



EAST AFRICAN COMMUNITY

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

VOLUME 5 – DECEMBER 2012



One People. One Destiny



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NON TARIFF BARRIERS
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FOREWORD

I take this opportunity to present to the readers and especially the policy makers of EAC Partner States the 5th publication on the Status of Elimination of Non Tariff Barriers (NTBs) within EAC region as per December 2012.

The publication highlights what EAC has achieved in the area of redressing the problems of NTBs in accordance with the decisions of the first EAC dedicated Ministerial meeting on NTBS held in Mombasa, Kenya in March, 2012. The publication shows that:

- Thirty seven were unresolved;
- Three new NTBS were reported; and
- Forty NTBs were reported as resolved.

The elimination of Non Tariff Barriers is carried out in accordance with the Treaty for Establishment of East African Community which outlaws the imposition of NTBs to Intra-EAC Trade unless permitted in the Treaty and in accordance of Article 13 of the EAC Customs Union Protocol.

I note with appreciation that the final report on the study on the development of a legally binding mechanism on the elimination of identified NTBs was considered by the last meeting of the Sectoral Council on Trade, Industry, Finance and Investment in November 2012 and directed Partner States for submit their comments by 15th January, 2013 in pursuit of finalizing the study. I have no doubts that the adoption of the mechanism will strengthen the EAC Mechanism on elimination of Non Tariff Barriers in the region. The National Monitoring Committees on NTBs and the National Implementation Committees on the EAC Common Market are expected to work hand in hand in fostering integration in the region.

I commend the efforts by the National Monitoring Committees on NTBs and the EAC Regional Forum on NTBs on their uphill task of redressing the NTBs affecting Intra-EAC Trade. The challenge to EAC Partner States is to eliminate the Non Tariff Barriers in accordance with the EAC Time Bound Programme.

I also commend the Development Partners especially Regional Integration Support Programme of the European Union, Partnership Fund, GIZ Regional Office, TradeMark Southern Africa and TradeMark East Africa for their continued support in this area. It is my hope that this partnership will continue to grow stronger in future.



DR. RICHARD SEZIBERA
AMBASSADOR
SECRETARY GENERAL
EAC

GLOSSARY

CFS	Container Freight Services
COMESA	Common Market for Eastern and South African
EAC	East African Community
EU	European Union
EWURA	Energy, Water and Utilities Regulation Authority
FTA	Free Trade Area
GVW	Gross Vehicle Weight
KEBS	Kenya Bureau of Standards
KEPHIS	Kenya Plant Health Inspectorate Services
KRA	Kenya Revenue Authority
ICDs	Inland Container Depots
NTBs	Non Tariff Barriers
NMCs	National Monitoring Committees
PCCB	Prevention and Combating of Corruption Bureau
SADC	South African Development Community
TCM	Transport, Communications and Metrology
SPS	Sanitary and Pyhtosanitary
UNBS	Uganda National Bureau of Standards
TRA	Tanzania Revenue Authority
TANROADS	Tanzania Roads Authority
RRA	Rwanda Revenue Authority
URT	United Republic of Tanzania



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CINELINE

1.1 The 9th EAC Regional Forum on NTBs

The Forum was held between 13th – 15th December, 2012 in Dar Es Salaam, Tanzania. The Forum considered:

- (i) Reports of NMCs on NTBs and
- (ii) Updated the Time Bound Programme on elimination of identified NTBs.

1.2 Statement By Director-General (Customs & Trade)

The Director-General, Mr. Peter Kiguta on behalf of the Secretary General welcomed the delegates to the meeting and thanked the United Republic of Tanzania for accepting to hosting the meeting. He informed the meeting that the elimination of NTBs was an important subject which the EAC Council of Ministers was closely following, in addition to the Summit of Heads of State and Government. This was due to the fact that the EAC was in the process of implementing the Common Market Protocol which allowed for free movement of goods.

The Director General recalled that the EAC is also currently negotiating other market access agreements with the EU, COMESA and SADC and U.S and that issues relating to the elimination of Non-Tariff Barriers featured prominently in all those negotiations. He observed that the EAC is held in high regard by other bilateral partners and therefore attracting a lot of attention by virtue of its cohesiveness as a regional bloc implementing a common trade policy.

He therefore underscored the need for the region to strive to uphold its credibility by expeditiously addressing impediments to intra EAC trade. He called for team work in order to uphold the EACs reputation as an attractive destination for Internal and External investors.

The Director General noted with appreciation the importance of the meetings of Regional Forums on NTBs as an avenue for resolving NTBs, especially the administrative ones. He informed the meeting that a number of NTBs had been previously resolved due to the initiatives of the past meetings of the Regional Forums. He further informed the meeting that EAC Secretariat has been publishing quarterly reports on the status of elimination of NTBs in the region with a view of drawing the attention of policy makers to the areas where positive actions has been taken in regard to elimination of NTBs.

Lastly, the DG wished the meeting successful deliberations and a Merry Christmas, happy and prosperous New Year 2013.

The Partner States presented their quarterly report on NTBs as follows:

KENYA

The Kenya NMC reported that she held her quarterly meeting on the 28th November 2012 which considered and updated the Time Bound Programme Matrix on NTBs. During the meeting, the trade facilitation agencies and members of the NMC were called upon to fully implement the recommendations made by the Council of Ministers on NTBs in regard to redressing the NTBs in the TBP.

It was also reported that The Kenya Traffic Police have provided a telephone number for public and business community to report on cases of police corruption directly to the traffic commandant police office.

On the legally binding mechanism for elimination of NTBs study report, the NMC members agreed to study it and make comments for onward transmission to the EAC Secretariat by 15th January, 2013 as directed by the last meeting of the Sectoral Council on Trade, Industry, Finance and Investment.

Kenya's Ministry of Trade is in the process of establishing a Central Coordination Mechanism Unit (CCM) on Trade Facilitation which will work together with the NMC to address issue of Trade facilitation along the transit corridors.

The NMC meeting noted that the NTBs reported in the EAC Time Bound Matrix were the same ones reported on the EAC-COMESA-SADC online reporting system. It was also reported that the bilateral meeting that was scheduled to be held in October, 2012, as directed by Ministers did not take place and it was planned for mid-January 2013.

UGANDA

Uganda reported that she held her last NMC Meeting in 11th December, 2012 and considered the following;

- (i) The Draft study report on the development of a legally binding enforcement mechanism on the elimination of identified NTBs and
- (ii) Updated the EAC Time Bound Programme on elimination of identified NTBs

TANZANIA

The United Republic of Tanzania reported that she held a bilateral meeting with Rwanda and deliberated on NTBs affecting the two Partner States. The quarterly meeting which was held in October, 2012 deliberated on the new NTBs, the administrative issues on NTBs and discussed the proposed strategic plan for elimination of identified NTBs.

A border survey was also conducted and border staffs were trained.

Tanzania reported that ban on food stuff exports had been abolished and electronic cargo tracking system had been implemented. Also RADDEX system was being implemented by the Revenue Authority.

NMC Members and other stakeholders had been trained on the operations of the online system and the method of reporting NTBs through SMS.

The United Republic of Tanzania reported the following new Non-Tariff Barriers:

- (I) The Kenya government through the Ministry of Immigration and Registration of Persons has issued a new immigration regulation whereby the issuance of work permits will be limited to other nationalities above the age of thirty five years and with earnings not less than K.shs168, 000 per month and
- (II) Uganda Government has restricted the employment by NGOs to Ugandan nationals only.

RWANDA

The Rwanda NMC met on 12th October, 2012 to validate the NMC Website.

A Bilateral meeting was held between the Republic of Rwanda and the United Republic of Tanzania on 15th – 17th October, 2012 in Kigali, Rwanda to discuss elimination of NTBs and promotion of cross border trade between the two countries. The two parties signed two MOUs on elimination of NTBs and promotion of cross border trade and issued a joint communiqué on agreed resolutions. An action plan was developed on 6th November 2012 by concerned NMC members based on resolutions from Rwanda/Tanzania bilateral meeting.

It was reported that:

- (i) Training on Advocacy Strategies and Approaches was undertaken on 8th – 9th November 2012 and was conducted and facilitated by 4 trainers under TMEA support;
- (ii) The Republic of Rwanda has developed a short Term Plan containing the following activities;
- (iii) Field Survey along the Northern Corridor to verify the state of NTBs on this corridor (December 2012 – January 2013) in preparation for Rwanda-Kenya bilateral meeting;
- (iv) Production of a documentary film on the state of NTBs in EAC (December 2012- January 2013);
- (v) Launch of NMC website was scheduled for December 2012 or January 2013;

- (vi) The development of NMC Operational Manual was ongoing;
- (vii) Gatuna/Cyanika and Kagitumba border visits by Joint Technical Committees on NTBs was undertaken and inauguration of Border Joint Committees between Rwanda and Uganda was scheduled for January 2013;
- (viii) Launching a NMC website is scheduled for January, 2013 and.
- (ix) Study on Rwanda Transport competitiveness in EAC will be undertaken in February 2013.

BURUNDI

Burundi reported that she held her NMC on October 2012 and deliberated on

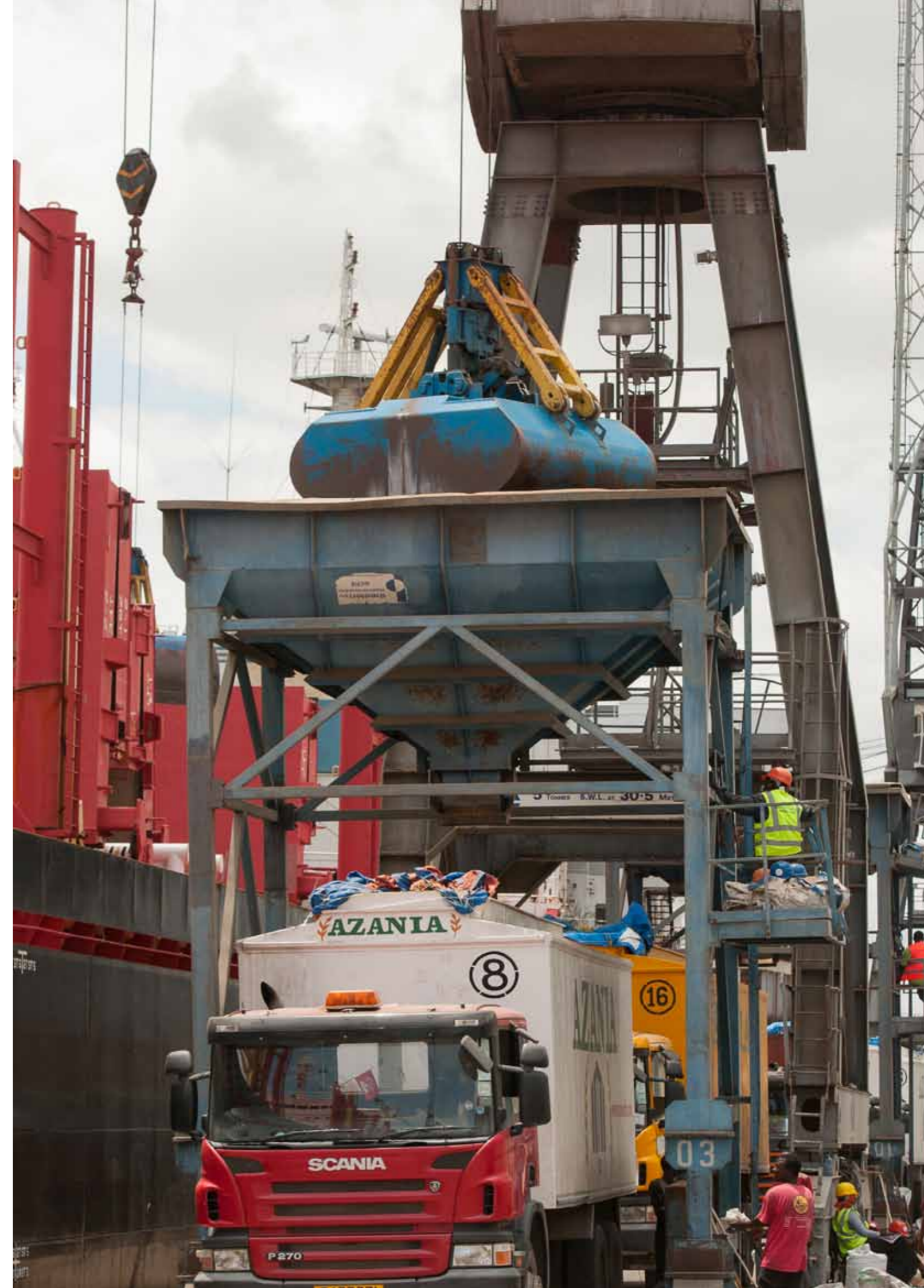
Recruitment of a national co-coordinator for NTBs and the consultant for the development of a strategic plan. The recruitment will be finalized by 15th January, 2013. The meeting was also informed that the recruitment is being supported by Trade Mark East Africa.

3.0

UPDATED EAC TIME BOUND PROGRAMME ON ELIMINATION OF NTBs AS PER DECEMBER, 2013

The 9th EAC Regional Forum on NTBs updated the Time Bound Programme taking into account the NMC reports presented during the meeting. The updated EAC Time Bound Programme on elimination of identified NTBs shows the status of elimination of NTBs in the region as per December, 2012. The TBP shows that:

- (i) Thirty seven NTBs were unresolved;
- (ii) Three NTBs were reported as new, and
- (iii) Forty NTBS had been resolved.

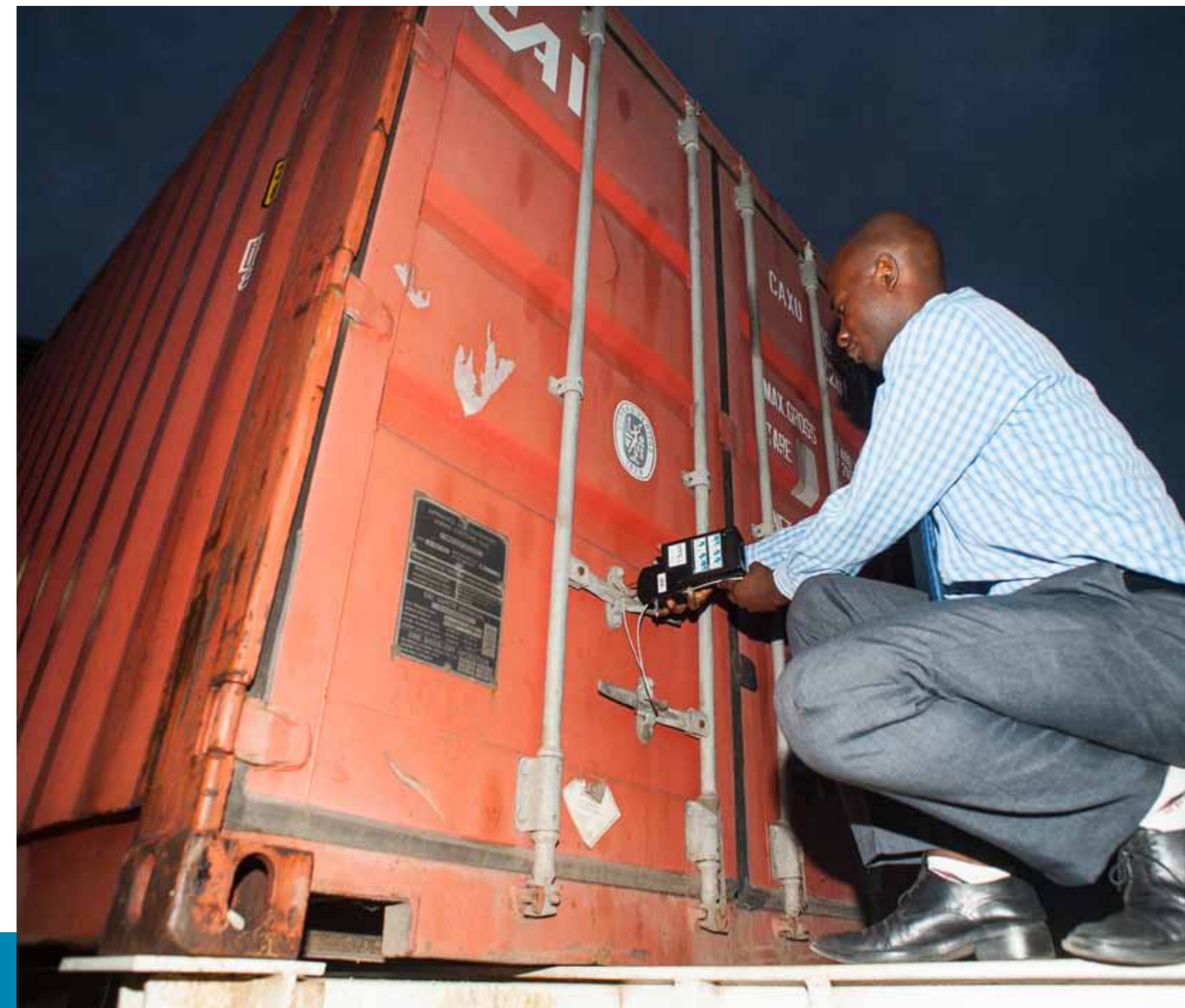


	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
1.	Delays in transit bonds cancellation	Uganda, Rwanda and Burundi	Kenya Revenue Authority and Tanzania Revenue Authority	Added costs for transit traffic incl. customs bonds.	Prompt cancellation of transit bonds.	Likelihood of increase of dumping of goods in transit. Goodwill from Partner States Revenue Authorities	The Ministers decided that the Partner States implement the electronic cancellation of bonds within 24 hours. Kenya reported that she is cancelling the bonds manually within 24 hours. Kenya further reported that she is in the process of upgrading the Simba system to enable her to cancel the bonds within 24 hours. URT Reported that they have complied with the 24 hour electronic cancellation	April, 2013

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
2.	Numerous institutions involved in testing goods.	All EAC Partner States	Statutory agencies.	Time wasted.	Need to invest in One-Stop-Centres and electronic single window systems at border stations Develop and implement mutual recognition instruments	Insufficient financial resources for investment in buildings, facilities and IT system/ equipment. Success Factor Collaboration of all institutions into fast-tracking the procedures under the same roof.	Regulations were adopted by the Council and referred to SCLJA for legal input following which will come into force The Ministers decided that: collaboration among the regulatory agencies be enhanced; agencies operate under one stop post as is currently being done between Kenya and Uganda; agencies collaborate at the national borders with a view to fast tracking clearance of goods at border entry points; and Mutual recognition of certificates issued by agencies be implemented. STATUS: TANZANIA: reported that Dar Es Salaam port had started implementing electronic single window system. Malaba border between Kenya and Uganda is operating one stop border post RWANDA: has introduced an electronic single window through which most testing bodies share information through the system electronically UNBS: is introducing an electronic single window through which information is shared electronically	By end of December, 2012

NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
3. Existence of several weigh-bridge stations in the Central and Northern Corridors.	Rwanda Uganda and Burundi	Kenya - Ministry of Transport Tanzania -TANROADS	Time lost at the weigh-bridges leads to loss of business as goods do not reach their destination in time	Reduction of weigh-bridges to two, one at the port of entry and the other at the port of exit	Political goodwill from the Partner States	<p>EAC Secretariat informed the meeting that Draft EAC Vehicle Load Control Bill, 2012 was adopted by a Multi-Sectoral Council in February 2012.</p> <p>The axle draft bill law was adopted by the Council and is awaiting enactment by EALA in April, 2013</p> <p>The number of weigh bridges should reduce to three in Tanzania and Kenya. In case of Uganda, Burundi and Rwanda to be two.</p> <p>The Ministers decided:</p> <p>To reduce the weighing requirement for transit traffic to two, one each at the entry and exit points;</p> <p>Tanzania to await the outcomes of the studies on the optimal number of weighbridges in the region's trunk road network.</p> <p>Kenya has two mobile weighbridges in Maimahiu and Eldoret</p> <p>three fixed weighbridges in Mariakani, Malaba and Busia</p> <p>Kenya now has only two weighbridges at the point of entry and exit.</p> <p>Tanzania still waiting for the outcome of the study.</p>	<p>Burundi, Kenya, Uganda and Rwanda by June, 2012</p> <p>Rwanda has no weigh-bridge; Uganda cargo is weighed at point of entry and exit; Burundi, no weigh-bridges; Kenya has four weigh-bridges and is reducing to two for transit cargo by December, 2012</p>

NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
4. Ugandan restriction of beef & beef products from Kenya	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>Pressure from businesses not to recognize products from within EAC due to fear of loss of markets</p> <p>Success Factor</p> <p>Political goodwill to recognize EAC as a single market area</p>	<p>A bilateral meeting between Kenya and Uganda was held on 11th April, 2012. The Ministers directed that a verification of beef and beef products be undertaken in the two Partner States. The verification was carried out between 22nd to 24th April and the report of the verification exercise will be considered after the budget speeches.</p>	<p>August, 2012</p> <p>The Republic of Kenya to review the legal notice No. 69 to address the issues of the BSE disease by December, 2012</p>



	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
5.	Several Police road blocks along Northern and Central Corridors, estimated at 36 between Mombasa-Kigali and 30 between Dar Es Salaam to Rusumo border.	All EAC Partner States Rwanda Uganda Burundi	EAC Partner States Police Departments.	Delays in transport. Bribes, estimated at US\$ 0.55 per roadblock per truck on Ugandan side and US\$ 1.3 Kenyan side, or USD 25.70 on the Northern Corridor per truck. USD 7.5 per road-block per truck	Issue clear guidelines on reasons for stopping commercial vehicles, a daily record of vehicles stopped, reasons and measures taken.	Resistance to remove road-blocks on argument they are mounted for security reasons. Success Factor Follow-up on political decision to remove roadblocks	<p>Kenya reported that she has reduced the road blocks from 36 to 9.</p> <p>Rwanda removed all road blocks in November 2008.</p> <p>Uganda has 6 roadblocks between Malaba and Gatuna/Katuna. Will further reduce these roadblocks and concentrate on highway patrols.</p> <p>Burundi has removed all road blocks. - Kabanga border post systems only work few hours a week therefore tracks are blocked for 4 to 5 days waiting for the connection.</p> <p>Tanzania has reduced roadblocks from Dar es Salaam to Rusumo from 30 to 15. Tanzania has advertised tender for introduction of electronic cargo tracking.</p> <p>Also Tanzania has introduced: - Fleet management system where transporters are required to stop/ report at the identified centers. This done between Tanzania police force and investment climate facilities project that started last year. - Identify check points along Dar es Salaam to Rusumo with all necessary communication facilities to ease the movement of goods.</p> <p>The Ministers decided that: (i) EAC Partner States undertake to explore measures (ii) to exempt transit traffic from inspection at the police road blocks; and (iii) Harmonized electronic cargo tracking system should be adopted.</p> <p>STATUS Tanzania Electronic Tracking System has been reinstated since November, 2012</p> <p>Rwanda informed the meeting that the situation had not changed. URT to check and revert.</p> <p>Kenya has introduced highway patrol along the Northern Corridor.</p>	June, 2013

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
6.	Lengthy procedures for issuing of work permits vary among EAC Partner States	All EAC Partner States	Uganda, Tanzania and Kenya Immigration departments	Lost business time while waiting for processing of work permits. As per BCI 2008 business take between 1-5 months to acquire work permits for workers sourced from another EAC country. Immediate Businesses are forced to employ locals who may lack required skills.	Political goodwill to facilitate cross-border movement of people while waiting for finalization of relevant Protocol.	Political resistance on need to safeguard national security Success Factor Political goodwill to accept EAC as a single market area	<p>The procedure for issuing work permit has been simplified in Rwanda, Burundi, Kenya and Uganda.</p> <p>Tanzania is in the process of reviewing relevant laws on work/residence permit, in line with the EAC Common Market Protocol.</p> <p>EAC Secretariat to facilitate harmonization of classification of work/resident permits, fees, forms and procedures. These are among the outstanding schedules which were supposed to be negotiated by June 2013</p> <p>A number of EAC citizens are already working in Burundi even without work permits as they await harmonization of the laws.</p> <p>Burundi reported that URT is stamping in travel documents of EAC citizens that "allowed to stay for 3 months. Employment with or without pay is strictly prohibited".</p> <p>URT to expedite the change of wording in the entry visa stamp which prohibits EAC citizens from working in Tanzania.</p> <p>Rwanda urged Tanzania to reconsider the issue of yellow fever vaccination cards</p> <p>Rwanda requested the EAC Secretariat to fast track laws of issuing work permits</p> <p>Tanzania is in the processing reviewing their immigration laws to cater for the work permits for EAC citizens by June 2013</p>	June, 2013 June, 2013

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
7.	Charges of plant import permit (PIP) at Malaba for Ugandan tea destined for auction at Mombasa.	Uganda, Burundi	Kenya Plant Health Services (KEPHIS)	Adds to cost of doing business.	Abolish charges.	Resistance from issuing authority	Kenya informed the meeting that the charge is a legal requirement for tea destined for Mombasa Auction. The issue will be addressed once EAC SPS protocol is concluded and ratified by Partner States. The draft protocol will be considered by the Sectoral Council on Legal and Judicial Affairs in March, 2012. SPS protocol was adopted by the Council and is awaiting ratification by the Partner States and publication by the EAC Legal department The Ministers decided that Partner States should recognize certificates issued by accredited institutions of other Partner States	December, 2012 January, 2013
8.	Non recognition by Kenya for SPS certificates issued by Uganda for tea destined for Mombasa auction.	Uganda	Ministry of Agriculture Kenya	Uganda to identify	Mutual recognition of SPS certificates	Resistance from issuing authority.	The meeting noted that the issue will be resolved once EAC protocol on SPS is in place.	January, 2013

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
9.	Lack of interface within the customs' systems in the Revenue Authorities in Partner States.	Partner States	Burundi Revenue Authority	Partner States to identify impact When customs systems are not interfaced, it delays clearance of goods under customs control hence increases cost of doing business and loss of market	Interfacing of the systems	RADDEX system has interfaced Rwanda, Uganda and Kenya. Rwanda is using ASYCUDA world and is interfacing with systems in Kenya, Uganda and Burundi, except Tanzania	The system has been rolled out in Burundi and staff is undergoing training on Asycuda world. Tanzania reported that she already operates on RADDEX system with Kenya and Uganda She is updating its system from version 1.1 to 2.0. The RADDEX 2.0 system in the five Partner States is currently in its testing stages and should be rolled out by December 2012, The Ministers noted the ongoing work on interfacing of computer systems. For the Partner States revenue authorities are developing RADDEX 2 to be ready by December, 2012	January, 2013 Resolved
10.	Lack of harmonized port procedures manual.	Partner States	TPA and KPA	Varying grace periods makes the importers to pay demurrage charges which increases cost of doing business in the region	TPA and KPA to harmonize port procedures manual grace periods.	Investments by port authorities	The Ministers decided that port procedures manuals should be harmonized. EAC Secretariat to facilitate the harmonization through the Sectoral Council of Transport, Communication and Metrology (TCM). The issue is under consideration of the TCM KRA is not properly facilitating trade in its operations	April, 2013

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
11.	Border management institutions' working hours are not harmonized.	Tanzania, Uganda, Rwanda and Burundi	Revenue Authorities	Business community to identify impact Delays and extra cost to doing business	Harmonization of working hours	Security issues and awareness by Business community	<p>The Ministers decided that:</p> <p>border entry points along the main transport corridors should operate 24 hrs for purposes of clearance of goods; and</p> <p>Partner States submit the names of the border entry points to start with by end of March 2012</p> <p>The following Partner States have submitted their border posts to operate 24hrs</p> <p>UGANDA: Malaba; Busia; Katuna and Mutukula;</p> <p>KENYA: Mombasa Port; Malaba; Busia and Namanga</p> <p>URT: Dar Es Salaam Port; Namaga and Rusumo</p> <p>BURUNDI: Kobero; Kanyaru and Gasenyi</p> <p>RWANDA: Cyanika 16 hrs; Kagitumba 12 hrs; Rusumo 16hrs; Nemba and Kanyaru</p> <p>Rwanda to consult and report by during the next EAC Regional Forum</p> <p>Upon Burundis request for URT to open the Kabanga border Post, URT suggested that the Two Partner States initiate a bilateral meeting</p>	By December, 2012

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
12.	Inadequate Police Escort mechanism.	Partner States	Police Departments and Customs	Loss of business	Provide escorts for trucks	Lack of adequate infrastructure for Police escort	<p>The Ministers decided that Partner States should:</p> <p>expedite the implementation of cargo tracking system; and</p> <p>increase the road patrols along the highways.</p> <p>URT is now providing police escort for more than 10 trucks but request can be placed for special trucks with sensitive goods</p>	December, 2012
13.	Inadequate quality of infrastructural services.	Partner States	Governments	Loss of business and increased cost of doing business.	Fix the infrastructure	Inadequate financial resources Inefficient railway system	<p>The Ministers decided that:</p> <p>Partner States should continue jointly mobilizing resources for development of regional infrastructure;</p> <p>Sectoral Council on TCM develop a policy paper on areas to fast track in the development of railways network in EAC.</p> <p>the Council to request the Summit to consider holding an Extra-Ordinary meeting dedicated to infrastructure development.</p> <p>Status:</p> <p>The decisions in (i), (ii) and (iii) above have been submitted to Sectoral Council of TCM.</p>	Long-term

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
14.	Corruption along the Northern and Central Corridors (police roadblocks, weighbridge and border gates).	Partner States	Police, Customs, Anti-corruption agencies and Private Sector.	Increased cost of doing business	Implementation of policies, regulations and actions that will combat corruption	Lack of goodwill from all parties	<p>The Ministers decided that Partner States should:</p> <ul style="list-style-type: none"> - Sensitize their stakeholders; - Enforce sanctions for offenders; - Expedite the introduction of electronic tracking of cargo; and - Increase highway patrol's as preference over road blocks. <p>Status</p> <p>KENYA: Deployed 10 vehicles doing highway patrol's to ensure security; ethics and anti corruption commission.</p> <p>TANZANIA: PCCB to sensitize all government department against corruption;</p> <p>Each institution has a budget line for Sensitization of corruption in Ministries; Cargo tracking system</p> <p>UGANDA: dealing with issues of corruption by fitting cameras to monitor activities at the borders, weighbridges etc; police officers have been arraigned in court with cases of corruptions; hotlines to report corruption cases by the public.</p> <p>RWANDA: hotline; cameras; anti corruption commission; police anti corruption campaign; print media against corruption</p> <p>BURUNDI: Anti corruption bureau and a hotline</p>	Ongoing

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
15.	Lack of Verification sheds and parking yards at border posts	Partner States	Partner States Revenue Authorities and Ministries of Works	Loss of business and spillages of cargo	Provision of sheds and parking yards	Inadequate financial resources	<p>The Ministers urged Partner States to hasten construction of one stop border post.</p> <p>Kobero/kabanga ; kagitumba/mirama hills; taveta/holily; tunduma; kobero/kabanga funded by TMEA;</p> <p>Rusumo/Rusumo; Malaba/Malaba; Lunga lunga/horohoro funded by AfDB.</p> <p>URT reported that Kabanga is operational while Kobero and Rusumo construction is on-going</p> <p>Kenya reported that Taveta, Malaba, lungalunga, Busia and Isebania the work is ongoing and due for completion by October 2013</p>	24 months
16.	Charges by Container Freight Stations vary from port charges	All Partner States	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		<p>The Ministers decided that port charges should include the charges of the CFS so that the one charge fee cuts across all aspects.</p> <p>Kenya Ports Authority signed a service level agreement to guide charges by CFS.</p>	Immediately

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
17.	Exports of plastic products from Kenya are subjected to 10% and 25% CET rate.	Kenya	Tanzania Revenue Authority.	Increased cost of doing business	The exports to be charged 0% as per the EAC schedule on the elimination of internal tariffs.		<p>The Ministers recommended that EAC fast tracks the verification mission of plastic products in the region.</p> <p>The verification mission was carried out between 11th and 22nd June 2012 in the region. The report of the verification mission will be considered by the next meeting of SCTIFI</p> <p>The EAC Secretariat reported that letters have been sent out to Partner States and revenue authorities informing them that plastic products are suppose to benefit from preferential treatment.</p>	June, 2012
18.	No movements of Cargo Trucks beyond 6:00 pm within Tanzania	Rwanda, Burundi & Uganda	Ministry of Infrastructure, Tanzania	Time lost	Removal of the requirement		<p>The Ministers decided that Partner States should:</p> <p>Expedite implementation of cargo tracking system;</p> <p>Invest more in railway network; and</p> <p>Increase highway patrols</p> <p>URT working on the issue and some trucks are already moving after midnight; to report in details by December</p> <p>URT is now providing police escort for more than 10 trucks but request can be placed for special trucks with sensitive goods</p> <p>Efforts are underway to make Rusumo border work 24 hours like and Namanga border and Dar es Salaam</p>	December, 2012

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
19.	TRA has introduced check points in the Central Corridor with timeframes and imposed charges for the delays to reach the destinations	Rwanda Burundi, Uganda.	Ministry of infrastructure, Tanzania and TRA	Time lost	Removal of check points	Delays goods for the market.	<p>Removal of the check points.</p> <p>The Ministers took note of the Tanzania report that she had reduced most of the check points and no fee is charged for the existing ones.</p> <p>The NMCs to continue engaging each other in pursuit of solving the NTBs.</p> <p>Introduction of tracking systems.</p> <p>Rwanda proposed that the customs check points be reduced to two</p>	September, 2012
20.	Requirement for OTS (Open Tender System) for bulk Fuel Procurement System	Burundi	Bulk Fuel Procurement System	Stock out of Fuel	Abolition of the requirement		<p>Republic of Burundi to provide more information</p> <p>Burundi to write formally re-submits adequate information to URT for consideration.</p> <p>URT to revert through the EAC Secretariat by Monday 17th December, 2012</p>	December, 2012

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
21.	Congestion at the Ports DAR	Rwanda	TPA	Delays in cargo clearance	Increase the capacity of ports	Lack of financial resources	<p>The ports to acquire in the short run new equipment to offload and load goods</p> <p>Decongestion of KPA will be redressed by end of June and Tanzania by end of 2012</p> <p>Kenya constituted a cabinet sub-committee which has addressed the matter</p> <p>URT expanding the port of Dar es Salaam and is in the process of constructing a new port at bagamoyo to decongest the port of Dar es Salaam.</p> <p>URT reported that TPA has improved yard density from 62% to 52%</p> <p>Several new equipments are under procurement to improve the services. Constructed ICDs to reduce congestion.</p> <p>The process of constructing a new port in Bagamoyo is underway.</p> <p>Kenya's progress on improvement of congestion:</p> <ul style="list-style-type: none"> - Rapid Result Initiative; - Completion of dredging to 15 metres; - Construction of berth 19; - Second container terminal construction and; - Lamu Port Construction 	June and December, 2012

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
22.	Non-harmonized road user charges / road tolls	All Partner States	Ministries of Transport and Infrastructure	Additional cost to doing business	Harmonize the road user charges / road toll		<p>Harmonize the road user charges / road toll</p> <p>The NTBs is being handled by TCM.</p>	April, 2013
23.	Weighing of empty trucks in Tanzania	Rwanda and Burundi	TANROADS	Unnecessary delays for trucks going to load in ports	Reverse the weighing of empty trucks	Resistance of TANROADS to amend the Road on Safety regulations	<p>Consider reversing the process of weighing of empty trucks</p> <p>URT still considering the way forward on how to handle the issue</p> <p>URT awaiting for the outcome of the study</p>	March, 2013
24.	Requirement by KRA for transporters to have introductory letters from URA on certain products / consignments, e.g. tyres and spirits	Uganda	KRA		Abolish the requirements	Fear of dumping	<p>Abolish the</p> <p>Kenya requires a letter for importation of tyres; letter for methanol because it is diverted into Kenya; Sugar because of high risk of it being damped into the country. This is in accordance with customs management</p> <p>In accordance with section 204 and 247 of the customs management act.</p> <p>Uganda and Kenya to take it up bilaterally</p>	Mid January, 2013

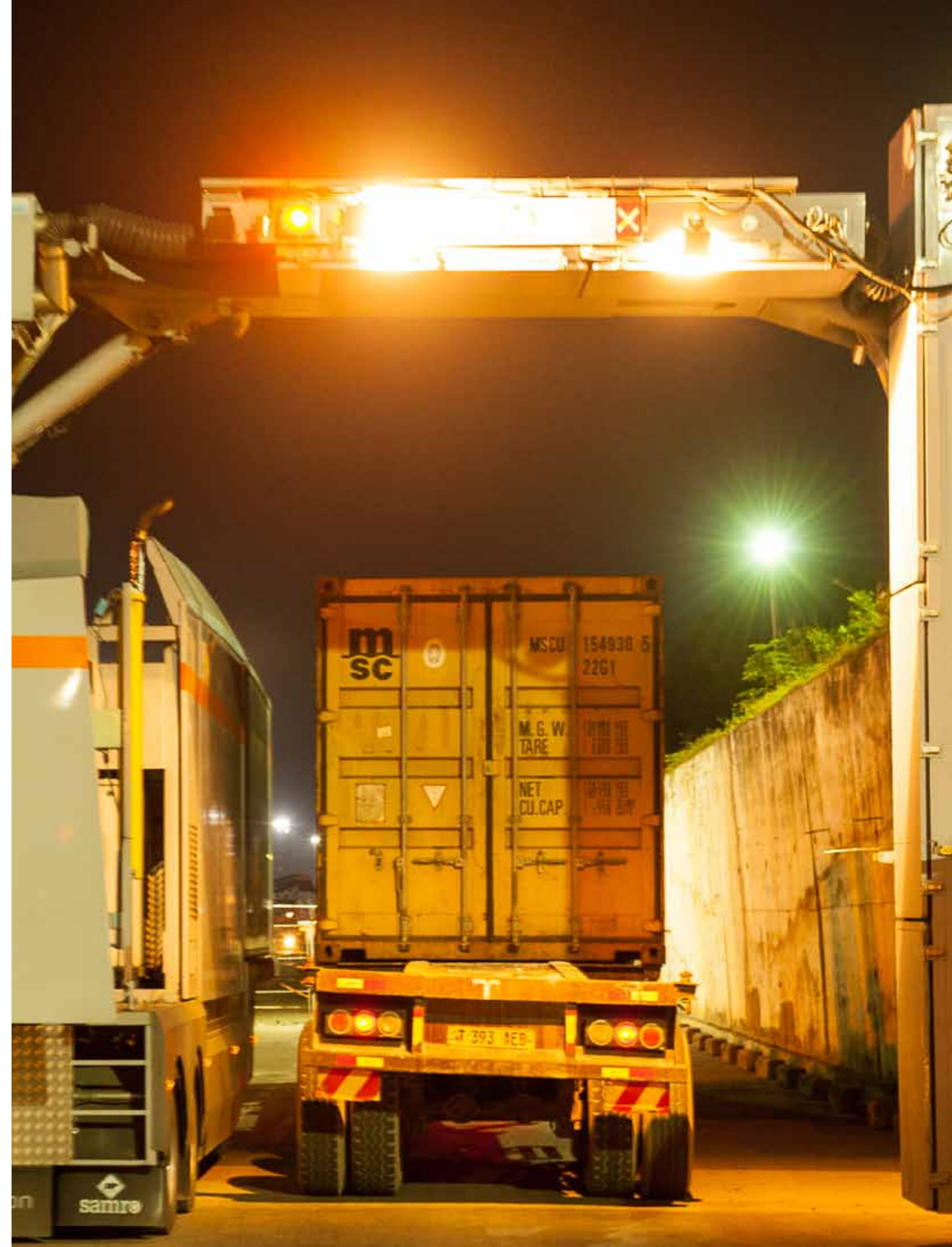
	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
25.	Cut-flower from Tanzania for re-exports to Europe and Russia blocked by Kenya	Tanzania	KEPHIS	Loss of market to Europe and Russia	To harmonize the protocol on SPS	Delays act section Partner States to harmonize SPS protocol	<p>KEPHIS to have mutual recognition with her counterpart in Tanzania</p> <p>Kenya in the process of undertaking an analysis of the standards of cut flowers</p> <p>The meeting recommended that the issue be considered during the bilateral meeting by August ,2012</p> <p>Kenya reported that the issue has been awaiting the SPS protocol which has been signed.</p> <p>Kenya reported that a draft quarantine agreement on rose and cut flowers was prepared and forwarded to URT in May, 2012. Kenya is awaiting response from URT, pending the finalization of the MOU by 31st December, 2012</p>	August, 2012
26.	Lack of recognition of CTH criteria in the EAC ROO for motor vehicles	Kenya	Tanzania, Uganda and Rwanda	Loss of business	Recognition of CTH Criteria in the EAC Roles of Origin		<p>TRA, URA, and RRA requested to recognize the CTH criteria and allow vehicles manufactured in Kenya to their market</p> <p>EAC Secretariat to provide a status report on the subject in conformity with the Council decision.</p> <p>EAC Secretariat informed the meeting that the issue is being handled by the Committee on Customs</p> <p>Kenya requested the revenue authorities to sit and reconsider the CTH criteria on RoO while awaiting the EAC Rules of Origin proposed Review</p>	December, 2012

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
27.	Cigarettes manufactured in Kenya exported to Tanzania required to have a local 75% tobacco content	Kenya	Tanzania	Loss of business	Abolition of the requirement	Resistance from the private sector.	<p>The NTB was considered during the Bilateral meeting between Kenya and United Republic of Tanzania on 7th September, 2012. Kenya provided on the NTB and URT undertook to study it report back at end of September, 2012.</p> <p>Kenya urges URT to define local content as tobacco grown within East Africa</p> <p>URT to consult and report to the next meeting</p>	December, 2012
28.	Tourist vans not allowed entry to URT	Kenya	Tanzania	Loss of business	Allow Kenyan tourist vehicles to enter Tanzania	Abolition of the requirement	<p>Tanzania to abolish the requirement</p> <p>The meeting recommended that Kenya to get relevant information from the Ministry of Tourism and report back.</p> <p>Kenya to provide information before the next regional forum</p>	October, 2012

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
29.	Payment of double handling charges at the ICDs and at the Dar Es Salaam port	Burundi	Dar Es Salaam	Adds to cost of doing business.	Abolition of the double handling charges		<p>The meeting recommended that Burundi provides more information on the NTB to enable URT to investigate it before the next Regional Forum.</p> <p>Burundi informed the meeting that she had forwarded the documents and information to the Secretariat</p> <p>URT informed the meeting the ICD charges are part of port charges and are therefore not additional charges. The only additional charges are on demurrage.</p> <p>Burundi requested to re-submit documentation supporting their submission through the EAC Secretariat.</p> <p>URT to investigate further and revert at the next NTBs forum</p>	December, 2012
30.	Beef and Pork from Kenya Farmers Choice being charged 25% because the company is in the duty remission scheme despite the products not benefiting from the duty remission scheme.	Kenya	Tanzania	Adds to cost of doing business.	Abolition of the CET charge of 25%.		<p>The NTB was considered during the Bilateral meeting between Kenya and United Republic of Tanzania and the Ministers agreed that a Regional Committee be constituted to propose how to treat products which use small proportions of imported inputs under the EAC duty remission scheme.</p> <p>EAC Secretariat reported that work on EAC duty remission scheme is in progress in line with the council directive of 2nd November, 2012</p>	November, 2012
31.	TRA imposes a duty of 25% of EABL products exported to its subsidiary Serengeti breweries limited in Tanzania.	Kenya	TRA	Adds to cost of doing business.	Abolition of the 25% duty charge		<p>Tanzania undertook to consult and report back during the next Regional Forum.</p> <p>URT to further consult and revert in the next regional forum</p>	

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
32.	Re-introduction of cash bond by Kenya.	Uganda, Burundi and Rwanda	KRA	Adds to cost of doing business.			<p>Kenya reported during the meeting of Sectoral Council on Trade, Industry, Finance and Investment that the cash bond requirements had been withdrawn and replaced with particular bonds.</p> <p>The Sectoral Council on Trade, Industry, Finance and Investment</p> <p>Took note of the withdrawal of the cash bond requirement and its replacement by particular bond;</p> <p>Requested the Republic of Kenya to revert to the use of general bond for ease of doing business;</p> <p>Directed that Uganda Revenue Authority and Kenya Revenue Authority jointly develop a monitoring mechanism for the application of the general bond in order to ensure that the facility is not abused by unscrupulous business persons;</p> <p>Urged The Republic of Kenya to waive all port charges and customs warehouse rent accrued as a result of application of the cash bond; and</p> <p>Directed Secretariat to develop operational rules for the application of all types of bonds.</p> <p>Uganda reported that the cash bond was removed and replaced with a particular bond on sugar.</p> <p>Uganda requesting that the particular bond be replaced with a general bond</p> <p>Kenya requested that the two revenue authorities convene a meeting to resolve the divergent issues as directed by SCTIFI of 2nd November, 2012.</p>	Immediate
								31 January, 2013

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
33.	Imposition of 75% CET duty or \$200 per metric ton on rice wholly produced in Kenya by Uganda	Kenya	URA	Loss of market to Kenyan Farmers and Traders	Uganda to respond	Consign-ment recalled back to the country	URA to respond Kenya is still under stay of application and as such her rice attracts full EAC CET rates.	Immediate
34.	Tanzania food and Drugs Authority requires companies exporting to URT to register the products before exporting	Kenya	TFDA	Loss of market	Abolition of the requirement		East African Standards Committees to handle the NTB The Standards Committee is to meet next year in February, 2013 to solve the issues related to standards	December, 2012 February, 2013
35.	Requirement by the Kenya Revenue Authority that tea from Uganda destined for Mombasa auction market should be stored at the Customs Bonded warehouses in Mombasa.	Uganda	Kenya	Increase in cost of doing business	Abolition of the requirement		Kenya to abolish the requirement Kenya to revert after consulting with KRA	Immediate
36.	Kenya Ports Authority has signed a service level agreement with Maersk Ltd and other CFSs where transit cargo is transferred upon arrival at the port	Uganda	Kenya	Increase in cost of doing business	Port charges should include charges by CFSs		Port charges should include charges by CFSs Kenya reported that no transit cargo is nominated to the CFSs by KPA. The service level agreement that requires cargo to CFS only applies to local cargo and not transit cargo.	Immediate
37.	Requirements for cash bonds by the Kenya Revenue Authority prior to clearance of certain goods.	Uganda	Kenya	Increased cost of doing business	To abolish the requirement.		To abolish the requirement	December, 2012



NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
NEW NON TARIFF BARRIERS							
1.	Uganda businessmen had not been refunded the money they paid inform of cash bond.	Uganda.	Kenya Revenue Authority	Adds to cost of doing business.	Refund of the cash bond money.	Refund of the cash bond money.	2013
2.	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.	EAC Partner States.	Ministry of Immigration and Registration of Persons	Adds to cost of doing business.	Abolition of the requirement.	Abolish the new immigration regulations. Kenya reported that she will consult on the issue and report back during the next meeting	March, 2013
3.	Uganda Government has restricted the employment by NGOs to Ugandan's only.	Tanzania	Department of Immigration, Uganda	Restriction on employment.	Removal of the restriction on employment.	Removal of the restriction. Uganda informed the meeting that she will consult on the matter and report back during the next meeting.	March, 2013
4.	Tanzania had re-introduced requirement for yellow fever card to nationalities entering the country	EAC Partner States	Tanzania's Ministry of Immigration.	Restricts movement of persons in the Community.	Abolition of the requirement.	Abolition of the requirement.	Immediate

NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
RESOLVED NON TARIFF BARRIERS							
1.	Tanzania requires cash bonds for transportation of sugar to Rwanda.	Rwanda	TRA	Adds to cost of doing business	Abolition of the requirement	Resistance from TRA because of possible dumping of sugar.	Tanzania reported that she is now using bonds rather than normal bonds. Resolved
2.	Burundi charges entry fee for vehicles from other Partner States	Kenya, Uganda, Tanzania & Rwanda	Burundi Customs	Adds to cost of doing business	Abolition of the charge		Burundi reported she had abolished the charge. Resolved
3.	Varying application of axle load specifications	All Partner States	Kenya Ministry of transport TANROADS Uganda Ministry of transport	Unnecessary time loss at the weigh-bridges Corruption	Introduce weigh-in motion systems and harmonization of axle load limits and gross vehicle mass (GVM) in the region	Insufficient financial resources Political disagreements on whether to adopt COMESA or SADC specifications	The meeting of the session of permanent secretaries of the Sectoral council of transport, communications and metrology was held on 16 th – 19 th August 2011 in Nairobi to consider the matter. The session recommended that a meeting technical expert be convened by EAC Secretariat to develop supportive legal, Intuitional and operative framework for approval by the Council by April 2012. Resolved
4.	Imposition Visa to Burundians entering Tanzania	Burundi	Immigration Department of Tanzania	Restriction of entering.	Removal of visa		Tanzania reported that the issue was been handled by the relevant Government body (Issue has been Resolved) Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
5.	Delays at the Ports of Mombasa & Dar Es Salaam, which affect imports and exports through the ports.	All EAC countries through use of Northern & Central corridors	Kenya Ports Authority, Tanzania Ports Authority Kenya Revenue Authority, Tanzania Revenue Authority, Kenya Railway Corporation, Tanzania Railways Corporation and Uganda Railways Corporation	3-4 days lost at Dar Es Salaam port, 7-10 days at Mombasa port. Surcharge by shipping lines of USD 12.5 per day after 4 days of ship arrival. KPA charge of USD 20 for 20ft and USD 40 and 40ft containers after 15 days. KPA stripping levy of USD 75 per container.	Implement Community based systems (CBS) to ensure information. Flow between ports and customs along corridors. Implement one-stop documentation centers to speed up clearance of containerized cargo. Continue ports modernization including computerization of procedures to ensure faster clearance.	Insufficient financial resources for investment in modern cargo handling equipment at the ports, rail wagons and communication technology. Success Factor Sufficient budgetary Allocation.	The ports of Mombasa and Dar es salaam are implementing National single window system to redress delays at the ports	Resolved
6.	Restriction of Konyagi exports into Kenya Market	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.	Resolved
7.	Lack of preferential treatment on galvanized sheets	Kenya	Rwanda Revenue Authority	Loss of Business	Application of EAC Rules of Origin	Resistance from RRA	The issue is resolved	Resolved
8.	Requirement for certificates of analysis for goods destined for export to Rwanda and Burundi	Tanzania, Uganda and Kenya	Burundi and Rwanda Bureaux of Standards	An extra cost of doing business	Mutual recognition of quality marks issued by Partner States National Standard Bureaux	Resistance from Rwanda Bureau of Standards	The issue is resolved	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
9.	Levying of extra charges on Kenya pharmaceutical firms exporting to Tanzania	Kenya	Tanzania Revenue Authority	Tanzania charges on sales vans-US\$20 for each entry and charges on sales persons-US\$200 per each entry.	Abolition of extra charges	Resistance from TRA	The levied have been abolished.	Resolved
10.	Requirement of TISCAN inspection procedure that requires documents to be transmitted to SA and cleared there for each lot.	Kenya	Tanzania Revenue Authority	Loss of business	Abolition of the requirement	Resistance from TRA	Tanzania has abolished the procedure except for the traders who do not avail the bill of lading.	Resolved
11.	Requirement of road consignment note from transporters even before the goods have been packed.	Kenya	Tanzania Revenue Authority	An extra cost of doing business	Abolition of requirement of road consignment noted	Resistance from TRA	Requirement of road consignment has been abolished.	Resolved
12.	Requirement for executing a bond for import taxes before being issued with stamps for excise duty purposes in Tanzania.	Kenya	Tanzania Revenue Authority	An extra cost to doing business	Abolition of the requirement	Resistance from the Revenue Authority	Tanzania no longer demands execution of bonds.	Resolved
13.	Requirement for executing a bond for import taxes before being issued with stamps for excise duty purposes in Tanzania.	Kenya	Tanzania Revenue Authority	An extra cost to doing business	Abolition of the requirement	Resistance from the Revenue Authority	Tanzania no longer demands execution of bonds.	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
14.	Requirement by Tanzania that BAT cigarettes should have 75% local tobacco content.	Kenya	Tanzania Revenue Authority	Loss of Business	Application of non-discriminatory excise duty regime	Resistance from TRA	The issues of 75% local content for BAT cigarettes have been removed.	Resolved
15.	Holding, re-testing milk and milk products bearing Uganda National Bureau of Standards quality marks and imposition of import quotas.	Uganda and Tanzania	Kenya's Ministry of Fisheries and Livestock Development, Kenya Dairy Board and Kenya Bureau of Standards.	Denial of market entry and loss of potential markets.	Political goodwill to mutually 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 issue has been resolved	Resolved
16.	Kenyan ban on Ugandan day old chicks	Uganda	Ministries of Livestock Development and Agriculture	Ban on market entry and loss of potential markets.	Political goodwill to mutually recognize inspection procedures, inspection reports and certificates .	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets SUCCESS FACTOR Political goodwill to recognize EAC as a single market area	The issue has been resolved.	Resolved
17.	Cumbersome testing procedures for food exports and imports into Tanzania	Kenya	Tanzania Food and Drug Authority (TFDA)	Cost & time incurred in testing & certification procedures	Need to harmonize national export/ import procedures under one technical body	Resistance from authorities currently in charge of exports/ imports inspection (TFDA)	The issue has been resolved. TBS is the sole body for quality assurance and standards	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
18.	Verification & classification goods(green, yellow, red)	EAC Partner States	Partner States Revenue Authorities	Corruption during verification. Credible importers of goods classified under red channel have to undergo physical verification on each consignment.	Joint verification of goods at border posts.	Lack of verification sheds. Goodwill from Partner States Revenue Authorities.	Partner States Revenue Authorities are implementing Risk Management Systems.	Resolved
19.	EAC Standards Bureaus have varying procedures for issuance of certification marks, inspection and testing.	All EAC Partner States	National Bureaus of Standards EAC Ministries of industry.	Time and cost of complying with testing and certification procedures in the target export country	SQMT Protocol demonstrates political goodwill within EAC. Domestication of the protocol. Mutual recognition of standards marks. Continued harmonization of EAC standards	Lack of financial resources to set up facilities for certification SUCCESS FACTOR Sufficient funding to develop capacity in testing and certification at national and regional level	Mutual recognition of quality marks issued by Bureaus of Standards in accordance with the decision of the Council at its 7th meeting (EAC/CM7/2004) EAC Secretariat is in the process of finalizing procedures and regulations of testing in order to speed up implementation of SQMT Act 2006.	Resolved
20.	Non-recognition of EAC Rules & Certificates of Origin	Kenya Uganda Tanzania	Partner States Revenue Authorities	Cost of organizing verification missions. Delays in processing mission reports of between 1-2 months. Loss of business opportunities	Adherence to EAC Rules of Origin Criteria of 30% local value added	Pressure from domestic businesses due to fear they will lose domestic markets. SUCCESS FACTOR Goodwill to treat EAC as a single market area.	Partner States are now recognizing certificate of origins and verification missions undertaken where origin criteria is doubted.	Resolved
21.	Charging 6% withholding tax by URA	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	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
22.	Charge of 1.5% dairy levy	Kenya	Uganda dairy Board	Increased cost of doing business	Abolition of the levy	Resistance from Uganda dairy board.	Uganda informed the meeting this was a domestic tax. Resolved	Resolved
23.	Uganda's certification procedures on exports of milk from Kenya		Uganda dairy board	Denial of market entry and loss of potential markets. Loss of potential market valued at USD 1 million for one Kenyan milk processor.	Political goodwill to mutually recognise inspection procedures, inspection reports and certificates.	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets	The milk is allowed as long as it has certification.	Resolved
24.	Release of cargo manifest	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
25.	Requirement that to export Herbal products to Tanzania you either be a member of Tanzania herbalists or to declare their formulas.	Uganda	Tanzania Herbalists organization	Ban of products	Abolition of the requirement		Tanzania has already passed some regulations to be adhered to all Tanzanians Herbalists organization. Tanzania to avail the regulations to Uganda to ease trade in herbal medicine.	Resolved
26.	Reduction of grace period for transit cargo at Dar es Salaam Port from 30 to 14 days	All Partner States	TRA	More cost			The reduction is in conformity with the EAC Management Act 2004 section 34.	Resolved
27.	Delays at Malaba border for trucks driving to Uganda	Rwanda	KRA	Delays in clearance of goods	Decongest the border	Lack of facilities at the border	Kenya has reported that the issue has been addressed.	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
28.	Kenya has introduced Cash Bond on used clothes and shoes / other items considered of high value	Uganda	KRA	Restricts business transaction	Abolish the cash bonds	Fear of loss of revenue	Abolish the cash bonds on used clothes and shoes Kenya reported that it was removed in April, 2012	Resolved
29.	Kenyan Trucks entering into Tanzania are charged a levy of US\$ 200 each	Kenya	Tanzania Border Authorities	Loss of business	Removal of the levy		United Republic of Tanzania to remove the USD 200 levy on Kenya trucks. Tanzania has reported that the charge was abolished in June, 2012.	Resolved
30.	Lack of availability of simplified certificate of origin issued by Tanzania	Kenya	Tanzania Border Authorities	Loss of business	Avail simplified certificates of origin.	Implementation of EAC customs union.	Tanzania reported that certificates of origin had been dispatched to all border posts.	Resolved
31.	Non- implementation of EAC harmonized documents.	All Partner states.	Revenue Authorities	Delays in using the harmonized documents	Implement the EAC harmonized documents	Resistance from Revenue Authorities and Business Community in the Partner States.	Secretariat to cross check and report whether the Partner States are implementing EAC harmonized documents. Burundi, Kenya and Rwanda have submitted documents used by Revenue Authorities. The Ministers decided that other Partner States submit by the set time frame. This issue is resolved since the EAC harmonized procedures manual has been adopted.	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
32.	Lack of harmonized procedures manual.	EAC Partner States	EAC Secretariat Partner States Revenue Authorities	Delays in of clearing imports Varied application of tariff duties	Harmonize export/ import documentation.	Revenue authorities may feel the procedures are sufficient. SUCCESS FACTOR Political goodwill at Council of Ministers level to apply harmonized procedures.	The EAC harmonized procedures manual was adopted during the meeting of SCTIFI on 30th May, 2012.	Resolved
33.	Visa charges of US\$ 250 for businessmen.	Uganda, Kenya, Rwanda, and Burundi	TRA	Cost to business	Abolition of the Visa.		The Ministers took note of the explanation of the steps Tanzania has taken to effect the implementation of the agreement to remove the fee Status URT Government has dispatched a gazette notice abolishing the fee to all border posts.	Resolved
34.	Re-introduction by Kenya of a cash bond on vehicles above 2000 cc and sugar transiting from Mombasa to Uganda.	Kenya	Uganda, Burundi and Rwanda	Cost of doing business	Abolition of the requirement		Kenya reported that she has abolished the requirement	Resolved
35.	Delays in issuing bonds at Kenya border with Uganda for tea meant for auction in Mombasa	Rwanda	IRA	Increase in the cost of doing business	To allow more companies to issue the bonds	Fear of loss of revenue	Kenya to consult and report during the next Regional Forum in September. Kenya has opened to all insurance companies to clear tea apart from the 3 which had outstanding issues with KRA.	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
36.	Non recognition of EAC certificate of origin by TRA for furniture products manufactured in Kenya	Kenya	TRA	Adds to cost of doing business.	Recognition of EAC CoO.		The NTB was considered during the Bilateral meeting between Kenya and United Republic of Tanzania and the Ministers agreed that Kenya provides further information on the NTB by 30 th September, 2012 enable URT to investigate it.	Resolved
37.	Tanzania has re-imposed a visa charge of between U.S\$ 200-250 on Ugandan business persons travelling to Tanzania;	Uganda and Kenya	Tanzania	Increase in cost of doing business	Abolition of Visa requirement		Regarding the issue of re-imposing a fee of US\$ 200 – 250/300 as reported by Uganda and Kenya , Tanzania clarified that the fee charged was not for visa or business visa as reported but for a pass issued to persons entering the country on temporary assignment and short term business activities. Tanzania further reported that the said fee has been abolished for EAC Partner States citizens entering the country for short term business activities. Tanzania informed that the fee has been abolished since August, 2012.	Resolved
38.	Requirement for original documentation at the port of Mombasa and Dar Es Salaam for clearance of goods;	Burundi	Kenya and URT	Increase in cost of doing business	Abolish the requirement		Abolish the requirement	Resolved

	NTB summary Description	Affected countries	NTB source & Ministry/ Department/ Agency for action	Impact to Businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
39.	Ban of import of fresh fruits from Burundi to Rwanda.	Rwanda	Burundi	Increase in cost of doing business	Lift the ban		Lift the ban	Resolved
40.	Kenya Import levy of Kshs 2 per Kg on Agricultural Products from Tanzania	Tanzania	Kenya	Loss of business.	Abolition of the import levy.		<p>The Ministers decided that a bilateral meeting between Kenya and Tanzania to deliberate on the issue be scheduled for April 2012.</p> <p>The meeting is now scheduled to be held before August.</p> <p>Kenya reported that the issued has been resolved and will provide a copy of the gazette notice revoking the levy by end of December, 2012</p>	Resolved



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VISION

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

MISSION

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

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*East African Community Secretariat
P.O.Box 1096,
Arusha, Tanzania
Telephone: +255 27 2162100
Fax: +255 27 2162190
E-mail: eac@eachq.org
Website: www.eac.int*