



EAST AFRICAN COMMUNITY

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

Volume 8 - December 2014



www.eac.int

EAC SECRETARIAT
ARUSHA, TANZANIA
JANUARY, 2014



EAST AFRICAN COMMUNITY

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

Volume 8 - December 2014

EAST AFRICAN COMMUNITY
ELIMINATION OF NTBS
REPORT - VOL 8

EAC Secretariat
Arusha, Tanzania,
December, 2014

www.eac.int

EAC SECRETARIAT
ARUSHA, TANZANIA
JANUARY, 2014



CONTENTS

- 07 FOREWORD
- 09 GLOSSARY
- 10 1.0: PURPOSE OF THIS PUBLICATION
- 12 2.0: EAC TRADE REFORMS
- 14 3.0: QUARTERLY REPORTS OF NMCS FOR THE PERIOD OCTOBER - DECEMBER 2014
- 20 4.0: NEW NON-TARIFF BARRIERS REPORTED DURING THE 16TH EAC REGIONAL FORUM
- 22 5.0: STATUS OF ELIMINATION OF NON-TARIFF BARRIERS AS OF DECEMBER, 2014
- 28 6.0: UPDATED EAC TIME BOUND PROGRAMME ON ELIMINATION OF IDENTIFIED NON TARIFF BARRIERS AS OF DECEMBER, 2014

“ I call upon Partner States to continue holding bilateral meetings and to establish Border Management Committees in pursuit of redressing NTBS in the EAC TBP.



FOREWORD

I take this opportunity to present to the readers and especially the policy makers of EAC Partner States the 8th publication on the Status of Elimination of Non Tariff Barriers (NTBs) within the EAC region as of December, 2014.

This publication highlights what EAC has achieved in redressing NTBs in the second quarter of the financial year 2014/2015. It is aimed at galvanizing more support for the removal of NTBs which continue to hinder full achievement of the objectives of the EAC Customs Union and Common Market.

In a nutshell the publication shows that *Seventy Eight (78)* NTBs were reported cumulatively resolved, *eighteen (18)* reported unresolved while *four (4)* new ones were reported as of December, 2014 as is reflected in the EAC Time Bound Programme (TBP) for elimination of NTBs which recommends ways of resolving NTBs and the timeframe.

The 30th Meeting of the EAC Council of Ministers held on 28th November, 2014 in Nairobi, Kenya, among others adopted and forwarded the Draft EAC NTBs Bill to the East African Legislative Assembly for enactment into law. The enactment of the Bill into law will no doubt be a milestone on redressing Non Tariff Barriers in the region.

I commend the good work being done by the National Monitoring Committees and the EAC Regional Forum on NTBs as well as the National Implementation Committees on the Common Market 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 build synergies in pursuit of elimination of NTBs affecting Intra-regional trade.

I also note the biggest challenge of our time lies with the EAC Partner States to eliminate Non Tariff Barriers in accordance with the agreed EAC Time Bound Programme. To enhance the process of elimination of NTBs, I call upon Partner States to continue holding bilateral meetings and establish Border Management Committees in pursuit of redressing NTBS in the EAC TBP.

I finally commend our Development Partners specifically Trademark East Africa and GIZ for their dedicated support in the elimination of NTBs. 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	TCD	Time, Cost and Distance
COMESA	Common Market for Eastern and South African	TCD Model	Time cost Distance model
EAC	East African Community	TCM	Transport, Communications and Metrology
EU	European Union	TCCIA	Tanzania Chambers of Commerce, Industry and Agriculture
eCO	Electronic Certificate of Origin	TTAC	Transit Transport Coordination Agency
EWURA	Energy, Water and Utilities Regulation Authority	TRA	Tanzania Revenue Authority
FTA	Free Trade Area	UNCTAD	United Nations Congress on Trade and Development
GVW	Gross Vehicle Weight	UNECA	United Nations Commission for Africa
KEBS	Kenya Bureau of Standards	UNECAP	United Nations Economic and Social Commission for Asia and the Pacific
KEPHIS	Kenya Plant Health Inspectorate Services	UNBS	Uganda National Bureau of Standards
KRA	Kenya Revenue Authority	URT	United Republic of Tanzania
KSB	Kenya Sugar Board		
ICDs	Inland Container Depots		
MITC	Ministry of Industry, Trade and Cooperatives		
MoU	Memorandum of Understanding		
NTBs	Non Tariff Barriers		
NMCs	National Monitoring Committees		
PCCB	Prevention and Combating of Corruption Bureau		
PSF	Private Sector Foundation		
RRA	Rwanda Revenue Authority		
SADC	South African Development Community		
SPS	Sanitary and Pyhtosanitary		
TANROADS	Tanzania Roads Authority		
TBP	Time Bound Programme		
TBT	Technical Barriers to Trade		

1.0: PURPOSE OF THE PUBLICATION

The 8th EAC quarterly report on NTBs gives the status of elimination of NTBs in the EAC region as of December, 2014 after the 16th EAC Regional Forum on NTBs held on 9th – 11th December, 2014 in Kigali, Rwanda.

The EAC Regional Forum considered:

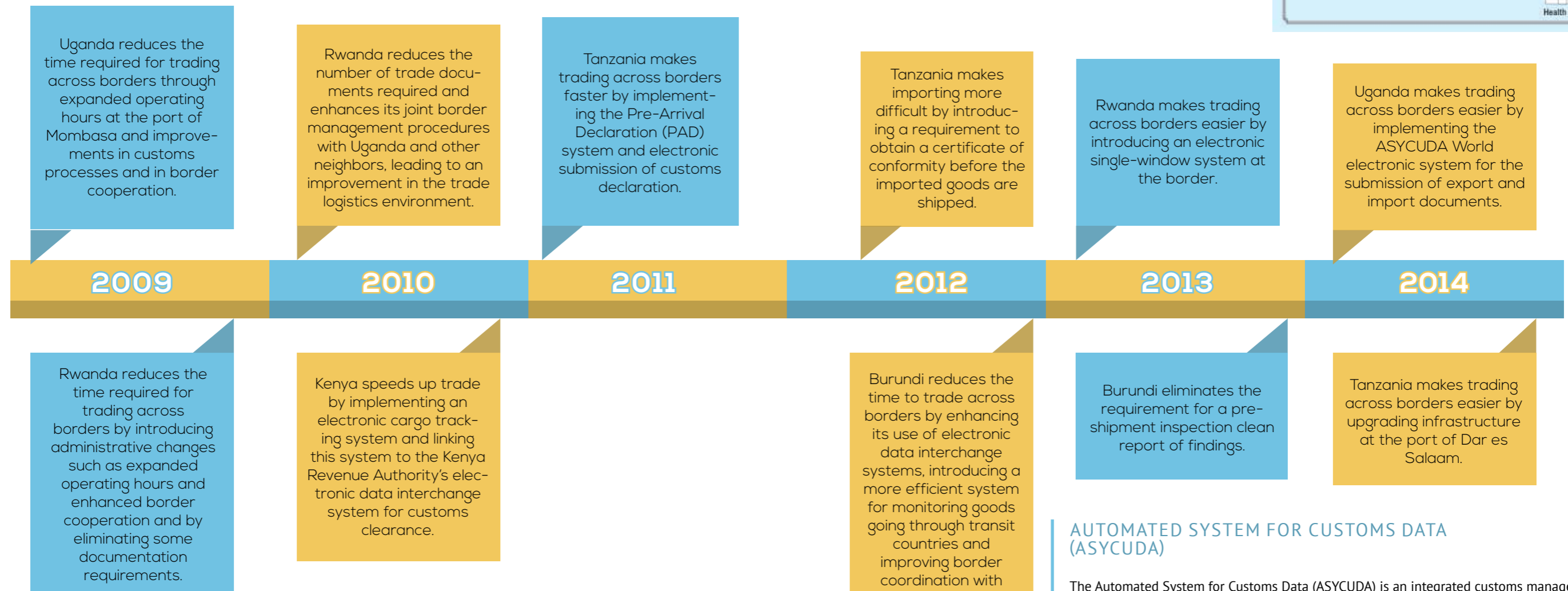
- (i) Quarterly reports of National Monitoring Committees on Non Tariff Barriers
- (ii) New Non Tariff Barriers reported during the 16th EAC Regional Forum :and
- (iii) Updated the EAC Time Bound Programme on elimination of identified NTBs.



2.0: EAC TRADE REFORMS

In economies around the world, trading across borders has become faster and easier over the years. Governments have introduced tools to facilitate trade—including single windows, risk-based inspections and electronic data interchange systems. These changes help improve their trading environment and boost firms' international competitiveness.

Below are some of the reforms recorded in the East African Community:

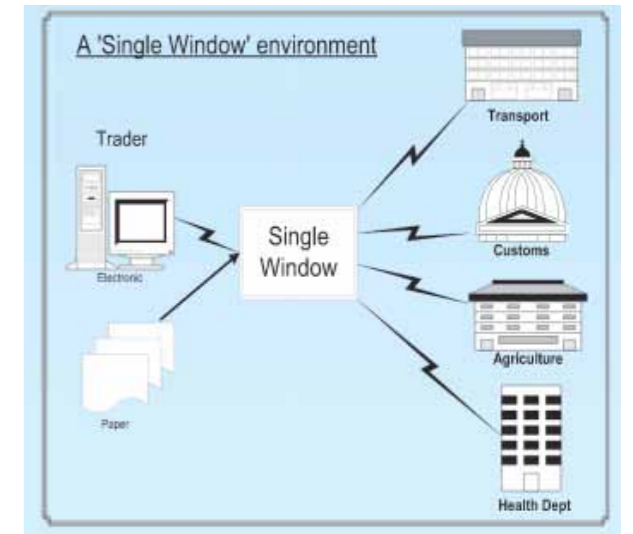


SOURCE: *Doing Business 2015: Going Beyond Efficiency, Regional Profile 2015 – East African Community* (published by The World Bank, 2014)

SINGLE WINDOW ENVIRONMENT

A "Single Window" environment provides one "entrance" either physical or electronic, for the submission and handling of all data, and documents related to the release and clearance of an international transaction. This "entrance" is managed by one agency, which informs the appropriate agencies, and/or directs combined control.

The Single Window enhances trade by cutting costs through reducing delays; faster clearance and release; predictable applications and explanation of rules as well as more effective and efficient deployment of resources.



AUTOMATED SYSTEM FOR CUSTOMS DATA (ASYCUDA)

The Automated System for Customs Data (ASYCUDA) is an integrated customs management system for international trade and transport operations in a modern automated environment. The systems are geared towards facilitating trade efficiency and competitiveness by substantially reducing transaction time and costs; helping fight corruption by enhancing the transparency of transactions as well as promoting sustainable development by cutting down on the use of paper, through the use of electronic transactions and documents among others.

3.0: QUARTERLY REPORTS OF NMCS FOR THE PERIOD OCTOBER - DECEMBER, 2014

During the meeting of the 16th EAC Regional Forum the Partner States presented their quarterly reports on NTBs as follows:

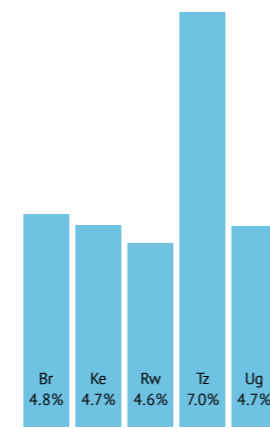
3.1: Republic of Burundi

The Republic of Burundi reported that between September – December 2014 the following NMC meetings were held:

- (i) 31st October, 2014,
- (ii) 3rd November, 2014, and
- (iii) 26th to 30th November, 2014.

The NMCs meeting deliberated on the following:

- (a) Updated the EAC Time Bound Programme, elimination of Non-Tariff Barriers in preparation for the 16th EAC Regional Forum on NTBs
- (b) Undertook a verification on Rumonge, Nyanza Lac, Mabanda-Mugina, Kayogoro, Gisuru, Gahumo and Gitega border posts to identify new internal Non Tariff Barriers;
- (c) Burundi was in the process of designing sub Web Site under the Ministry to the Office of the President Responsible of EAC Affairs;
- (d) The meetings also considered the Mombasa and Dar es Salaam port procedures manual and made the following comments:
 - (i) the two ports could consider harmonizing their port charges, grace period and penalties;
 - (ii) in view of the implementation of the EAC Single Customs Territory, the two countries consider allowing Clearing and Forwarding agencies to go to work at Dar es Salaam and Mombasa Ports; and
 - (iii) Dar Es Salaam and Mombasa ports, should establish one terminal for all transit containers for EAC countries. For example you will see at Nairobi airport, there is a window for EAC citizens only.



EAC Gross Domestic Product (GDP) growth rate for the year 2013

5.6%

In 2013, Tanzania recorded the highest economic growth rate of 7.0 percent followed by Burundi and Kenya with 4.8 and 4.7 percent, respectively; that of Burundi increased from 4.2 percent to 4.8 while for Kenya increased from 4.6 percent to 4.7. Tanzania's improved performance was largely attributed to the growth in communication, financial services, construction, and wholesale and retail trade.

3.2: Republic of Kenya

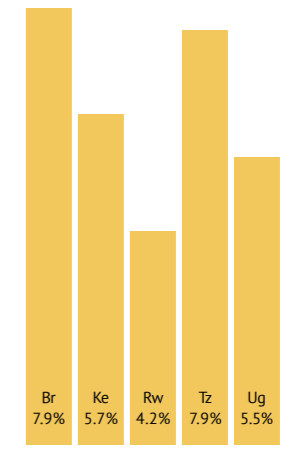
The Republic of Kenya reported that she held her NMC meeting on 10th November 2014 to update the EAC Time Bound Programme on the elimination of NTBs in preparation the 16th EAC Regional Forum on NTBs and observed the following;

- (a) A number of NTBs in the matrix have not been resolved because of the way they are framed;
- (b) Some NTBs are as a result of mischievous officers who institute them to solicit bribes and when investigations are done they cannot be verified;
- (c) Some of the NTBs paint a bad picture of a partner state because they appear outstanding on the NTB Time Bound Programme (TBP) on a particular partner state due to lack of documentary evidence; and
- (d) Recommended that NTBs without documentary evidence be removed from the TBP and in future, NTBs without documentary evidence should not be included on the TBP.

The NMC meeting noted that the Republic of Kenya had not initiated bilateral meetings with the Republic of Uganda and United Republic of Tanzania to discuss the long outstanding NTBs due to activities leading to the EAC Heads of State Summit on 30th November 2014. Kenya agreed to schedule the bilateral meetings between Uganda and United Republic of Tanzania before the 17th NTB Regional Forum on NTBs.

On the NTB concerning mandatory requirement for all sugar importers to obtain prior permission and payment of registration fees from the Kenya Sugar Board to import sugar, the NMC meeting noted that permits by Kenya Sugar Board was for monitoring purposes and was applicable to all sugar importers into Kenya. It was therefore recommended that the NTB be deleted from the matrix because it's not an NTB.

Finally, the NMC meeting recalled that it was agreed during the 14th EAC Regional Forum on NTBs that EAC coordinates a verification mission in the northern and central corridors with support from Trademark East Africa to verify NTBs in the corridors. Kenya noted the verification mission was over due and the EAC Secretariat should organize one.



EAC Annual Inflation rates for the year 2013

6.24%

Burundi annual inflation rate stood at 7.9 percent in 2013 compared to 18.2 percent in 2012. The decline was a result of better market supply, improved agricultural production, prudent monetary policy and taxes exemption for food in the first half of the year. The annual inflation rates for Kenya, Rwanda, Tanzania and Uganda in 2013 were 5.7 percent, 4.32 percent, 7.9 percent and 5.5 percent respectively.

3.3: Republic of Rwanda

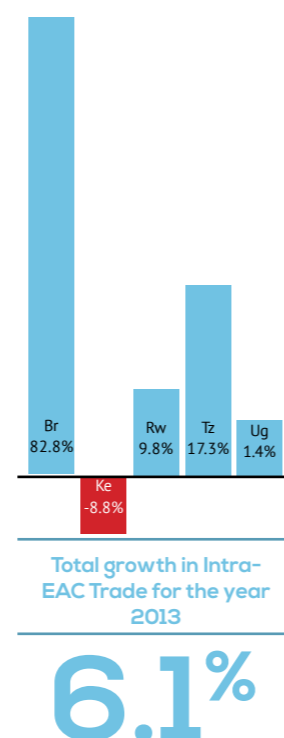
The Republic of Rwanda organized a quarterly NMC meeting on 5th November, 2014. The objective of the meeting was to deliberate on the NTBs in the EAC Time Bound Programme on the elimination of NTBs and reporting new NTBs in preparation of the 16th EAC Regional NTB Forum.

In addition, Rwanda NMC undertook the following activities;

- (i) The NMC is reviewing the first National Strategy on elimination of NTBs for the period September 2011-June 2014 and the quantification of removal of NTBs. The review will help in the development of a new National Strategy on elimination of NTBs for the period 2015-2018. The quantification of elimination of NTBs will also help design a methodology to quantify elimination of outstanding NTBs in future.

The NMC participated in the Private Sector Federation (PSF) Breakfast Information session on "Update of the EAC Integration Process" held on 30th September, 2014 at Serena Hotel in Kigali- Rwanda.

During the meeting the Rwanda NMC presented the Status of Elimination of NTBs in the East African Community and Rwanda.



Burundi:

Total trade with EAC Partner States in 2013 increased by 82.8% to US\$ 381.6 million from US\$ 207.4 million recorded in 2012. Burundi's trade deficit with EAC Partner States increased to US\$ 171.8 million in 2013 from US\$ 88.6 million registered in 2012. The increase was mainly attributed to a faster growth in imports than exports during the review period.

Kenya:

Total trade with EAC Partner States decreased by 8.8% to US\$ 1,785.5 million from US\$ 1,957.3 million recorded in 2012. Kenya's trade surplus with EAC Partner States also reduced from US\$ 1,228.8 million in 2012 to US\$ 1,116.4 million in 2013. The reduction in trade surplus was mainly attributed to reduction in exports to the EAC region during the review period.

Rwanda:

Total trade with EAC increased by 9.8% to US\$ 879.5 million from US\$ 801.3 million recorded in 2012. Tanzania was Rwanda's main trading partner in 2013 with 40.5 %, followed by Uganda (33.1%), Kenya (23.2 %) and Burundi (3.2%). The share of Rwanda's trade with EAC increased from 37.0 % in 2012 to 38.6 % in 2013.

Tanzania:

Total trade with EAC Partner States increased to US\$ 1,515.0 million in 2013 from US\$ 1,291.9 million in 2012. The increase was driven by a rise in both imports and exports. During 2013, Tanzania registered trade surplus with all Partner States amounting to US\$ 721.0 million compared to a deficit of US\$ 65.3 million in 2012. Kenya remained the major trading partner accounting for 79.2 % followed by Uganda, Rwanda and Burundi with shares of 8.8 %, 7.3 % and 4.6 % respectively.

Uganda:

Total trade with EAC Partner States increased by 1.4 % to US\$ 1,244 million on account of an increase in exports. Uganda's trade with EAC Partner States improved from a deficit of US\$ 67 million in 2012 to a surplus of US\$ 11 million in 2013. The trade surplus is explained by an increase in exports and a decrease in Imports with EAC Partner States.

3.4: United Republic Of Tanzania

The United Republic of Tanzania (URT) held two NMC meetings on 30th October, 2014 to consider behind the borders NTBs and on 12th November, 2014, with the aim to making a close follow up on the implementation of the Non-Tariff Barriers (NTBs) issues especially on EAC NTB Time Bound Programme.

The NMC considered the following activities;

(i) Development of the National NTB Strategy

The URT, with financial assistance from TMEA, is in the process of developing the National NTBs Strategy to assist in enhancing coordination efforts of addressing NTBs issues at the National level. The experts' meeting to develop a concept note and Terms of Reference for procurement of consultant was held on 7th – 10th October, 2014.

(ii) Study on Impact Assessment for selected priority NTBs

The URT, with financial assistance from TMEA is conducting a study to assess the impact of selected NTBs on trade. The aim of the study is to inform Government on appropriate decision making. The experts' meeting which developed the concept note and Terms of Reference for the study was held on 7th-10th October, 2014.

(iii) Production of publicity material

The URT in a bid to enhance NTBs awareness efforts is in the process of producing the publicity material such as fliers, leaflet etc. These publicity materials shall be used to create awareness among the stakeholders and they will be distributed during International, regional and local trade fairs.

(iv) NTBs Market Surveillance in Central Corridor and Northern Route in Tanzania

The URT with financial support from TMEA is planning to undertake the second NTBs Market surveillance in the Central Corridor and the Northern route from 14th -24th December, 2014. The second surveillance will among others focus on the implementation of the issues observed or raised during the first surveillance conducted on 7th-17th February, 2014.

(v) Exporters training on Electronic Certificate of Origin

The URT trained 120 exporters in the Lake Zones and the Northern Region on Electronic Certificate of Origin System, NTBs SMS, Online Reporting and Monitoring System.

(vi) Enhancing stakeholders awareness on EAC matters

The Ministry of East African Cooperation Affairs in conjunction with SIDO and TCCIA carried awareness missions which were aimed at enhancing collaboration of various stakeholders in the private and public sectors to facilitate cross border trade.

The missions were carried out in Arusha, Tanga and Kilimanjaro regions. The next phase of the missions will cover border regions of Namanga, Holili, Tarekea and Horohoro and the final phase will cover border regions of Sirari, Mtukula, Rusumo and Kabanga.

(viii) Reiteration on earlier submissions on NTBs recorded in the EAC Time Bound Programme on NTBs as per September, 2014.

- Scrapping of Roadblocks along the Central Corridor and increasing the number of road patrol TBP No 4;
- Weighing of empty trucks in Tanzania and the EAC Vehicle Load Control Bill 2012 TBP No 9; NTB No 13 on Rice;
- Merging of NTBs on TBP No12 and No 17 NTBs on TFDA;
- NTB No 15 on Auto-Axillary ltd products (U-bolts and Center bolts) evidence was required;
- The NTB No. 16 should be rephrased to read "SMIRNOFF" instead of Products from East African Breweries Ltd; and
- Still awaiting to firm up the bilateral with the Republic of Kenya; and n harmonization of Port procedures manual, this NTB was considered resolved as Kenya and Tanzania submitted documentation during the 15th Regional Forum and what was being awaited is comments from Partner States if any.

3.5: Republic of Uganda

The Republic of Uganda reported that she held her NMC meeting on 7th November 2014 where they updated the matrix among others. During the NMC meeting, the following activities were reported.

One of the activities highlighted is the commissioning of the NTB Reporting System that was done in July 2014. The Coordinator, NRSE-NTB Project Focal Officer NTB Reporting System demonstrated the functionality of the NTB Reporting System to the members of the National Monitoring Committee.

(i) Highlights of the 15th EAC Regional Forum on NTBs

EAC Secretariat gave highlights of the report of the 15th EAC Regional Forum on NTBs. He highlighted that 22 NTBs were unresolved (Imposed by Burundi 0; Kenya 12; Uganda 2; Rwanda 2; Tanzania 11 and 3 imposed by all EAC Partner States), 8 New NTBs were reported during the 15th Forum and 68 NTBs cumulatively eliminated since the inception of the EAC Time Bound Programme on Elimination of Non-Tariff Barriers (Details are reflected in the report of the 15th EAC Regional Forum on NTBs held in Arusha on 25th-27th September 2014).

(ii) Update of the EAC Time Bound Programme on Elimination of Non-Tariff Barriers

The EAC Time Bound Programme was updated by the members of the National Monitoring Committee. Members provided updates on outstanding NTBs and resolved two NTBs. Two new NTBs were registered in the Time Bound Programme (Details of the updates, resolved and new NTB are reflected in the EAC Time Bound Programme on Elimination of Non-Tariff Barriers as amended by Ugandan NMC on 7th November 2014).

(iii) NTBs Resolved during the NMC Meeting

(a) NTB No. 18 of the EAC Time Bound Programme was resolved- Uganda National Bureau of Standards reported that the issue of hand rubbing of batch numbers and shelf life marks on products imported by the Kenyan Company (Tropical Heats) was resolved. UNBS and Tropical Heat Company met and agreed that

Tropical Heat products should bear permanent labels as required by law.

(b) NTB No.4 of the New NTBs reported during the 15th EAC Forum on NTBs was considered resolved. The insurance premium of the COMESA Regional Customs Transit Guarantee (RCTG) was revised downwards from 0.75% to 0.5% during COMESA meetings.

(iv) Key Issues, Recommendations and Way Forward

(a) The Private Sector emphasized the importance of business advocacy and observed that there is a lot of efforts to eliminate NTBs on the Uganda side contrary to the efforts done by Kenya.

(b) The NTB reporting system was appreciated and the Private Sector sought to know the strategies in place to publicize the system. The Private Sector noted that it is one thing to know that the system is there and another thing to feed into the system. It was argued that it is impracticable to wait for endless consultations when containers are stuck at the border. Members therefore suggested that a mechanism should be put in place to allow containers to move as consultations go on.

(c) Members observed that the commitment of Kenya and KRA is wanting.

(d) The meeting requested EAC to address the issue of evidence based reporting of NTBs to cater for circumstances where it is impractical to provide evidence.



4.0: NEW NON-TARIFF BARRIERS REPORTED DURING THE 16TH EAC REGIONAL FORUM

Partner States reported the following Four (4) New Non Tariff Barriers during the Regional Forum:

NTBs are often justified on four main reasons:

1 To safeguard health, safety, and security of human beings, animals and plants, and against environmental pollution.

2 To protect home industries and consumers

3 To safeguard national security

4 To safeguard against revenue loss

NTBs appear in the form of rules, regulations and laws that have a negative impact to trade. The EAC has adopted this broad guideline to define NTBs as “quantitative restrictions and specific limitations that act as obstacles to trade”.



Tanzania (Ministry of Health and Social Welfare) is charging US\$200 as transit permit for containers with chemical products.

Evidence was provided.

Submitted By: Republic of Burundi



Road User Charges

Rwandan Transporters currently pay up to 300 USD per truck as a national park fee for crossing through while Tanzania registered trucks pay only 40 USD. This makes Rwanda registered trucks being uncompetitive on this route in Saadani national park given the fact that the margins on transport are too small to cover such high levy. The charges are too high and are only imposed on Rwandan registered trucks. This poses unfair competition for Rwandan transporters. There is need for harmonization of the National park levies irrespective of where the truck is registered within EAC.

Evidence was provided.

Submitted By: Republic of Rwanda



Tanzania Ports Authority was charging USD90 as way leave fees for transit container of 20 feats and 140USD for container of 40 feats when a transit truck ships a cargo at Tanzania International Container Terminal Services (TICTS) and another one at Tanzania Ports Authority (TPA).

Evidence was provided.

Submitted By: Republic of Burundi



Charge of “export tax” of 0.2 % of the quantity of raw materials exported from Uganda by Premier Tobacco Company Ltd – Rwanda

Since June 2014, URA has been imposing an “export tax” of 0.2% of the quantity exported out of Uganda.

Evidence was provided.

Submitted By: Republic of Rwanda

5.0: STATUS OF ELIMINATION OF NON-TARIFF BARRIERS AS OF DECEMBER, 2014

The meeting of 16th EAC Regional Forum on NTBs was held on 9th – 11th December, 2014 Kigali, Rwanda among others updated the EAC Time Bound Programme on elimination of identified NTBs.

The updated EAC Time Bound Programme shows that:

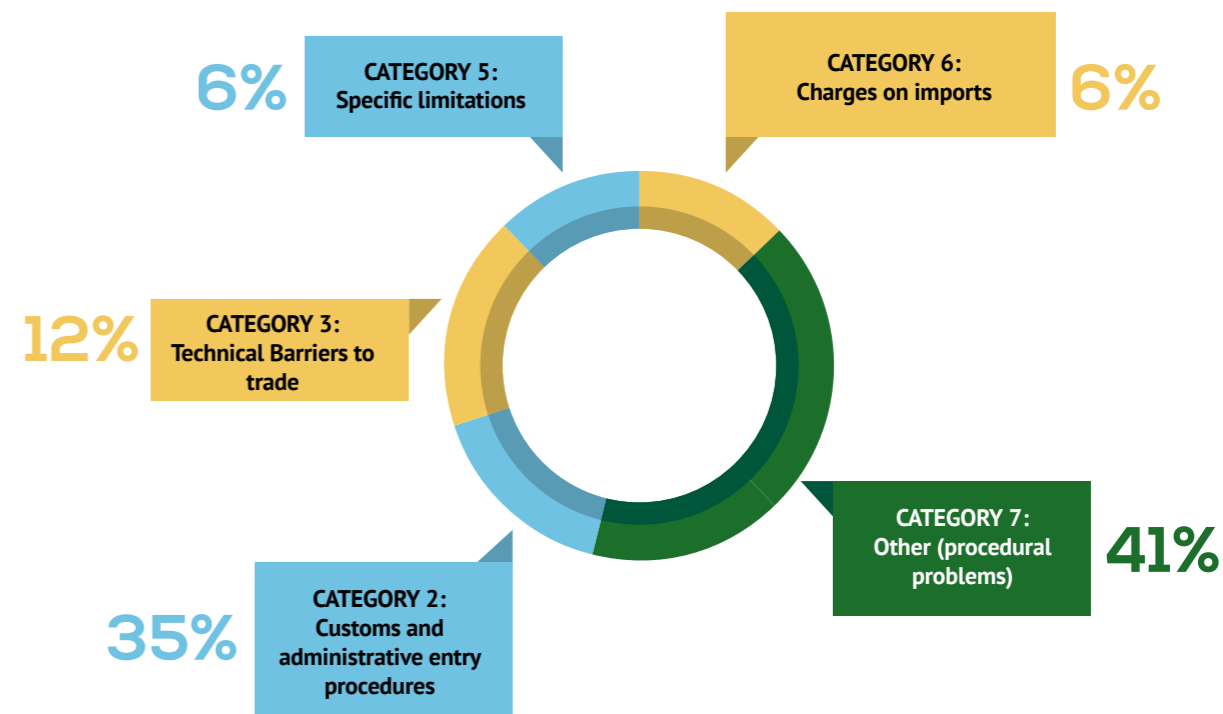
- (i) Eighteen (18) NTBs were unresolved;
- (ii) Four new (4) NTBs were reported as new; and
- (iii) Seventy Eight (78) NTBs were reported resolved cumulatively.

The table below shows NTBs imposed by each Partner State.

PARTNER STATE	NUMBER OF NTBs IMPOSED
REPUBLIC OF BURUNDI	0
REPUBLIC OF KENYA	6
REPUBLIC OF UGANDA	5
REPUBLIC OF RWANDA	1
UNITED REPUBLIC OF TANZANIA	9
ALL PARTNER STATES	4

There are NTBs imposed by One, Two, Three, and Four Partner States which means you cannot total the number of NTBs reflected above to give you a total of unresolved NTBs in accordance with EAC Time Bound Programme on elimination of identified NTBs in this report.

RESOLVED NTBs (78)



2013 INTRA-EAC TRADE

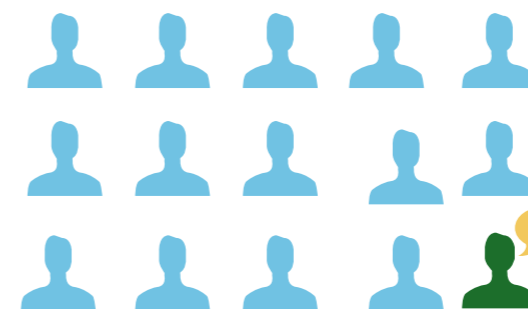
US\$ IN MILLIONS
5,806

GROWTH RATE
+6.1%

The value of intra-EAC trade continued to post positive trend by recording a growth of **6.1%** to US\$ 5,805.6 million in 2013 compared to US\$ 5,470.7 million recorded in 2012.

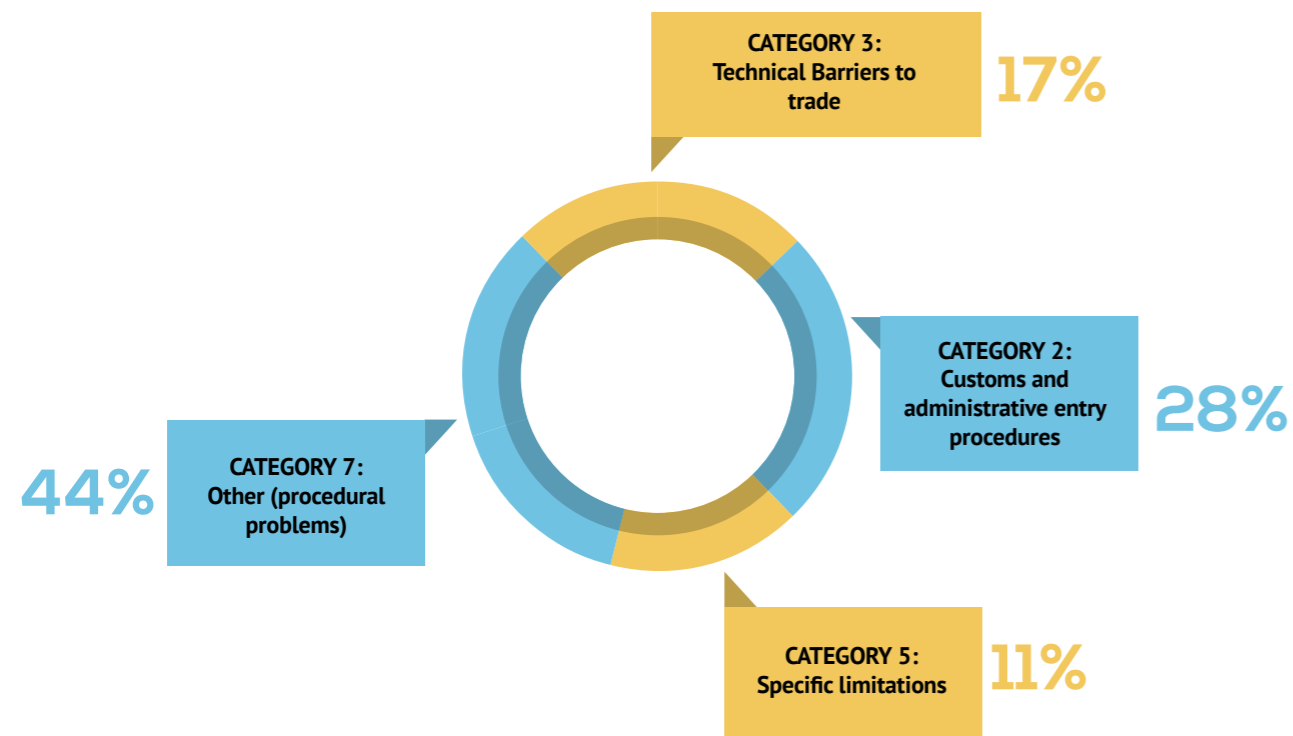
The growth was largely driven by the increase in exports that increased by **17.2%** while imports declined by **9.0%**.

Tanzania, Rwanda and Burundi recorded an increase in their shares to total intra EAC trade while that of Kenya and Uganda declined. Despite the decline of the share, Kenya continued to dominate, accounting for about **31%** of total intra-EAC trade.



POPULATION
143.5 million

UNRESOLVED NTBs (18)



CATEGORY 1:
Government participation in trade and restrictive practices tolerated by government

Export subsidies, government monopoly in export and import, state trading and preference given to domestic bidders or suppliers, requirements for counter trade, domestic assistance programmes for companies, discriminatory or flawed Government procurement policies.

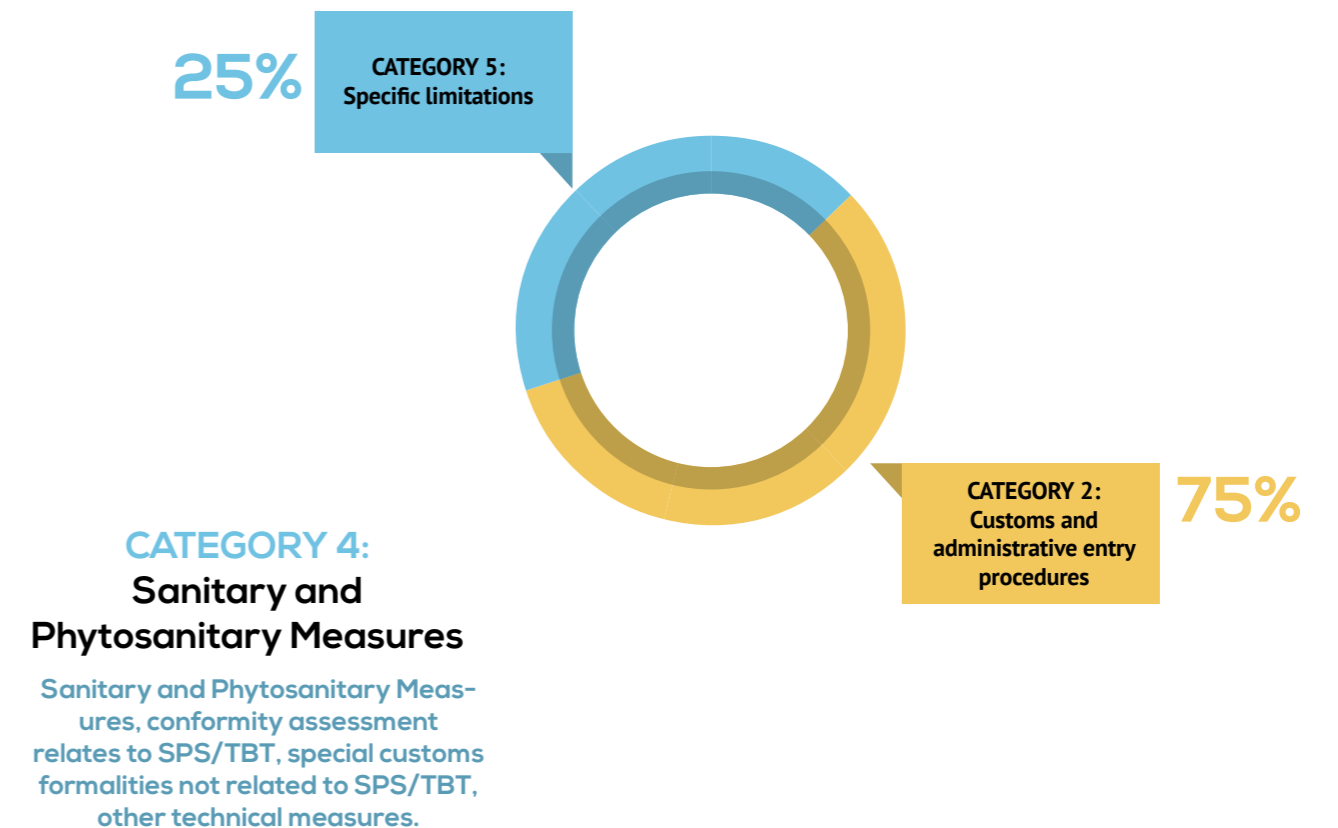
CATEGORY 2:
Customs and administrative entry procedures

Governments imposing anti-dumping, arbitrary customs classification, misinterpretation of Rules of Origin, import licensing, decree customs surcharges and other charges, international taxes and charges levied on imports and other tariff measures.

CATEGORY 3:
Technical Barriers to Trade

Restrictive technical regulations and standards not based on international standards, inadequate or unreasonable testing and certification arrangements, disparities in standards, inter governmental acceptance of testing methods and standards, packaging, labeling and marking.

NEW NTBS (4)



CATEGORY 5:
Specific limitations

Quantitative restrictions, exchange control, export taxes, quotas, import licensing requirements, proportion restrictions of foreign to domestic goods (local content requirement), minimum import price limits, embargos – non automatic licensing, quotas, prohibitions, quantitative safeguard measures, export restraint arrangements, other quality control measures.

CATEGORY 6:
Charges on imports

prior import deposits and subsidies, administrative fees, special supplementary duties, import credit discriminations, variable levies, border taxes.

CATEGORY 7:
Other (procedural problems)

Arbitrariness, discriminations, costly procedures, lack of information on procedures or on changes, requirement for complex or a wide variety of charges and documentation.



6.0: UPDATED EAC TIME BOUND PROGRAMME ON ELIMINATION OF IDENTIFIED NON TARIFF BARRIERS AS OF DECEMBER, 2014

6.1: UNRESOLVED NTBS

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	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-Centers and electronic single window systems Development and implementation of mutual recognition instruments	<p>The Ministers decided that:</p> <p>(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 testing agencies.</p> <p>Status of construction of OSBPs</p> <p>Kenya: Busia: 82%; Lungalunga: 95%; Taveta: 88%; Namanga: 98%</p> <p>Burundi: Kabanga/Kobero complete</p> <p>Rwanda: Rusomo: 99.8%; Kajitumba: 92%; Katuna: 100</p> <p>URT: Kabanga/Kobero is complete and Rusumo is 98%; The ongoing construction of OSBPs will also address the NTB.</p> <p>Partner States Regulatory Agencies are collaborating in clearance of goods;</p> <p>There is mutual recognition of certificates issued by Partner States Testing bodies.</p>	June, 2015

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
2.	<i>Existence of several weigh-bridge 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.	<p>The Ministers decided that the weighbridges be reduced to two one at the port of entry and other the port of exit.</p> <p>Untied Republic of Tanzania introduced ta reported that she has introduced three stop inspection centres (Vigwanza, 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	<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>The meeting agreed the NTB be considered during the Bilateral meeting</p> <p><i>between Kenya and Uganda Scheduled for January, 2015.</i></p>	March, 2015
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.	<p>EAC SPS Protocol was signed in July 2013 and once ratified by Partner States it will address the NTB.</p> <p>The meeting noted that Kenya recognizes Phyto-Sanitary certificates issued by Partner States for tea destined for Mombasa tea auction.</p>	June, 2015.
5	<i>Border management institutions' working hours are not harmonized.</i>	Tanzania, Uganda, Rwanda, Kenya, and Burundi	Revenue Authorities	Delays and extra cost to doing business	Harmonization of working hours	Implementation pending completion of OSBP in June 2015.	June, 2015

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
6	<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 .	The Sectoral Council of TCM noted that the study on the harmonization of the road user charges and tolls which commenced in the FY 2014/15 EAC and Transport Facilitation Study Report will inform the harmonization process.	June, 2015
7.	<i>Weighing of empty trucks in the Central Corridor-Tanzania</i>	Rwanda and Burundi	TANROADS	Unnecessary delays for trucks going to load in ports.	Reverse the weighing of empty trucks.	The United Republic of Tanzania reported that she had introduced weighing in motion and does not regard this as an NTB. The Republic of Rwanda and the republic of Burundi consider it as an NTB. The meeting recommended that the NTB be referred to next meeting of SCIFI.	Mar, 2015
8	<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	During the 29 th meeting of the Council, Tanzania undertook to repeal the law governing the 75% local tobacco content by June, 2015.	June, 2015
9.	<i>Tanzania food and Drugs Authority requires companies exporting to URT to register which may entail retesting and re-labeling of the products before exporting</i>	Kenya, Burundi	TFDA	Loss of market	Abolition of the requirement	The 18th meeting of the East African Standards Committees held on 24th ... 2014 deliberated on the NTB: (i) urged TBS to adopt all the harmonized EAC Standards to ensure that there are not barriers arising from the Standards; and Requested TFDA to carry out a review on food product safety control systems in other Partner States for the purpose of creating confidence and facilitating trade within the EAC region and report back to the Committee by June 2015.	June, 2015

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
10.	<i>Rwanda and Uganda does accord not preferential treatment on exports of rice from Tanzania.</i>	The United Republic of Tanzania	Rwanda and Uganda Revenue Authorities.	Adds to the cost of doing business.	Adherence to EAC RoO	The 30 th Meeting of the Council directed EAC Secretariat to undertake verification mission by 29 th January, 2015.	March, 2015
11.	<i>Re-introduction of County transit Fee Reported in October, 2013.</i>	Tanzania	Kajiado and Kwale counties in Kenya.	Adds to cost of doing business.	Abolition of County transit Fee	The meeting recommended that the NTB be referred to next meeting of SCIFI.	March, 2015
12.	<i>Discrimination of Smirnoff ice brand of East African Breweries (Kenya) Ltd products.</i>	Kenya	URT	Denial of market.	Removal discrimination	A verification mission was undertaken and the report is awaiting decision of the SCTIFI.	March, 2015
13	<i>Numerous monetary charges required by various agencies in the United Republic of Tanzania on exports of dairy products</i>	All Partner States	Various Partner State Agencies	Adds to cost of doing business.	Harmonization of the charges.	The SCTIF urged Partner States to forward charges on dairy products to the EAC Secretariat in order to work modalities to harmonize them. The noted that Republic of Kenya and Rwanda who had submitted their charges. The meeting recommended the other Partner States to submit their charges by 31 st December, 2014.	June, 2015
14.	<i>Numerous Weighbridges: Containerized cargo is being subjected to Imposition of 4 weighbridges instead of agreed 2 as agreed by Partner States</i>	Uganda, Rwanda	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.	The meeting agreed the NTB be handled during the bilateral meeting in January, 2015.	March, 2015

6.2: NEW NTBS

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
15.	<i>Selective auctioning of Ugandan goods at Mombasa Port.</i>	Uganda	Kenya	Loss of Business	Stopping of the auctioning of the goods	Uganda provided a copy of Kenya Gazette containing goods which were auctioned in September, 2014. The NTB will be handled during the bilateral meeting between the two Partner States in January, 2015.	<i>March, 2015</i>
16.	<i>Scanning of Uganda goods by anti-counterfeit agency at Mombasa</i>	Uganda	Kenya	Loss Business	Stopping of scanning	The meeting considered the NTB and requested Uganda to provide documentary evidence to enable the NTB to be considered during the Bilateral meeting between the Partner States in January, 2015.	<i>March, 2015</i>
17.	<i>Charging of 25% duty rate on scrapping rolls manufactured in Kenya</i>	Kenya	Uganda	Loss of business.	According of preferential treatment to Kenyan goods.	Kenya provided evidence during the meeting. Uganda undertook to study the evidence and report back during the next meeting.	<i>March, 2015</i>
18.	<i>Charging of 25% duty rate on products manufactured in Kenya using glucose imported under EAC duty remission</i>	Kenya	Uganda	Loss of business	According EAC preferential treatment to the products.	Kenya provided evidence during the meeting. Uganda undertook to study the evidence and report back during the next meeting.	<i>March, 2015</i>

No	NTB summary description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
1	<i>URT is charging USD20 as transit permit for containers with chemical products</i>	Burundi	URT Ministry of Health	Adds to the cost of doing business		Burundi provided evidence. URT undertook to study the evidence and report back during the next meeting	<i>March, 2015</i>
2	<i>TPA is charging USD90 as way leave fees for transit container of 20 feet and 140USD for container of 40 feet for transit trucks.</i>	Burundi	TPA	Adds cost of doing business	Abolition of the charge	Burundi provided evidence. URT undertook to study the evidence and report back during the next meeting	<i>March, 2015</i>
3	<i>Rwandan Transporters pays 300USD per truck as a national park fee.</i>	Rwanda	URT	Adds to cost of doing business	Harmonization of transit charges	The meeting noted that the issue of harmonization of Transit charges is currently being deliberated upon by the Sectoral Council of TCM	<i>June, 2015</i>
4	<i>Export tax of ax0.2% of raw materials exported from Uganda Premier Tobacco Company Ltd</i>	Rwanda	Uganda	Adds to the cost of doing business	Adherence to the EAC Preferential Tariff Treatment	Rwanda submitted evidence. Uganda undertook to study the evidence and report back in the next meeting	<i>March, 2015</i>

6.3: RESOLVED NTBS

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
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	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	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.		Implement one-stop documentation centers to speed up clearance of containerized cargo.	The ports of Mombasa and Dar Es salaam are implementing National single window system to redress delays at the ports	<i>Resolved</i>
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	The NTB is resolved	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
8	<i>Requirement for certificates of analysis for goods destined for export to Rwanda and Burundi</i>	Tanzania, Uganda and Kenya	Burundi and Rwanda	An extra cost of doing business	Mutual recognition of quality marks issued by Partner States National Standard Bureaux	Burundi and Rwanda have abolished the requirement.	<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	Abolition of extra charges	Tanzania has abolished the levies.	<i>Resolved</i>
10	<i>Requirement of TISCAN inspection procedure that requires documents to be transmitted to SA and clearance.</i>	Kenya	Tanzania Revenue Authority	Loss of business	Abolition of the requirement	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	Kenya has abolished the requirement.	<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	Tanzania has abolished the NTB.	<i>Resolved</i>
13.	<i>Holding, re-testing milk and milk products bearing 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.	Mutual recognition of quality marks.	The NTB has been resolved	<i>Resolved</i>
15	<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.	Simplification of the procedures.	TBS has simplified the procedures.	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
16	<i>Partner States are not using green, yellow, red channels while clearing goods.</i>	EAC Partner States	Partner States Revenue Authorities	consignment.	Joint verification of goods at border posts.	Partner States Revenue Authorities are now implementing Risk Management Systems.	Resolved
17	<i>EAC Standards Bureaus have varying procedures for issuance of certification marks, inspection and testing.</i>	All EAC Partner States	National Bureaus of Standards	Time and cost of complying with testing and certification procedures. Country.	Political goodwill within EAC.	There is mutual recognition of quality marks.	Resolved
19	<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.	Resolved
20	<i>Charge of 1.5% dairy levy</i>	Kenya.	Uganda dairy Board.	Increased cost of doing business.	Abolition of the levy.	Uganda informed the meeting this was a domestic tax.	Resolved
21	<i>Uganda's certification procedures on exports of milk from Kenya.</i>	Kenya.	Uganda dairy board.	Denial of market entry and loss of potential markets.	Political goodwill.	The milk is allowed as long as it has certification.	Resolved
22	<i>Delays in Releasing 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.	Resolved
23	<i>Requirement that to export Herbal products to Tanzania you must declare formulae.</i>	Uganda	Tanzania Herbalists organization	Ban of products	Abolition of the requirement	Tanzania has abolished the requirement.	Resolved
24	<i>Reduction of grace period for transit cargo at Dar Es Salaam Port from 30 to 14 days</i>	All Partner States	TRA	Adds to cost of doing business.	Adhering to EAC CMA Act.	The reduction is in conformity with the EAC Management Act 2004 section 34.	Resolved

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
25	<i>Delays at Malaba border for trucks driving to Uganda</i>	Rwanda	KRA	Delays in clearance of goods	Decongest the border	Kenya has eliminated the delays.	Resolved
26	<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	Kenya has abolished the bond requirement. Kenya reported that it was removed in April, 2012	Resolved
27	<i>Kenyan Trucks entering into Tanzania are charged a levy of US\$ 200</i>	Kenya	Tanzania Border Authorities	Loss of business	Removal of the levy	Tanzania abolished the levy in 2012.	Resolved
28	<i>Lack of simplified certificate of origin issued by Tanzania</i>	Kenya	Tanzania Border Authorities	Loss of business	Avail simplified certificates of origin.	Tanzania dispatched EAC certificates of origin to all border posts.	Resolved
29	<i>Non-implementation of EAC harmonized documents.</i>	All Partner states.	Revenue Authorities	Delays in using the harmonized documents	Implement the EAC harmonized documents	All Partner States are using EAC harmonized documents.	Resolved
30	<i>Lack of harmonized procedures manual.</i>	EAC Partner States.	EAC Secretariat Partner States Revenue Authorities.	Delays in clearance of goods. Duties.	Harmonize export/ import documentation.	The EAC harmonized procedures manual was adopted by the Council in 2012.	Resolved
31	<i>Visa charges of US\$ 250 for businessmen.</i>	Uganda, Kenya, Rwanda, and Burundi	TRA	Cost to business	Abolition of the Visa.	Tanzania has abolished the visa charges.	Resolved
32	<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	Kenya has abolished the cash bond on vehicles above 2000 cc and sugar transiting from Mombasa to Uganda.	Resolved
33	<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	Kenya is issuing the bonds.	Resolved

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
34	<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 RoO.	Furniture had been imported from China.	<i>Resolved</i>
35	<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	Tanzania has abolished the visa fee.	<i>Resolved</i>
36	<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	Kenya and Tanzania have abolished the requirement.	<i>Resolved.</i>
37	<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.	Kenya has abolished the levy.	<i>Resolved</i>
38.	<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 in Tanzania,	The exports to be charged 0% as per the EAC schedule on the elimination of internal tariffs.	Tanzania is according preferential treatment to plastics manufactured in Kenya.	<i>Resolved</i>
39	<i>Tourist vans not allowed entry to URT</i>	Kenya	Tanzania	Loss of business	Allow Kenyan tourist vehicles to enter Tanzania	Tanzania is now allowing entry of tourist vans from Kenya.	<i>Resolved</i>
40	<i>Lack of interface within the customs' systems in the Revenue Authorities in Partner States.</i>	Partner States	Burundi Revenue Authority	Delays in clearance of goods.	Interfacing of the systems.	Burundi customs systems are now interfaced with h other Partner States systems.	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
41	<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	Tanzania has abolished the requirement.	<i>Resolved</i>
42	<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	Recognition of EAC RoO.	Uganda is according preferential treatment to rice produced in Kenya.	<i>Resolved</i>
43	<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	Lifting of the blockage.	Kenya has Lifted the blockage.	<i>Resolved</i>
44	<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.	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 has signed a service level agreement to guide charges by CFS.	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
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	Tanzania has abolished the double handling charges.	<i>Resolved</i>
49	<i>Inadequate Police Escort mechanism.</i>	Partner States	Police	Loss of business	Provide escorts for trucks	All Partner States are providing police escorts.	<i>Resolved.</i>
50	<i>Cargo Trucks between Isaka/Rusumo and Isaka/Kabangare not allowed to move beyond 6:00 pm</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>
51	<i>Harassment of informal businessmen from URT by Kenyan Immigration Officials at Namanga Border.</i>	URT	Department of Immigration, Kenya.	Loss of business.	Kenya immigration Officials to stop the harassment	Kenya Informed the meeting that the informal traders were not harassed	<i>Resolved</i>
52	<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>
53	<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 Certificates of origin.	<i>Resolved</i>
54	<i>Uganda is restricting export of mosquito nets produced by A to Z Mills Company in Arusha</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>

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
55	<i>Rice, Small Fish and Palm Oil from Burundi denied entry to Rwanda;</i> <i>Reported in October, 2013.</i>	Burundi	RRA	Adds to cost of doing business.	Allow entry.	It is a requirement by to law in Rwanda for products not to be packed with polythene bags. The NTB was resolved	<i>Resolved.</i>
56	<i>Tanzania is not accepting copies of bill of landing while clearing cargo at Sirare border.</i>	Kenya	Tanzania Revenue of Authority.	Loss of business.	Recognition of copies of bill of lading.	Tanzania is now accepting copies of bill of landing.	<i>Resolved</i>
57	<i>Kenya has notified clearing agents that there will be no further extension of customs warehousing</i>	Uganda	Kenya Revenue Authority	Adds to cost of doing business.	Allow for extension of time at warehousing.	KRA uses provision of EAC CMA on warehousing period application.	<i>Resolved</i>
58	<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 has minimized the delays.	<i>Resolved</i>
59	<i>United Republic of Tanzania had restricted export of beer from Burundi through the border of Kobero/Kabanga border.</i>	Burundi.	United Republic of Tanzania.	Loss of Business.	Adherence to EAC RoO.	Tanzania has abolished the restriction.	<i>Resolved</i>
60	<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 Go down) of their choice.	<i>Resolved</i>

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
61	<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.	Kenya has abolished the requirement with the coming into force Single customs territory.	Resolved
62	<i>A requirement that Cigarettes exported to Uganda must have a local material content of 75%.</i>	Uganda	Kenya	Adds to cost of doing business	Adherence to EAC RoO	Uganda has repealed the regulation guiding the 75% local material content for cigarettes.	Resolved
63	<i>Lack of Verification sheds and parking yards at border posts;</i>	All EAC Partner States	All EAC Partner States	Adds to cost of doing business.	Construction OBSP	The 15th EAC Forum on NTBs noted that the ongoing construction of OBSP is addressing this NTB.	Resolved
64	<i>Charging of full duty on aluminum products on EAC duty remission scheme produced in Kenya and exported to Uganda;</i>	Kenya	Uganda	Adds cost to doing business	Adherence to EAC RoO	Uganda is according preferential treatment to products of Aluminum produced in Kenya	Resolved
65	<i>Introduction of a levy of 1.5% for railway development in Kenya for imports destined to Kenya</i>	Kenya	EAC partner States	Adds to cost of doing business	Adherence to EAC RoO	Kenya is now exempting imports from EAC Partner States from the levy of 1.5%	Resolved
66	<i>Metal products from Kenya are charged a CET of 25% when exported to Burundi;</i>	Kenya	Burundi	Adds to the cost of doing business.	Adherence to EAC RoO.	Burundi is now according metal products produced from Kenya preferential treatment.	Resolved

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
67	<i>URT is charging plastics from Kenya a CET rate of 25%</i>	Kenya	Tanzania	Adds to the cost of doing business.	Adherence to EAC RoO.	Tanzania is now according preferential treatment to plastic products produced in Kenya	Resolved
68	<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.	The Ministers decided that: EAC Partner States undertake to explore measures to exempt transit traffic from inspection at the police road blocks; and No road blocks along the Central Corridor but conveniently located at the weighbridges.	Resolved
69	<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.	The 16th EAC Regional Forum on NTBs deliberated on the NTB and agreed that the procedures manual could not be harmonized because of different costs incurred in their development and noted that ports operations were internationally benchmarked. had invested heavily on the infrastructure.	Resolved
70	<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	The 30th Meeting of the Council of Ministers held on 28th November, 2014 adopted the EAC revised Rules of Origin.	Resolved
71	<i>Uganda National Bureau of Standards was rejecting tropical heats products exported by Kenya 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.	The 16th EAC Regional Forum on NTBs noted that Uganda was now accepting the products.	Resolved

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
72	<i>Mandatory requirement for all sugar importers to obtain prior permission and costly registration fees by KSB for any sugar import</i>	Uganda	Kenya	Adds to the cost of doing business	Removal of the requirement.	The NTB was resolved during the 30th Meeting of the Council held on 28th November, 2014.	Resolved
73	<i>Non-recognition of Ugandan registered insurance companies.</i>	Uganda	Kenya	Adds to cost of doing business	Recognition of the insurance companies	Uganda informed the meeting that Kenya is now recognizing insurance companies registered in Uganda.	Resolved
74	<i>Requirement of a single bond in the single customs territory.</i>	Uganda	Kenya	Adds to cost of doing business	Abolition of the bond	The meeting was informed that Kenya was accepting the COMESA regional Body Guarantee	Resolved
75	<i>Lengthy, restrictive and unclear administrative procedures of licensing Ugandan owned container freight stations/ warehouses In Kenya.</i>	Uganda	Kenya	Loss of business	Abolition of the restrictive procedure	The meeting was informed that the cumbersome administrative procedures have been abolished.	Resolved
76	<i>Delays by KRA in posting online clearance of goods.</i>	Tanzania	Kenya	Loss of business	Expediting posting of online information of cleared goods.	The meeting was informed that there are no delays in posting online clearance of goods by KRA	Resolved

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Status / Recommendations	Time-frame
77	<i>Re-introduction of yellow fever requirement at Namanga border and Kilimanjaro Int. Airport</i>	Rwanda, Burundi and Uganda	URT, and Kenya	Delays at the border points.	Removal of the requirement.	The Sectoral Council of Health meeting noted that EAC Partner States were required to follow existing arrangements as per World Health Organization International Health Regulation of 2005 which came into force in July, 2007. The 5th Meeting of the Sectoral Council held on 21st January, 2011 noted that Tanzania was strictly and enforcing the Regulation.	Resolved
78	<i>Auto-Axillary Ltd products (U bolt and Center bolts) are charged CET of 25%. Reported October, 2013.</i>	Kenya	TRA,URT	Adds to cost of doing business.	Recognition of EAC RoO	A verification mission was undertaken and the report will be considered by the next meeting of SCTIFI.	Resolved

East African Community Secretariat
P.O.Box 1096,
Arusha, Tanzania

Telephone: +255 27 2162100
Fax: +255 27 2162190
E-mail: eac@eachq.org



www.eac.int