTBs were unresolved during the meeting;**
- (ii) **One (1) complaint was reported as a new NTB with evidence submitted; and**
- (iii) **Ninety five (95) NTBs were cumulatively reported as resolved.**

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks 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: 1. One-Stop-Centres and 2. electronic single window systems at border stations Tanzania At preliminary stage of developing the system. 3. Develop and implement mutual recognition	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.	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 ongoing. Construction of one border posts in the Partner States will address the NTB.	<i>June, 2016</i>
2.	<i>Existence of several weighbridge stations in the central corridor</i>	Rwanda, Uganda, and Burundi	Tanzania	Time lost at the stations leading to loss of business as goods do not reach their destination in time	Reduction of the stations to two one at the port of entry and the other at the port of exit.	Political goodwill from the Government. Tanzania reported that she has introduced three stop inspection centers (Vigwaza, Manyoni and Nyakanazi) One Stop Inspection Stations (OSISs) including weighbridge to be constructed at Vigwaza, Manyoni and Nyakanazi. Vigwaza weighbridge for transit cargo is complete and operational. Manzoni and Nyakanazi under design and were supposed to be completed by June 2015	The Ministers decided that the weighbridges be reduced to two (2) one at the point of entry and other the port of exit. Tanzania reported that she has introduced three stop inspection centers (Vigwaza, Manyoni and Nyakanazi) One Stop Inspection Stations (OSISs) including weighbridge to be constructed at Vigwaza, Manyoni and Nyakanazi. Vigwaza weighbridge for transit cargo is complete and operational. Manzoni and Nyakanazi under design and were supposed to be completed by June 2015	<i>June, 2016</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks or Success Factor	Status / Recommendations	Time-frame
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	The Ministers urged Republic of Kenya to review the legal notice No. 69 to address the issues of the BSE disease by December 30 th , 2012. A bilateral meeting was held between Kenya and Uganda between 29 th - 30 th October, 2015 and among others deliberated on this NTB and agreed that the issue be eventually resolved pending submission of documents on amended laws on fulfillment of conditions for control of bovine and other import diseases into Kenya, by Kenyan authorities to the Ugandan High Commission in Kenya for onward transmission to Uganda government	<i>June, 2016</i>
4.	<i>Charges of plant import permit (PIP) at Malaba for tea destined for auction at Mombasa</i>	Burundi	Kenya Plant Health Services (KEPHIS)	Adds to cost of doing business.	Abolish charges and reorganization of the SPS certificate .	Resistance from issuing authority Burundi-Process ongoing Kenya- In progress	The ministers decided that Partner States should recognize certificates issued by accredited institutions of other Partner States. EAC SPS Protocol was signed in July 2013 and once ratified by Partner States it will address the NTB. The NTB will be resolved once the SPS protocol is ratified. The meeting noted that Kenya recognizes Phyto-Sanitary certificates issued by Partner States for tea destined for Mombasa tea auction.	<i>June, 2016</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks or Success Factor	Status / Recommendations	Time-frame
5.	<i>Border management institutions' working hours are not harmonized.</i>	Tanzania, Uganda, Rwanda, Kenya, and Burundi	Revenue Authorities	Business community to identify impact Delays and extra cost to doing business. This distorts proper flow of activities of the business people	Harmonization of working hours	Security issues and awareness by Business community	There is need to harmonize working hours by the Joint Border Committees	June, 2016
6.	<i>Non-harmonized road user charges / road tolls</i>	All Partner States	Ministries of Transport and Infrastructure	Additional cost to doing business	Harmonization the road user charges / road toll process.		The EAC, in collaboration with SADC and COMESA, is working on a model for harmonizing the principles for road user charges	June, 2016
7.	<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.	During the 29th meeting of the Council Tanzania undertook to repeal the law governing the 75% local tobacco content by June, 2015. Refer latest council decision Tanzania reported that internal consultations to implement Council decision to repeal the law were in progress. URT to report to next meeting of Council in February 2016 on progress made.	July, 2016
8.	<i>Requirement by Tanzania food and Drugs Authority for companies exporting to URT to register, re-label, and retesting of certified EAC Partner States.</i>	EAC Partner States	TFDA, United Republic of Tanzania	Loss of market	Abolition of the requirement		Partner States' Standards bureaus should give mutual recognition of quality marks issued by competent authorities in Partner States. The TFDA should eliminate its requirement that companies exporting to URT should re-register, re-label and retest their products.	June, 2016

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks or Success Factor	Status / Recommendations	Time-frame
9.	<i>Discrimination of Smirnoff ice brand of East African Breweries (Kenya) Ltd Products</i>	Kenya	URT	Loss of Market.	Removal of discrimination		Removal of discrimination. Verification was undertaken but Kenya was requested to submit the missing documents to enable the committee to finalize its work.	March, 2016
10.	<i>Numerous monetary charges required by various agencies in the EAC Partner States for exports of milk</i>	EAC Partner States	Various agencies in the Partner States.	Adds to cost of doing business.	Harmonization of the charges.		SCTIF urged Partner States to forward the charges on dairy products to EAC Secretariat to enable the Secretariat to undertake harmonization of the charges. All the Partner States have submitted except Republic of Uganda by March, 2016.	March, 2016
11.	<i>Charge of "export tax" of 0.2% on unprocessed tobacco imported from Uganda by Rwanda Premier Tobacco Company Ltd</i>	Rwanda	Uganda	Adds to the cost of doing business	Adherence to the EAC Preferential Tariff Treatment		Uganda and Rwanda undertook to hold a bilateral meeting and report back during the next meeting.	By March, 2016
12.	<i>Kenya was restricting Cable Corporation (Uganda) Ltd from its tendering processes for the supply of electric cable products.</i>	Uganda	Kenya	Loss of business opportunities	Open tendering process	Political goodwill	Kenya and Uganda undertook to hold a bilateral meeting and report back during the next meeting.	March, 2016
13.	<i>United Republic of Tanzania has introduced a railway development levy of 1.5 per cent for imports from Kenya.</i>	Kenya	United Republic of Tanzania	Adds to cost of doing business	Abolishment of the levy	Political goodwill	The meeting recommended that imports from EAC be exempted from the levy.	Immediate

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks or Success Factor	Status / Recommendations	Time-frame
14.	<i>Exports of pineapple juices in tetra packs cartons produced by Delmote company in Kenya are not accorded preferential treatment in Rwanda</i>	Kenya	Rwanda	Adds to cost of doing business	Accordinging of preferential treatment to salt from Kenya	Lack of Political goodwill.	The meeting recommended that the juices from Kenya should be accorded preferential treatment. Kenya informed the meeting pineapple juices in tetra packs are fresh juices which does not require sugar to be added. A sample of the juices was brought to the meeting. Rwanda undertook to consult further and report back during the next meeting.	<i>March, 2015</i>
15.	<i>Savannah cement produced in Kenya is not accorded preferential treatment while exported to Uganda.</i>	Kenya	Uganda	Adds to cost of doing business	Accordinging of preferential treatment to salt from Kenya	Lack of Political goodwill.	The meeting recommended that cement from Kenya should be accorded preferential treatment. Uganda undertook to study the evidence and report back during the next meeting.	<i>March, 2016</i>
16.	<i>Buses from Trinity Express Bus Company Rwanda to Kampala are charged 10,000 Uganda shillings in each Uganda district they pass.</i>	Rwanda	Uganda	Adds to cost of doing business	The buses should be charged a single fee.		The buses should be charged a single fee. Rwanda provided documentary evidence during the 18 th Regional Forum on Uganda reported that she studied the evidence and if Rwanda buses enter local county buses parks to drop and pick passengers they are charged. Rwanda undertook to study the response from Uganda and report back during the next meeting.	<i>March, 2016</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks or Success Factor	Status / Recommendations	Time-frame
17.	<i>Delays in issuance of certificates by Tanzania's NEMA which has the validity for three months. It also takes three months to renew the certificate that allows Bralirwa Ltd to export broken glasses and bottles to Dar es Salaam to be recycled by KIOO Ltd.</i>	Rwanda	United Republic of Tanzania	Adds to cost of doing business	Prompt issuance of certificates as long as applicants meet the registration criteria.	Lack of political will.	The meeting recommended that there should be no delays in issuance of license. URT undertook to study the evidence and report back during the next meeting.	<i>March, 2016</i>
18.	<i>URA has uplifted the price of ethanol produced by Kilimanjaro Biochem Ltd from US\$ 0.87 to US\$ 1.04 for duty evaluation purposes.</i>	United Republic of Tanzania	Uganda Revenue Authority	Adds to cost of doing business. Inhibits trade.	URA should stop uplifting of the prices of ethanol exported to Uganda.	Political goodwill.	The meeting recommended that URA should stop uplifting of the prices of ethanol exported to Uganda. Uganda studied the evidence and found the Company was not using valuation method as stipulated in the EAC Management Act 2004. Uganda has written an official letter to URT. URT undertook to study the letter and report back during the next meeting.	<i>March, 2016</i>
19.	<i>Plastics Stripping products exported to URT are not accorded preferential treatment by URT.</i>	Kenya	URT	Adds to cost of doing business. Inhibits trade.	The products should be accorded preferential treatment.		The products should be accorded preferential treatment. The meeting noted that the revised EAC RoO will resolve this NTB once URT dispatches the Revised EAC RoO and procedures manuals to borders.	<i>March, 2016</i>
20.	<i>SCT export documents processing in Tanzania are taking longer up to 10 days to be cleared instead of 3 days.</i>	Kenya	URT	.Adds to cost of doing business.	Prompt clearance of documents	Lack of political goodwill.	The meeting considered the NTBs and recommended that it be forwarded to Committee of Customs deliberation.	<i>March, 2016</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Bottle-necks or Success Factor	Status / Recommendations	Time-frame
21.	<i>Kenya has introduced a compulsory requirement under the SCT for all trucks loaded within Kenya and destined to Uganda to be verified, issued with a C2 document and exit note at an ICD located on Mombasa road.</i>	Kenya	Uganda	Adds to cost of doing business.	Abolishment of the requirement.	Lack of political goodwill.	The meeting considered the NTBs and recommended that it be forwarded the standing committee on the implementation of EAC SCT. The NTBs and recommended that it be forwarded to Committee of Customs deliberation.	March, 2016
22	<i>KRA requires the importer of ethanol (Kenya importer) from Tanzania to construct separate storage tanks. This requirement is seen to be a discrimination against Tanzania's product since other manufacturers from other countries are not subjected under the same requirement.</i>	Kenya	United Republic of Tanzania.	Adds to cost of doing business.	Abolishment of the requirement.		Tanzania provided documentary evidence in September, 2015. Kenya requested for more time to study the evidence and report back during the next meeting.	June, 2016

COMPLAINTS REPORTED AS NON-TARIFF BARRIERS

1.	<i>Bar Soap produced by Bidco is not being accorded preferential treatment when exported to Uganda instead they are discriminately charged 10% duties.</i>	Kenya	Uganda	Adds to cost of doing business	According of EAC Preferential treatment.		Kenya provided documentary evidence. Uganda undertook to study the evidence and report back during the next meeting.	June, 2016
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NON-TARIFF BARRIERS RESOLVED SINCE 2009

The following NTBs have been resolved since 2009:

1. Tanzania requirement of cash bonds for transportation of sugar to Rwanda;
2. Burundi charges entry fee for vehicles from other Partner States;
3. Varying application of axle load specifications applied by all Partner States;
4. Imposition of visa fee to Burundian entering United Republic of Tanzania;
5. Delays at the Ports of Mombasa & Dar es Salaam, which affect imports and exports through the ports;
6. Restriction of Konyagi exports from Tanzania into Kenyan market;
7. Lack of preferential treatment on galvanized sheets exported to Rwanda by Kenya;
8. Requirement for certificates of analysis for goods destined for export to Rwanda and Burundi from Tanzania, Uganda and Kenya;
9. Levying of extra charges Kenya pharmaceutical firms exporting to Tanzania;
10. Requirement of TISCAN inspection procedure that requires documents to be transmitted to SA and cleared there for each lot in Tanzania for exports from Kenya;
11. Requirement of road consignment note from transporters even before the goods have been parked;
12. Requirement for executing bonds for import taxes before being issued with stamps for excise duty purposes in Tanzania for imports for Kenya;
13. Holding, retesting milk and milk products bearing quality marks and imposition of import quotas;
14. Kenyan ban on one day old chicks from Uganda;
15. Cumbersome testing procedures for food exports and imports into Tanzania;
16. Partner States are not using green, yellow, red channels while clearing goods;
17. EAC Standards Bureaus have varying procedures for issuance of certification marks, inspection and testing;
18. Non-recognition of EAC Rules & Certificates of Origin by all Partner States;
19. Charge of 1.5% dairy levy by Uganda for imports from Kenya;
20. Charge of 1.5 % diary levy on exports of dairy products from Kenya;
21. Uganda's certification procedures on exports of milk from Kenya;
22. Delays in Releasing of cargo manifest by all Partner States;
23. Reduction of grace period for transit cargo at Dar port from 30 to 14 days which affects all Partner States;
24. Requirement that to export Herbal products to Tanzania from Uganda; you must declare formulae;
25. Delays at Malaba border for trucks driving to Uganda;
26. Kenya has introduced Cash Bond on used clothes and shoes / other items considered of high value imported by Uganda through port of Mombasa;
27. Kenyan trucks entering Tanzania are charged a levy of US\$ 200;
28. Lack of simplified certificates of origin issued by Tanzania;
29. Non-implementation of EAC harmonised documents by all Partner States;
30. Non-implementation of EAC harmonized documents;
31. Visa charges of US\$ 250 for businessmen entering Tanzania from Burundi, Kenya, Rwanda and Uganda;
32. Re-introduction by Kenya of a cash bond on vehicles above 2000 cc and sugar transiting from Mombasa to Uganda;
33. Delays in issuing bonds at Kenya border with Uganda tea meant for auction in Mombasa;
34. Non-recognition of EAC certificate of origin by TRA for furniture products manufactured in Kenya;
35. Tanzania has re-imposed a visa charge of between U.S\$ 200-250 on Ugandan business persons travelling to Tanzania;
36. Requirement for original documentation at the port of Mombasa and Dar es Salaam for clearance of goods destined to Burundi;
37. Kenya Import levy of Kshs 2 per Kg on Agricultural Products from Tanzania;
38. Exports of plastic products from Kenya are subjected to 10% and 25% CET rate;
39. Tourist vans from Kenya not allowed entry to Tanzania;
40. Lack of interface within the customs' systems in the Revenue Authorities in Partner States;
41. Requirement for OTS (Open Tender System) for bulk Fuel Procurement System to Burundi at port of Mombasa;
42. Imposition of 75% CET duty or \$200 per metric ton on rice wholly produced in Kenya by Uganda;
43. Cut-flower from Tanzania for re-exports to Europe and Russia blocked by Kenya;
44. 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;
45. Restriction of employment by NGOs to Ugandans only which is affecting Tanzanians;
46. Charges by Container Freight Stations vary from port charges at the port of Mombasa which is affecting imports to Uganda, Burundi and Rwanda;

47. Congestion at the Port of DAR which is affecting Burundi, Rwanda and Uganda which is affecting imports to Burundi;
48. Payment of double handling charges at the ICDs and at the Dar Es Salaam port;
49. Inadequate Police Escort mechanism for trucks ferrying goods in all Partner States;
50. Controlled movements of Cargo Trucks between Isaka / Rusumo and Isaka / Kabanga are not allowed to move beyond 6:00 pm within Tanzania heading to Burundi, Rwanda and Uganda;
51. Harassment of informal businessmen from URT by Kenyan Immigration Officials at Namanga Border;
52. Prohibitions of imports of food products from Burundi to Rwanda;
53. Kenya Revenue Authority at Taveta Border requires certificates of Origin from Tanzania to have serial numbers;
54. Uganda is restricting export of mosquito nets produced by A to Z Mills Company in Arusha;
55. Rice, Small Fish and Palm Oil from Burundi denied entry to Rwanda;
56. Tanzania is not accepting copies of bill of lading while clearing cargo at Sirare border;
57. Kenya has notified clearing agents that there will be no further extension of customs warehousing;
58. Kenya delays inspection of export goods to Tanzania at factory level;
59. United Republic of Tanzania has restricted imports of beer from Burundi;
60. 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;
61. Kenya requires Uganda imports of oil to be transported through rail and by road to have bond guaranteed by bank;
62. A requirement that Cigarettes exported to Uganda from Kenya must have a local material content of 75%;
63. Lack of Verification sheds and parking yards at border posts affecting all Partner States;
64. Charging of full duty on aluminium products from Kenya to Uganda which do not enjoy EAC duty remission scheme;
65. Introduction of a levy of 1.5% for railway development in Kenya for imports destined to Kenya;
66. Metal products from Kenya are charged a CET of 25% when exported to Burundi;
67. URT is charging plastics from Kenya a CET rate of 25%;
68. Several Police road blocks along Central Corridor, estimated at 30 between Dar es Salaam to Rusumo border;
69. Lack of harmonized port procedures manual;
70. Non-recognition of rules of Origin for motor vehicles;
71. Uganda National Bureau of Standards was rejecting the products as from Kenya as substandard ;
72. Mandatory requirement for all sugar importers from Uganda to obtain prior permission in Kenya before any sugar import;
73. Uganda registered insurance companies are not recognized in Kenya;
74. Requirement Kenya for a single bond in the single customs territory;
75. Lengthy, restrictive and unclear administrative procedures of licensing Ugandan owned container freight stations/ warehouses at the Port of Mombasa;
76. Delays by KRA in posting online clearance of goods destined to Tanzania;
77. Re-introduction of yellow fever requirement at Namanga border and Kilimanjaro International Airport;
78. Auto-Axillary Ltd products (U bolt and Center bolts) from Kenya are charged CET of 25% in Tanzania;
79. TPA is charging USD90 as way leave fees for transit container of 20 feet and 140USD for container of 40 feet for transit trucks from Burundi;
80. Selective auctioning of Ugandan goods at Mombasa Port;
81. Scanning of Uganda goods by anti-counterfeit agency at Mombasa;
82. Charging of 25% duty rate on scrapping rolls manufactured in Kenya;
83. Weighing of empty trucks in the Central Corridor-Tanzania;
84. Numerous Weighbridges Containerized cargo to Uganda, Rwanda and Burundi are being subjected to Imposition of 4 weighbridges instead of agreed two as decided by the Council the central corridor;
85. Rwanda and Uganda have not accorded preferential treatment on exports of rice from Tanzania through Rusumo and Mutukula borders respectively; and
86. Rwanda was not according preferential treatment to confectionery products by produced Candy Kenya Ltd.
87. Charging of 25% duty rate on products manufactured by Vayas Kenya Ltd in using glucose imported under EAC duty remission;
88. URT is charging USD 200 as transit fee for containers with chemical products; (this was reported resolved during the meeting but it was inadvertently omitted in this list)
89. Rwandan transporters pays US\$ 300 per trunk as a national park fee;
90. Mamimou Charcoal Export Ltd based in Kigali is charged transit fees on charcoal exports to Dubai via Mombasa Port;
91. RRA was not accord preferential treatment to G&B Soap Industries (Ltd);
92. Salt exports are not accorded preferential treatment in United Republic of Tanzania;
93. Plastics Stripping products exported to URT are not accorded preferential treatment by URT;
94. Fish exports from Kenya to DRC are being confiscated in Uganda;
95. Re-introduction of county transit fee by the counties of Kajiado and Kwale in Kenya.

5.0: PROGRESS REPORT ON THE CONSTRUCTION OF ONE-STOP BORDER POSTS IN THE REGION

The construction of OSBPs in EAC region is implemented by Development Partners in close collaboration with Partner States and EAC Secretariat. The construction and operationalization of One Stop Border Posts (OSBPs) in EAC Partner States is anticipated to eliminate some of the NTBs in the region.

There are **fifteen (15)** OSBP projects at various levels of construction at internal borders supported by the following Development Partners:

- (i) Trade Mark East Africa (TMEA),
- (ii) African Development Bank (AfDB);
- (iii) Japan International Cooperation Agency (JICA); and
- (iv) World Bank.

The International Office for Migration (IOM) and United States Agency for International Development (USAID) also promote the OSBP projects by supporting the soft infrastructure aspects.

Seven (7) OSBPs construction projects are fully completed, though only **three (3)** are officially operational under a bilateral arrangement between Partner States.

The others are not operational because of lack of operational legal framework as the EAC OSBPs Act is undergoing the process of Assent by Heads of States.

The current status of the construction of OSBPs in Partner States is as emulated here below:

5.1: Republic of Burundi

In the Republic of Burundi, **three (3)** OSBPs were being constructed.

Two (2) of them at the border with the Republic of Rwanda namely Ruhwa, Gasenyi, which is complete and operational.

The construction of Kobero OSBP was due for completion on 15th July 2015, and currently the civil works stands at **90%** and is expected to be completed by end December 2015.

5.2: Republic of Kenya

For the Republic of Kenya, **six (6)** OSBPs were being constructed at Busia, Lungalunga at **100%** completion and fully furnished. Taveta, Malaba, Namanga is at **92%** of completion and Isebania.

At Malaba, OSBP civil works were completed but the bridge between Uganda and Kenya is not complete.

The construction of Busia OSBP is **95%** complete and it is expected to be completed by end of December 2015.

At Namanga OSBP civil works are at **90%** complete and the civil works are in progress which includes laying of fibre networks and painting. However, this project lacks sufficient water.

At Isebania OSBP, the civil works are **100%** complete.

5.3: Republic of Rwanda

For the Republic of Rwanda, **nine (9)** OSBPs were planned to be constructed; **four (4)** of them are fully completed namely Rusumo, Kagitumba, Ruhwa, and Nemba. However only Ruhwa and Nemba are fully operational.

Cyanika is operational using old border facilities (construction of new facilities has not yet started).

The OSBP that is under construction is Gatuna and the civil works have been completed at the level of **20%**.

At Rusizi I & II, Akanyaru Haut and Gisenyi/ Corniche, Cyanika are planned to be constructed in 2016.

7.4: Republic of Uganda

Seven (7) OSBPs were under construction for the Republic of Uganda namely Malaba, Busia, Katuna, Mirama Hills, Mutukula, Elegu and Cyanika.

At Malaba OSBP construction of buildings has been completed and the construction of the exit road is ongoing and is expected to be completed by December 2015 but the bridge between Uganda and Kenya is not complete, the officers on both sides of the border have relocated to the new facility.

At Busia construction is **85%** complete and it is expected to be completed by end of December 2015

At Katuna, civil works are at 20% complete, there were delays caused by border location which is surrounded by the mountains and the marshland.

At Mirama Hills construction has been completed and the facility has been handed over to the Ugandan Government and the project awaits official opening.

At Mutukula, construction of buildings is completed but the works on the exit road, parking yard and fence are not yet complete.

At Elegu OSBP, the contract was signed in September 2015 and construction is expected to be completed by February 2017.

At Cyanika infrastructure and procedure audits to assess suitability for OSBP was conducted in 2011 and construction has not commenced.

7.5: United Republic of Tanzania

For the United Republic of Tanzania, **nine (9)** OSBPs were under construction namely, Namanga, Horohoro, Holili, Sirari, Rusumo, Mutukula, Kabanga, Tunduma, and Manyovu.

Civil works at Namanga have been completed and the facility was handed over to Tanzania Revenue Authority.

Others completed are; Horohoro, Holili, Sirari, Rusumo, Mutukula, and Kabanga.

At Tunduma OSBP, the designs are awaiting approval, while for Manyovu OSBP, the study is complete and awaits a potential funder.

6.0: EAST AFRICAN BUSINESS COUNCIL NON-TARIFF BARRIERS (NTBS) STUDY 2014

East African Business Council (EABC) made presentation on East African Non-Tariff Barriers (NTBs) Study which was conducted in 2014. The study identified core NTBs affecting intra EAC Trade. The four core NTBs which were identified by the Study report were:

- (i) Weigh bridges
- (ii) Roadblocks & Police Checks/Points
- (iii) Harmonization of Standards/ Procedures/Documents/ Fees/Taxes
- (iv) Delays in Clearing/Handling Goods

The key findings of the study on the four core NTBs on intra-EAC trade were as follows:

(i) Weigh bridges

The main challenge is that the agreed number of weighbridges which are two for transit trucks—one at point and one point of exit—is not being upheld by EAC Partner States. The problem is felt mainly by landlocked Partner States who rely on maritime countries for transit of their imports and exports.

Another challenge identified is that weighbridges are not linked electronically so that the reading at one weighbridge cannot be shared with the following weighbridge on the route or across territory. Also study identified that there is lack of harmonization and calibration between weighbridges as well as lack of transparency whereby in some of EAC Partner States trucks found to be compliant are not issued with a receipt meaning that when the truck enters to another weighbridge or another Partner State there is no evidence of the recorded weight.

The study recommends that solution to these challenges are the introduction of weigh-in motion and the reduction in number of weighbridges as well as greater interconnectivity between weighbridges within and across territories, an increase in transparency relating to operations of weighbridges and increased investment in multi-deck weighbridges.

(ii) Road blocks and Police Check points

The challenge found in the road blocks was multiplicity of agencies involved which led to the arbitrary imposition of checkpoints and that no particular strategy or administrative process was followed. The instructions from senior officials apparently do not filter through to officials at road blocks. Also the number of roadblocks in Central Corridor in Tanzania which were 10-13 was still considered too many by transit truck drivers.

The study recommends that as EAC Partner States implements Single Customs Territory (SCT) there is need to reduce the number of police roadblocks substantially and that those which deemed necessary should be located at the same place as weighbridges in order to reduce delays and bribery.

(iii) Harmonization of Standards/ Procedures/Documents/Fees/ Taxes

Despite the existence of the Mutual Recognition of quality marks by national bureau of standards within the region, study found out that certified products such as food products and cosmetics are subjected to certification and permit requirements once they cross country especially in Tanzania. Another challenge was the multiplicity of institutions registering/testing and issuing certificates is leading to bureaucracy and high cost of compliance.

Solutions offered were for each Partner State to set rules and regulations for each product traded or transported within its territory and should publish a list of standards applied. Technical Regulations should be based on East African Standards where applicable of not then should base on International standards.

(iv) Delay in Clearing/Handling Goods

The main challenges found in this area were poor administration at customs, a multiplicity of agencies handling cargo at the port of Dar es Salaam, and different working hours followed by different customs administrations. Also it was found out that EAC Partner States are implementing Single Customs Territory (SCT) at different speed and there is lack of coordination between governments as well as poor inter-agency border cooperation. Arbitrary queries on origin of products and lack of effective regional enforcement and dispute settlement mechanism have increased the delay and cost of doing business.

The solutions proposed included a decentralization of issuing of certificate of origin, the full implementation of SCT in all EAC Partner States and the harmonization of Customs working hours as well as increasing port efficiency.

The 19th EAC Regional Forum on NTBs recommends to the Sectoral Council on Trade, Industry, Finance and Investment that:

- (a) All weighbridges in Partner States should adopt weigh-in-motion procedure to avoid delaying cargo trucks;
- (b) Weighbridges along the route be electronically interlinked to share necessary information on weighed trucks;

- (c) The number of police road blocks is substantially be reduced;
- (d) Police road blocks which are deemed necessary should be located at the same place as weighbridges in order to reduce delays and bribery;
- (e) Tanzania Foods and Drugs Authority (TFDA) recognizes quality marks issued by national bureaus of standards of other Partner States;
- (f) Partner States stop arbitrary queries on the certificates of origin issued by other Partner States;
- (g) The draft EAC dispute settlement mechanism is expedited;
- (h) Partner States' Customs Authorities harmonize working hours at the borders.

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