Northern Corridor Stakeholders Survey of Eldoret – Malaba – Elegu/Nimule – Juba Transit Section and South Sudan Consultative Mission
Acknowledgements

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Glossary

Acronyms:

ASYCUDA  Automated System for Customs Data
C/Agent   Customs Agent or Clearing Agent
CBTA      Cross Border Traders Association
CIF       Cost Insurance and Freight
CFS       Container Freight Station
COSIS     Customs Oil Stock Information Systems
COMESA    Common Market of Eastern and Southern Africa
DPC       Document Processing Center
DRC       Democratic Republic of Congo
EAC       East African Community
EAC-CMA   East African Community – Customs Management Act
EAC-CMR   East African Community Customs Management Regulations
ECTS      Electronic Cargo Tracking System
e-SWS     Electronic Single Window System
GVW       Gross Vehicle Weight
ICD       Inland Container Depot
IT        Information Technology
KeNHA     Kenya National Highways Authority
KIFWA     Kenya International Freight Forwarders and Warehousing Association
KPA       Kenya Ports Authority
KPC       Kenya Pipeline Company
KRA       Kenya Revenue Authority
KRC       Kenya Railways Corporation
KTA       Kenya Transporters Association
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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>MV</td>
<td>Motor Vessel</td>
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<tr>
<td>NTB</td>
<td>Non Tariff Barrier</td>
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<td>NC</td>
<td>Northern Corridor</td>
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<tr>
<td>OGA</td>
<td>Other Government Agencies (used in this document to refer to Government Agencies other than Customs, Immigration and Police)</td>
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<tr>
<td>OGEFREM</td>
<td>Office de Gestion du Fret Multimodal</td>
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<td>OMC</td>
<td>Oil Marketing Company</td>
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<td>OSBP</td>
<td>One Stop Border Post</td>
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<td>RADDeX</td>
<td>Revenue Authorities Digital Data Exchange</td>
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<td>RSS</td>
<td>Republic of South Sudan</td>
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<td>RVR</td>
<td>Rift Valley Railways</td>
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<tr>
<td>SIMBA</td>
<td>Automated Business System used by KRA to receive and process Customs Declarations</td>
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<td>SSCCIA</td>
<td>South Sudan Chamber of Commerce Industry and Agriculture</td>
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<tr>
<td>STR</td>
<td>Simplified Trade Regime</td>
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<tr>
<td>TEU</td>
<td>Twenty Foot Container Equivalent Unit</td>
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<td>TGL</td>
<td>Transit Goods License</td>
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<td>TIN</td>
<td>Tax Identification Number</td>
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<td>TMU</td>
<td>Transit Monitoring Unit</td>
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<td>Transit Transport Coordination Authority</td>
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<td>URC</td>
<td>Uganda Railways Corporation</td>
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<td>US</td>
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Executive Summary

The Northern Corridor Transit Transport Coordination Authority (NC-TTCA) is an intergovernmental organization established under the Northern Corridor Transit and Transport Agreement (NCTTA) with a primary focus of facilitating trade and transport among its member States using the Port of Mombasa.

Due to the recurring challenges faced by the users and regulators along the Northern Corridor transport system. The NC-TTCA conducts periodic surveys to identify and address the Non Tariff Barriers along the Northern Corridor. In order to come up with recommendations that encompasses the views of the public and private sector players along the Corridor. The surveys are conducted by a multidisciplinary Survey Team comprising of the public and private sector stakeholders involved in the handling and clearance of goods along the Corridor.

The September 2013 Northern Corridor Stakeholders Survey covered the transit sections of Eldoret – Malaba, Malaba – Elegu/Nimule via Soroti and Gulu and Elegu/Nimule – Juba. The Survey Team made observations on the; physical transport infrastructure and facilities in place; procedures for handling and clearance of goods along the Corridor; examined the cargo and people clearance processes at the border stations; and held one-on-one and plenary sessions with the stakeholders operating at the transit nodes visited (border stations, ports, ICD’s and parking yards).

During the plenary sessions at the border stations, the Survey Team members updated the stakeholders about the new developments to facilitate trade and transport along the Northern Corridor and the requirements for clearance of cargo along the Northern Corridor especially at the Port of Mombasa.

The findings made by the Survey Team were shared with the stakeholders during the plenary sessions at the stations visited to give an opportunity to the stakeholders operating at these stations to make an input in the recommendations made to address the identified challenges. Below are some of the challenges identified and their corresponding recommendations;

1. **Congestion and delay of trucks at the Eldoret Fuel Terminal:** Loaded fuel tankers are held for long periods of time at the fuel depot, this was mainly attributed to tankers which are loaded before payment for the fuel is made by the buyers/importers to the Oil Marketing Company’s (OMC’s) and the delay in obtaining the customs release order for the loaded fuel tankers. The tankers are held at the fuel depot until the buyers have paid the OMC’s. Congestion of loaded fuel tankers hinders access to the depot by empty tankers collecting fuel; furthermore, it is risky to keep loaded fuel tankers at the depot.

   *It is recommended that customs entries should be approved by Kenya Revenue Authority before fuel is loaded onto the trucks and the OMC’s should settle matters relating to payment for their fuel by the buyers before the tankers are issued with delivery orders to collect fuel.*
from the depot. Furthermore, Kenya Pipeline Company should set a maximum time limit for which a loaded fuel tanker stays at its premises.

2. **Use of deregistered vehicles to transport goods in transit:** DRC de-registered vehicles with registration number plate series OR, NK and SK. Despite the de-registration of these number plates, Malaba customs continues to receive goods in transit loaded on trucks bearing the de-registered number plates which is not only administratively complicated given that the trucks have Transit Goods Licenses but also potentially enhances the risk of diversion of goods in transit.

   *It is recommended that the Government of DRC clarifies to the member States the vehicle registration number plates that were retired. Customs should not approve any declaration for goods in transit that are to be transported using trucks bearing the de-registered plates. Furthermore, Customs should not grant Transit Goods Licenses to trucks bearing the de-registered number plate series.*

3. **Mix up of vehicle and human traffic when crossing the border:** There are no separate designated crossing routes for vehicle and human traffic at the border stations. The mix up of vehicle and human traffic crossing the border using the same route makes it easy for people and prohibited items to cross the border unnoticed by the border regulatory agencies. The configuration of the border stations also makes it difficult for some Government Agencies to perform their functions effectively. It was reported at the border stations that some travelers including truck drivers evade clearance through the immigration offices.

   *The new OSBP border infrastructure being developed should cater for the separation of human and vehicle traffic crossing the border to enhance controls by Customs, Immigration, Police and other Government Agencies operating at the border station.*

4. **Goods declared for transit which are not accounted for:** After goods are entered for transit at the Port of Mombasa, the information is uploaded on the RADDeX for access by the destination countries. The data from RADDeX acts as advance information to the countries were the goods in transit are destined. However, it was reported that not all goods declared at Mombasa in transit to Uganda via Malaba or in transit through Uganda are received at the border as per the advance information received by URA from Kenya. Such goods remain unaccounted for and can end up on the market without payment of taxes.

   *During the recent workshop geared towards finding measures to fight diversion of goods in transit held in September 2013 in Nairobi, it was recommended that; The customs authorities of the NC-TTCA member States should periodically (on a quarterly basis) exchange information concerning goods expected as per advance information from the transiting countries which are not received in their country for action by the transit country.*

5. **Unclaimed cargo destined to the RSS at the Mombasa Port:** Several consignments of cargo destined to South Sudan have remained unclaimed; most of this cargo has
accumulated enormous storage charges. The unclaimed cargo is due for auction some is due for destruction.

It is recommended that Kenya Ports Authority periodically shares information concerning the South Sudan cargo received at the Port of Mombasa with the South Sudan Chamber of Commerce and the South Sudan Business Union. The South Sudan Business Community is encouraged to pre-enter their goods with KRA at Mombasa before arrival of the ships carrying the goods to minimize on the Port storage charges. Furthermore, there is need to sensitize the South Sudan business community about the proper use of Inco-terms to understand their obligations regarding the handling and clearance of cargo along the supply chain for the internationally traded goods.

6. **Delays and congestion of trucks along the road linking Gulu to Elegu/Nimule:** The Elegu/Nimule border is the major entry point for goods into South Sudan. The road linking Gulu to the Elegu/Nimule border is being upgraded by the Government of Uganda. However, whenever it rains some sections of the road become impassable to trucks and this often takes a couple days before traffic can flow normally. Often traders of perishable goods suffer heavy losses as a result of the delays occasioned by the poor state of the road.

   It is recommended that the Uganda National Roads Authority considers giving preference to first upgrade the sections of the Gulu – Elegu road that are normally badly affected by rains. In the long run, alternative routes connecting Juba to the Northern Corridor through Nadapal/Lokochiogio and route through Arua – Oraba/Kaya should be developed.

7. **Congestion of the Nimule border station:** Most of the goods imported by the RSS are received and cleared at the Nimule border station, due to inadequate resources and skills there is a lot of congestion and delays in clearance of cargo at this station.

   In order to address the situation it is recommended that the automation of operations of Customs and other stakeholders involved in the handling and clearance of goods at Nimule be expedited, customs officers and customs clearing agents should be trained, hours of business at Nimule border station should be extended, allow traders to pre-enter their goods and furthermore, all players in the business/logistics chain need to be sensitized to ensure that they are not a barrier to trade.

8. **Premature damage to the Nimule – Juba road:** The recently upgraded Nimule – Juba road has started suffering damages which is mainly attributed to overloaded trucks.

   It is recommended that the Government of South Sudan puts in place gross vehicle weight and vehicle axle load controls; set up a weighbridge along the Nimule – Juba road to safeguard the road from premature damage.

9. **Lack of implementation of the Northern Corridor Transit and Transport Agreement (NCTTA):** The NCTTA-2007 Agreement came into force in December 2012 after ratification of the Agreement by four member States. It was observed that most of the member States have not domesticated the provisions in the Agreement to facilitate their smooth implementation.
The NC-TTCA Secretariat will carry out sensitization in all member States with emphasis on South Sudan to improve domestication process of the NCTTA. The member States are required to appoint focal persons for the different agencies involved in international trade and transport through which NC-TTCA Secretariat can exchange communications. It was further recommended that NC-TTCA Secretariat should support the RSS in the formation of Technical Committees which are to participate in the NC-TTCA Secretariats’ activities.

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ANNEX

Annex i: Survey Team Members
Annex ii: List of Stakeholders Consulted During the Survey
Annex iii: List of Participants South Sudan Stakeholders Workshop

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REPORT ON STAKEHOLDERS SURVEY OF THE NORTHERN CORRIDOR
TRANSIT SECTION OF ELDORET – MALABA – MBALE – GULU –
ELEGU/NIMULE – JUBA

BACKGROUND

Introduction:

1. The Northern Corridor Transit Transport Coordination Authority (NC-TTCA) was established in 1985 under a multilateral Agreement; the Northern Corridor Transit and Transport Agreement (NCTTA) to co-orderate implementation of the Agreement and carry out decisions and resolutions reached by the Policy Organs of the Authority.

2. The Northern Corridor Transit and Transport Agreement (NCTTA) provides a framework for cooperation on issues related to trade and transport among the member States of Burundi, Democratic Republic of Congo, Kenya, Rwanda, South Sudan and Uganda. One of the key activities of the Transit Transport Coordination Authority of the Northern Corridor (NC-TTCA) is the identification and removal of Non Tariff Barriers along the Northern Corridor as one of the channels to facilitate trade and reduce the cost of doing business along the Northern Corridor.

3. The Stakeholder Surveys is one of the means the NC-TTCA Secretariat uses to identify the causes of the challenges faced by the users and regulators along the Northern Corridor. The past surveys showed that the performance of the different transit sections and nodes along the Northern Corridor are interdependent, a problem at one point of the Corridor may have a direct or an indirect impact on the performance of the other points along the Corridor. The NC-TTCA Executive Committee directed the Permanent Secretariat to conduct periodic surveys of the Northern Corridor transit sections in order to identify and address the challenges faced by the users and operators along the Corridor.

4. The Survey of the Northern Corridor transit section of Eldoret – Malaba – Mbale – Gulu – Elegu/Nimule – Juba was undertaken from 01st to 08th September 2013 by a Survey Team comprising of the Public and Private sector stakeholders involved in the handling and clearance of cargo along the Northern Corridor. The survey was followed by a Stakeholders Workshop and a Country Consultative mission for South Sudan

Objective of the Survey, Workshop and Country Consultative Mission:

5. Objective of the Stakeholders Survey was to:

   - Identify the causes of delays and high costs of doing business along the Northern Corridor and come up with actions to address the recurring delays and the associated costs.
• Promote collaboration among the public and private sector stakeholders to address their day to day operational challenges at the transit nodes.

• Obtain on spot updates on implementation of earlier recommendations made by the NC-TTCA policy organs and state of play of implementation of the trade facilitation instruments.

• Identify areas/points with infrastructure deficiencies, locations for setting up roadside stations and wellness centers, and identification of opportunity for private sector participation in infrastructure development along the Northern Corridor.

6. Objective of the South Sudan Stakeholders Workshop and Consultative Mission was to:

• Create awareness among South Sudan stakeholders about the Northern Corridor TTCA, its mission, objectives and strategic plan.

• Disseminate the Northern Corridor Transit Transport Agreement and its protocols as well as the latest trade facilitation initiatives and developments.

• Identify focal points for the NC-TTCA Programs and Projects and disseminate forthcoming activities to enable the stakeholders make preparations.

• Identify focal points in institutions providing data for the Transit Observatory.

• Obtain the South Sudan Northern Corridor designated transport routes and Customs Offices in accordance with the 2nd and 3rd protocols of the Northern Corridor Agreement.

Methodology:

7. A multidisciplinary Survey Team comprising of the key public and private sector stakeholders involved in the handling and clearance of cargo along the Northern Corridor was constituted.

8. A check list used as a guide to conduct the survey, highlighting the transit nodes to be surveyed and areas of focus at these nodes was developed.

9. The survey entailed:

• Making physical observations;
• Examination of the business processes and the documents used in clearance of cargo;
• Interviewed the public and private sector operators involved in the handling and clearance of cargo and people;
• Held plenary meetings with the stakeholders at the key transit nodes to enable the stakeholders to have an input in the recommendations arrived at.
Scope of the Stakeholders Survey:

10. The survey covered the under listed Northern Corridor transit sections and nodes
   - Eldoret – Malaba
   - Malaba – Mbale – Gulu – Elegu/Nimule
   - Elegu/Nimule – Juba

11. The Key stakeholders met during the survey, workshop and country consultation mission included:
   - Ministry of Transport and Roads officials
   - Revenue/Customs Authorities
   - Highway/Road Authorities
   - Customs Clearing Agents
   - Transporters
   - Police
   - Immigration
   - Standards Agencies
   - Cargo handlers (Parking Yard, Transit Sheds and ICD’s Operators)
   - Chambers of Commerce
   - TMEA, Country Office in Juba.

12. The areas examined during the survey and the Consultation Mission included:
   - Infrastructure/facilities used in the transportation, handling and clearance of cargo
   - Transport policies and regulations in place
   - Documentation
   - Transaction Costs
   - Axle Load enforcement
   - Cross cutting issues (safety, security etc)
   - Updates on the new developments along the Northern Corridor which include:
     - Clearance processes and documentation at the Mombasa Port
     - Transport Observatory requirements
PART I

OBSERVATIONS MADE DURING THE SURVEY

A. Eldoret Transit Node

Eldoret Kenya Pipeline Company Fuel Terminal:

13. The Eldoret Fuel Terminal/Pump Station 27 dispenses fuel destined in transit and fuel for the Kenya domestic market. The terminal has a storage capacity of 50 million liters used in the storage of the four different types of products namely PMS, AGO BIK and Jet A-1.

14. Procedure for getting fuel at the Eldoret Terminal: The tankers undergo a safety inspection check before being received for loading → clearing agents make a customs entry → Clearing agent obtains a queue number from the pipeline company → KPC-Stocks confirms that the OMC has stocks → product is loaded onto the fuel tankers and a bill of lading generated by KPC → Clearing agent lodges documents to KRA DPC for clearance → Clearing agents processes gate pass from KRA/KPC → Fuel tanker exists depot.

15. It takes about 30 minutes to load a fuel tanker at the Eldoret Terminal and the tankers are loaded such that they comply with the gross vehicle weight load limits i.e. fuel tankers are loaded according to their GVW load limits configuration. The maximum fuel loaded in a tanker is 35M$^3$ for PMS, 34 M$^3$ for JET A-1, 33M$^3$ for BIK and 31M$^3$ for AGO. Despite KPC and KRA process taking less than 2hours to have the truck loaded and cleared out of the depot. The tankers are held at the depot for longer periods until the OMC’s confirm that payment for the fuel has been effected by the buyer before the tanker is released to proceed out of the depot.

Left: KPC vehicle inspection yard Right: KPC Fuel Storage tanks with capacity of 50 million liters. Often the inspection yard is used as a detention facility by the OMC’s to compel their clients pay for the fuel before releasing the loaded tankers. Keeping loaded tankers for long hours in the inspection yard located near the fuel storage tanks is risky.
Challenges at the Eldoret Fuel Terminal:

16. Congestion of the vehicle inspection yard by loaded fuel tankers: This hinders easy access to collect fuel from the depot by empty tankers; furthermore, keeping loaded fuel tankers for long periods near the fuel storage tanks creates safety risks at the depot. It was further reported that some loaded tankers stay overnight at the vehicle inspection yard. This was attributed to tankers which are loaded with fuel before payment is made by the fuel buyers/importers to the OMC's.

17. Slow inter KRA business systems reconciliation process: KRA business systems are not working in tandem, reconciliation among the systems takes long after a transaction is completed in one system to be reconciled in the other which delays the release of the fuel tankers from the depot. It was reported that the manual process that was being used before automation was faster which calls for re-examination of the automated business processes in place.

18. The OMC’s need the temperature of the product (fuel) at the time of loading the tankers for computing the standardized volume of the product which is used for billing the fuel buyers.

19. The principal of first come first served is difficult to observe in the loading of fuel tankers at the depot. This was attributed to fuel tankers which are allocated queue numbers to access the depot before they arrive at Eldoret.

20. The clearing agents are unduly penalized by South Sudan Customs at Nimule border station when there is a variation in the name of the consignee on the Kenya customs T812 entry from that on the T810 entry.

21. The tankers are allowed four hours to travel from the Eldoret depot to the Malaba border after which the drivers are penalized. This time is not enough given the weighbridges along the way and the long queues of trucks normally along the road leading to the Malaba border station.

Eldoret ICD

22. The Eldoret ICD belongs to KPA; the ICD has a well paved yard, a warehouse, verification sheds, railway siding, enclosed in a wall fence and flood lights to support operations at night. At the time of our visit operations of handling cargo had stopped at the ICD and the facility was housing a university. The university has about 6,000 students. The poor functioning of the railway system was reported as the key contributor to the collapse of the usage of this facility as an ICD.
Eldoret ICD: Strategically located for intermodal transport interchange: road, railway and pipeline and has good cargo handling infrastructure but is not being utilized as a result of the poor functioning of the railway system.

Eldoret Railway Station:

23. The Eldoret railway station has 13 lines and the capacity of the yard can accommodate 200 wagons. At the time of our visit there were less than 20 wagons in the yard. The Eldoret station is predominantly a transit station which coordinates trains to and from Nakuru and Malaba. It was reported that the station currently handles 6 trains per day of which 4 trains are for local traffic 2 trains are for transit. A locomotive from Nakuru to Eldoret can pull up to 17 wagons and a locomotive from Eldoret to Malaba can pull up to 25 wagons. Local traffic from Eldoret mainly comprises of maize, sugar and wheat destined to Nairobi and Mombasa.

24. Challenges highlighted at Eldoret Railway Station include:

- The permanent way has grown old and the station has only one shunting engine that is used for shunting at the Eldoret railway station and for repairs of the permanent way between Eldoret and Nakuru and between Eldoret and Malaba.
- Slow speed of offloading cargo received at Kampala to free the wagons.
- Retraining of staff to cope with the new technology being deployed.
Eldoret – Malaba Highway

25. The Survey Team observed double parking of trucks at Bukembe Trading Center, it was further reported that it is common to encounter double parking of trucks at this Trading Center. Double parking of trucks along the highway compromises road safety at this point. Furthermore, at Kipkaren Trading Center the survey Team encountered a truck that had failed to climb the steep slope rolling backwards. Despite the steep road at this Trading Center there are no climbing lanes for slow moving trucks. It was reported that often heavily loaded trucks fail to climb get stuck in the middle of the road putting other roads users at risk.

Left: Bukembe Trading Center is located along Eldoret-Malaba Highway double parking of trucks is common at this trading center which creates a road safety risk to other motorists using the highway. Right: Kipkaren Trading Center despite the steep slopes at this point there are no climbing lanes, furthermore, the steep road slopes meet at a narrow bridge. Often trucks fail to ascend the hill and get stuck in the middle of the road at times they freely roll backwards.

B. Malaba Transit Node:

Malaba Railway Station and OSBP:

26. The Malaba Railway Station operates a customs OSBP. The railway station has three running lines and 8 lines for shunting; the station is also equipped with facilities for repair of sick wagons. RVR has an automated system for tracking wagons across its railway network.

27. The station on average runs three trains per day of which one train is destined to Uganda. Most of the wagons on the trains received from Uganda are empty. The station also handles intermodal transport containers which are transshipped from trucks and loaded on wagons at Malaba destined to Mombasa and goods in transit transshipped from wagons to trucks destined to Uganda and South Sudan.
28. To beef up security of cargo transported by railway all trains are given police escort. The cargo received by railway at the station is expected to be supported by customs entries (T812/C17A) delivery orders or commercial invoices for the goods being transported.

Malaba Railway Station: Left – Wagons awaiting customs clearance. Right – Railway OSBP Office; good office facilities availed by RVR, however, during the visit by the Stakeholders Survey Team there wasn’t any customs staff present.

29. Challenges at Malaba Railway Station/OSBP:

- Frequently there are no customs staffs at the Railway OSBP office; clearing agents have to hunt for KRA/URA customs clearance across the Malaba border station before the trains can proceed on their transit journey.
- There are wagons that arrive in the yard without a copy of the customs T812 which is vital in the clearance of goods at the border.
- Some stakeholders involved in the clearance of cargo do not work on Sundays and public holidays.
- Breakdown of the customs business systems (SIMBA/Asycuda)
- It was reported that inter-agency sharing of documents is still manual and interconnectivity was lacking for the already automated portion of the business processes.

Malaba Border Station:

30. Malaba border station is the 2nd busiest transit node along the Northern Corridor after the Mombasa Port. Despite several interventions and measures to expedite clearance of cargo at Malaba, the long queues and hold up of trucks at Malaba is still a common experience which calls for re-examination of the business processes to find a lasting solution to the problem.
Queue at Malaba Border Station: At the time of the Stakeholders Survey the queue was over 4kms long with over 200 trucks queuing to cross into Uganda. Delays at border stations contribute the biggest portion of the transit time and cost of doing business along the Northern Corridor.

Kenya Police:

31. Kenya Police offers security at the border 24/7 and has one check point at the entry/exit gate. Currently the Police play no role in the clearance of goods at the border; Kenya Police does not participate in the joint verification of goods since the goods are examined on the Uganda side of the border.

Immigration Kenya:

32. It is a requirement by law for anybody leaving or entering Kenya to clear through the immigration office. One must be in possession of valid travel documents (passport, laissez passé or temporary pass) to be cleared for entry or exit from Kenya. There are no visa fees for travelers with EAC travel documents, the single entry visas for DRC and South Sudan passport holders costs US $50 valid for 3 months, the transit visa costs US $20. The multiple entry visa which is valid for 1 year is obtainable at the immigration headquarter office Nairobi and costs US $100, the application fees for the multiple entry visa is US $10.
33. Kenyan citizens without passports wishing to travel to Uganda can obtain a temporary pass at the Malaba immigration office; the requirements are the national identity card, two recent colored passport size photographs and 300 Kenya Shillings.

Kenya Revenue Authority

34. Malaba border station is a 24/7 hour station and operates under the OSBP regime. The station handles on average 1,200 consignments (transit and exports from Kenya) and 200 consignments (transit and exports from Uganda) pay day. Vehicles crossing the border from Kenya are cleared at the Uganda side of the border and those crossing the border from Uganda are cleared at the Kenya side of the border.

35. KRA uses the SIMBA system; declarations are made online by the clearing agents and the documents are processed at the Document Processing Center (DPC) Nairobi. Examination of the goods at the border is targeted basing on the profiled risks and is jointly carried out by the parties interested in the inspection of the consignment. However, at the time of the Stakeholders Survey, all examination of goods was being done on the Uganda side of the border due to the ongoing construction of the OSBP infrastructure on the Kenya side of the border. As such Kenya Police has not been participating in the examination of goods even were they have interests making it difficult for them to fully perform their functions at the border.

36. The Joint Border Committee (JBC) at Malaba Kenya is functional and meets every fortnight to address any operational challenges at the border.

Left: Malaba-Kenya OSBP construction expected to be completed by December 2013. Right: A new bridge with a span of 42m is being constructed across the Malaba River; the construction of the bridge is being funded by the World Bank.
Malaba traffic mix up: Human and vehicle traffic mixed up creating a challenge for the regulators to perform their regulatory roles. It is easy for prohibited items and illegal immigrants/criminals to sneak through the borders unnoticed.

Uganda Revenue Authority:
37. Procedure for clearance of goods; Goods from Kenya to Uganda and those in transit thorough Uganda are received at the OSBP desk in Uganda → The truck driver or his clearing agents presents the customs documents accompanying the goods to the KRA officer at the OSBP desk → The KRA officer formally exits the goods out of Kenya and allocates an outward rotation number for the truck/goods → The KRA OSBP Officer passes the documents to his Ugandan counterpart (the URA Officer) at the OSBP Desk who formally receives the goods into Uganda and allocates the truck/goods an inward rotation number.

38. The initial import/transit cargo transaction tracking information for goods crossing into Uganda is captured in the Customs Reconciliation System (CURES) by URA → the Clearing agent makes a declaration (captures an IM8) in AsycudaWorld and makes any payments due in the Bank → The Asycuda system allocates a Customs officer to process the transaction → The clearing agents bond is committed and the Customs Officer generates a customs release order (T1) upon approval of the IM8 → the T1 is used by the driver to proceed on transit.

39. The customs bond executed at Malaba is canceled upon exit of the goods from Uganda by the URA Officer at the exit border. CURES and AsycudaWorld are integrated such that when one captures an entry in the AsycudaWorld reconciliation is done immediately in CURES.
The system also sends a message to the traders phone to alert him/her that an entry has been captured against his/her TIN. In case of a query the trader or his agent can print the query from his office and respond to it without having to visit the customs office.

40. The Simplified Trade Regime (STR) is used at Malaba with a threshold value of US $2,000; ES9 is the regime code used for the clearance of goods under the simplified exports regime for goods from Uganda and PB4 is the regime code used for the simplified imports clearance in Uganda. There is a trade information desk at the border which is availed with the common list of products which benefit from the STR.

**Immigration Uganda:**

41. Travelers entering or leaving Uganda must possess valid travel documents and must be cleared through the immigration office like in Kenya. The Uganda visa policy is reciprocal, the single entry visa fees is US $50 for DRC and South Sudan citizens and is valid for 14 days from the date of issue at Malaba. Renewal of visas and issuance of multiple entry visas is done at the immigration headquarters Kampala or at the Uganda Embassies where the person seeking the visa is resident. One has to appear in person to obtain a visa. The one year multiple entry visa costs US$100 and may be obtained at the Uganda Embassies or at the immigration head office Kampala.

42. **Challenges at Malaba Border:**

- Unaccounted for goods; not all of goods declared at Mombasa in transit to Uganda via Malaba or in transit through Uganda are received at the border as per the advance information received by URA from Kenya.

- Goods in transit transported by trucks that were de-registered by DRC; trucks with registration number plate series OR, NK and SK were reported to have been de-registered by DRC. The registration number plate series that are currently recognized by DRC are the CGO series.

- Clearing agents are not fully utilizing the 24/7 operations. Clearing agents do not work through the night thus trucks arriving at night at the border cannot be cleared to proceed on transit which is a key contributor to the congestion of trucks at the Malaba border.

- The site for the construction of the OSBP infrastructure on the Uganda side of the Malaba border was handed over to the contractors on 19/08/2013 this is likely to cause some challenges especially if the construction on the Uganda side commences before completion of the construction of the OSBP infrastructure on the Kenya side.

- There are no scanners to minimize on physical intrusive examination of goods at Malaba border.

- The narrow roads leading to the border station contribute to congestion of vehicles and blockage of the road. At times even when a truck is cleared it cannot proceed on its journey.
• The Malaba border station is not equipped to detect narcotic drugs and other banned substances (lack of sniffer dogs – K9’s). Furthermore, there is absence of staff specialized in forestry mines and wildlife to help in detection of prohibited items.

• The gates at the border are opened 24/7 without anyone manning them, vehicles and people pass through them unabated.

• KRA lacks a resident IT person to trouble shoot IT problems as they arise, they rely on the regional IT person based in Kisumu.

• Low staff levels to effectively sustain the 24/7 operations at the border e.g. It was reported that KRA has only 49 staff (Technical and support staff) at the border a number reported to be low given the workload.

• The inter-state bus operators do not prepare proper documentation needed at the border by the regulators for clearance of their passengers and crew.

• There are frequent power black outs which interrupt operations at the border.

• Some of the drivers do not have proper identification, do not know how to write and lack the details of their destination.

• Configuration of the border stations and the location of the Uganda immigration office makes it difficult for immigration to perform their functions properly some people end up leaving or entering the country without clearance by immigration. It was reported that some truck drivers evade clearance through the immigration offices at the border.

• Despite handling large quantities of fuel tankers the station does not have firefighting equipment.

• The URA Kayembe check point is near the exit gate and causes congestion of trucks exiting the Customs yard and the two private parking yards located near the check point. The congestion of trucks at this point inconveniences other road users.

• Complaints were registered against the demand for COMESA insurance cover by Police even when a foreign registered truck has local insurance cover obtained from an insurance company in the country of transit.

C. Mbale Transit Node

Mbale – Tororo Weighbridge Station:

43. The weighbridge is operated by Uganda National Roads Authority (UNRA). On average 100 trucks are weighed per day the majority of which are destined to South Sudan. The weighbridge is calibrated after six months to ensure it works efficiently. The documents required from the driver at weighing include customs declaration or delivery order or motor vehicle log book. After weighing the truck the driver is given a weighbridge ticket.
Tororo-Mbale Weighbridge Station: The station faces a challenge of where to park trucks found not to comply with the vehicle load regulations pending settlement of offences.

44. Offence management process commences; Police Form 53 is completed → the driver is escorted to Police (O/C Traffic Mbale) → Driver is taken to Court → Driver pays fines in the Bank → the driver offloads excess weight → the truck released to continue on its journey. The driver may opt to bring another truck to carry the excess load to destination. In case of goods under customs control the offloading and transshipment of goods is supervised by customs.

45. The documents given to the driver after finalizing the offence management includes a copy of Form 53, charge sheet and copy of paid bank slips. It was reported that it was rare to find trucks carrying fuel and semi trailers carrying one container to be non compliant with the vehicle gross weight limits or the axle load limits.

46. Challenges at the Tororo – Mbale Weighbridge:
- Drivers lack awareness of vehicle load control requirements and the need for Government to control axle loads, some drivers are rude and arrogant.
- Lack of parking yard for vehicles impounded for non compliance.
Mbale Railway Station:

47. The Mbale Railway Station last handled internationally traded goods in 1998. By the time of our visit, it was reported that efforts were ongoing to fix the permanent way linking Tororo to Mbale and line linking Mbale to Lira. Currently the train being run from Tororo to Mbale transports 150 tons (5 wagons) from Tororo Cement Industries.

Mbale Railway Station: The railway lines at this station have been engulfed by weeds.

D. Lira Transit Node

Lira Railway Station:

Left: Lira Railway Station was last under operations in 1997. Right: Repairs of the railway line linking Lira to Mbale and the line linking Lira to Gulu have commenced.
**Boroboro – Lira Weighbridge:**

48. The trucks weighed at this weighbridge are those mainly proceeding to South Sudan, Gulu and DRC. The weighbridge is located about 5kms from Lira town and on average about 100 trucks are weighed daily at this weighbridge.

**Boroboro Weighbridge near Lira Town:**

49. The major challenge observed at this station was lack of parking yard for vehicles that do not comply with the vehicle load regulations. The survey team also observed that a couple of drivers when requested to present their weighbridge tickets got from the preceding weighbridge stations reported that they had not received them. All trucks are weighed at this weighbridge irrespective of whether they were weighed at the preceding weighbridge stations even if the trucks are sealed and in transit.

50. The Survey Team encountered a driver who had spent more than two weeks at the weighbridge station because he lacked money to pay the penalties arising from non compliance to the vehicle load limits.

**Status of the Tororo – Mbale – Soroti - Lira – Gulu Road Transit Section**

51. The Tororo – Gulu transit section stretches for a distance of about 400km of which some sections are in good condition, others are under repair and some are in poor condition.

- Tororo – Mbale; this section covers a distance of 40km and it is in poor condition but reconstruction of the road is ongoing. This section has one weighbridge station.

- Mbale – Soroti; this section covers a distance of 100km and it is in poor condition but reconstruction of the road is ongoing. There is no weighbridge station along this section.
Soroti – Lira; this section covers a distance of 122km and it is in good condition. This section has one weighbridge station located at Boroboro which is at a distance of about 5km from Lira town.

Soroti – Lira – Kamdin Road: Stretches for a distance of 200km and it is in good condition.

- Lira – Kamdin; this section covers a distance of 82km and it is in good condition. There is no weighbridge station along this section.
- Kamdini – Gulu; this section covers a distance of 26km and it is in poor condition. There is no weighbridge station along this section.
E. Gulu – Elegu/Nimule Road:

52. Gulu – Elegu Road covers a distance of about 133kms and it is currently the main transport route connecting Uganda to South Sudan. The road is currently being upgraded to tarmac, however, whenever it rains heavily the road becomes impassable to cargo trucks and it takes a couple of days before traffic can flow normally. The Survey Team experienced the challenges the truckers go through along this road during the rainy season; see pictures below:

Gulu-Nimule Road: Completion of the upgrade of this road will go a long way to reduce the transit time and cost of doing business notwithstanding the losses suffered by traders of perishable goods. Bottom Right: Even trucks being used to deliver materials for the road construction were unable to move. The survey Team encountered over 500 truckers that had spent over 10 days stuck with cargo along this road.
F. Elegu/Nimule Transit Node:

53. Elegu/Nimule border is located 133km by road Northern of Gulu Town. Nimule border is currently the major entry point by road into South Sudan.

URA-Customs Elegu

54. On average URA clears 200 trucks in transit to South Sudan every day and 100 trucks from South Sudan to Uganda. Most of the trucks received in Uganda from South Sudan are empty. Trucks in transit/exports to South Sudan are recorded in a manual register at the station and the T1 transit entry is validated in the Asycuda system by the URA customs officer at Elegu to cancel the customs bond executed at the station of entry in Uganda. It takes about 10 minutes for a URA customs officer to process for exit a truck in transit to South Sudan.

55. The documents relating to the trucks released to cross to Nimule – South Sudan are collected by the staff of South Sudan Customs from the URA Elegu Customs office.

Elegu Parking Yard: The yard has a capacity of 200 trucks and it is owned by private developers, the charges for overnight parking are Ushs5,000 for a lorry and Ushs 10,000 for a trailer.

Immigration Uganda:

56. Travelers are required to have valid travel documents in order to be cleared by immigrations, the travel documents include; a passport, a temporary permit or a pass. If the traveler has completed the immigration entry/declaration form and presented it to the
immigration officer at the counter it takes the officer about one minute to clear the traveler if his/her travel documents are not queried.

57. It takes about 30 minutes for one to process temporary travel documents at the Elegu Immigration Office. The temporary travel document costs Uganda Shillings 10,000 and one has to prove his/her Uganda citizenry, the applicant has to present two recent passport size photographs to the immigration officer and his/her Identity Card or letter from his area local administration. The temporary travel document is valid for 90 days.

58. The single entry visa for South Sudan and DRC citizens costs US $50; multiple entry visas are issued at the immigration Headquarter Office Kampala. A multiple entry visa which is valid for 1 year costs US $100. Student passes are issued for free but one has to present a recommendation from the school where s(he) is admitted. For short term employment special passes are issued which are valid for three months renewable for another two months.

59. **Challenges at Elegu/Nimule Transit Node**
   - The road linking Gulu to Elegu/Nimule is being upgraded, however, whenever it rains there are floods in some sections of the road and it may take a couple of days before the road becomes passable by big trucks.
   - There are delays in collecting customs documents for goods released to Nimule– RSS by URA Customs. The documents are collected by staff of Customs – RSS
   - There is lack of awareness of the regulations and procedures for clearance through customs and immigration by some travelers.
   - There is a problem of language barrier and some of the travelers cannot read and write.
   - There is lack of power at the Uganda immigration office from 06:00pm to 06:00am.
   - The Uganda cross border traders reported being subjected to multiple taxations by South Sudan; there are several categories of taxes levied at different levels of administration in South Sudan; there are federal taxes as well as central administration taxes which are levied on the same goods. Furthermore, the taxes levied were said to be unpredictable.
   - Traders reported that at times they are not well treated by the law enforcers.
   - Some travelers do not clear through immigration before exiting or entering into the country.

**Immigrations Nimule – South Sudan**

60. To enter/exit the Republic of South Sudan (RSS) one is required to have valid travel documents. A background check is made on a traveler before being issued with a visa to enter the RSS, a single entry visa costs US $50 and the travelers gets a sticker for the visa
in his/her passport and a receipt reflecting the payments made. The validity of the visa depends on the purpose of the visit.

61. Uganda citizens are given a single entry visa valid for 90 days. Multiple entry visas for the RSS are not issued at the border station; they are issued at the immigration Head office in Juba, the cost of the multiple entry visas depends on the period of validity.

62. Each day 300 – 500 travelers enter the RSS and another 300 – 500 travelers exit the RSS through Nimule, the border is closed at 06:30pm or until the last person in the queue is cleared.

63. **Challenges**
   - There are travelers that report to the border station with invalid or without travel documents; furthermore there are some travelers that lack any form of identification.
   - There are travelers with Kenya temporary travel documents but without the Kenya National Identity Card.

**G. Juba Transit Node**

**Nesitu Check Point and Parking Yard:**

64. Nesitu check point and parking yard is located about 18kms from Juba. It should be noted that all cargo entering South Sudan is cleared at Nimule border. However, all goods from the border stop at Nesitu check point before proceeding to Juba.

**Nesitu Check Point and Parking Yard:** The yard has a big acreage and is still being developed, provision of examination and storage facilities at this yard is necessary.

65. Procedure for clearance at Nesitu: The driver or the clearing agent presents the documents used to clear the goods to the customs officers at Nesitu, the customs officers examine the documents and in case of perishable goods they are checked to confirm that they have not
expired. The customs tariff section crosses checks to ascertain whether the correct taxes were paid. In case of any query it is forwarded to the customs head office and the cargo/truck is escorted to Jebel Kujur customs parking yard for examination and storage pending settlement of the query. Examination of goods is done jointly with staff of the National Bureau of Standards. After payment of the taxes and fines the cargo is released to the owner.

66. The other Government agencies operating at Nesitu check point are;

- The Ministry of Finance, Commerce, Investment and Planning which ascertains whether the goods being imported or exported are covered by an import or export license. They also record and maintain information on the volume of trade, monitor and track companies involved in import/export trade.
- The RSS –NBS checks whether the goods being dealt in meet the regulatory standards. RSS-NBS is also responsible for checking whether animals imported in the country meet the healthy requirements.

67. Over 100 trucks are received at the Nesitu check point every day, the period of stay at the check point depends on the speed at which the clearing agents provides the necessary documents and responds to the queries raised. The working hours are 08:00am to 05:00pm, Sunday is not a working day, nevertheless, there is skeleton staff available to clear perishable goods and fuel. The Nesitu parking yard belongs to Central Equatorial State Revenue Authority and the parking fees is 10SSP per day per truck.

68. **Challenges:**

- There is lack of man power to offload trucks during examination of goods.
- Often Goods are not properly packed in the trucks making it difficult to be examined.
- The yard is not in good condition; the drivers park along the road for fear of their trucks getting stuck in the mud when it rains and overturning due to the big potholes in the yard.
- Drivers of refrigerated containers have a tendency of turning off the engines of their vehicle at night and only turning them on in the morning which compromises the quality of the foodstuffs (chicken)

**Juba Port:**

69. Juba Port is one of the seven major river ports along the River Nile, the other major ports are Mangala, Bor, Shambe, Malakal, Adok and Renk. Juba port is the last port upstream and Renk is the last Port downstream along the River Nile in the RSS. The distance between Juba Port and Renk is 1,265km. The depth of the river ranges from 2.5m to 6m.
Juba Port: Currently traffic along the Nile in the RSS is to domestic destinations, there is no international freight.

70. Transport along the River Nile is by barges and motor boats. There are 83 barges operating along the River Nile between Juba and Renk with a capacity of 300 – 450 tons. It takes about 11 days for a barge to sail from Juba to Renk and about 18 – 20 days to sail from Renk to Juba. The barges are owned by private companies.

71. At the time of the Stakeholders Survey there were no imports or exports transported by the River Nile through Sudan. The River Nile in the RSS is currently used to transport cargo and people domestically. However, during the rainy season it is possible to use River Sobat for international freight that links Malakal to Gambiela town in Ethiopia. The Juba Port Authority charges 6SSP per ton of cargo transported through the Port. The Port is still under construction; a 35m long jetty is being constructed by JICA.

72. **Challenges:**
- The port does not have cargo handling facilities; the vessels are loaded and offloaded using manual labor.
- Silting of the River Nile.
- Human resource skills gaps
- The Juba Port Authority does not own a single barge.
- During the dry season the water level/depth of the river falls which negatively affects the movement of the vessels.
PART II

SOUTH SUDAN STAKEHOLDERS SENSITIZATION WORKSHOP

South Sudan Stakeholders Workshop: Mr. Ndurya M. Mwadzaya of Kenya Ports Authority makes his presentation during the Stakeholders Sensitization Workshop organized in Juba by the Northern Corridor Secretariat.

Presentations Made During the Workshop

73. The South Sudan Stakeholders workshop was organized by the NC-TTCA Secretariat to sensitize the stakeholders about the Northern Corridor and the operations of the key stakeholders involved in the handling and clearance of cargo along the Northern Corridor. The Workshop was opened by Eng. Lado Tombe from the Ministry of Transport Roads and Bridges. Presentations were made by the NC-TTCA Secretariat, Kenya Ports Authority, Kenya Revenue Authority, Kenya Police and Kenya Transporters Association. Below are the highlights of the presentations made;

NC-TTCA Permanent Secretariat

74. The presentations made by the Permanent Secretariats focused on the structure and role of NC-TTCA and the Transport Observatory project.
The Northern Corridor: Transport system linking the member States with the Port of Mombasa. It comprises of the road, railway, pipeline and inland waterways network in addition to transit nodes such as ports, border stations, weighbridges, transit parking yards and roadside stations.

Structure of NC-TTCA:

75. The NC-TTCA was established under an Agreement; the Northern Corridor Transit and Transport Agreement (NCTTA) which provides a framework for the operations of the Authority. The NC-TTCA is currently comprised of six member States namely Burundi, DRC, Kenya, Rwanda, South Sudan and Uganda. The NC-TTCA functions through three main organs which work closely to realize the objectives of the Agreement namely;

- **The Council of Ministers:** comprises of Ministers responsible for transport in the member States. The Council of Ministers is responsible for the overall policy direction of the Authority and meets once a year.

- **The Executive Committee/Board:** comprises of Permanent Secretaries or their equivalent responsible for transport matters in the member States. Executive Committee is responsible for formulating strategies for transport and trade facilitation, infrastructure
development and harmonization of national and regional policies. The Executive Committee meets twice a year.

- **The Permanent Secretariat:** comprises of staff from the member States and is headed by the Executive Secretary. The Secretariat is responsible for coordinating implementation of the NCTTA and any other decisions and resolutions made by the Authority and Executive Committee.

- **The Technical Committees:** there are four technical committees namely; Customs and Trade Facilitation, Transport Policy and Planning, Infrastructure Development and Management and Private Sector Investment and Promotion. The Technical Committees offer technical advice to the Executive committee and comprise of technical experts from the member states in charge of the respective disciplines. The Technical Committees meet at least once a year.

- **The Stakeholders Consultative Forum:** comprises of top-level representatives from public and private sector institutions of the member States. The Forum is held once a year to review operational matters and to agree on practical solutions which they then implement.

76. **Objectives of the NC-TTCA:**

- To facilitate trade, the movement of persons, vehicles and goods in domestic, regional and international transport.

- To stimulate economic and social development in the territories of the member States

- To transform the Corridor into a Development Corridor which, in addition to offering safe, fast and competitive transport and transit services that secure regional trade, stimulates investment, encourage sustainable development and poverty reduction.

- To implement strategies for accelerating economic and social growth along the Corridor while ensuring environmental sustainability.

- Take measures to:
  - Expedite the movement of freight along the Corridor
  - Minimize incidence of customs fraud
  - Simplify and harmonize documentation and procedures relating to movement of goods in transit
  - Improve transport infrastructures and facilities
  - Adopt ICT to improve exchange of information and to monitor movement of cargo along the Corridor

**Transport Observatory Project TOP**

77. The Transport Observatory was developed to monitor performance of the Northern Corridor, track costs and delays along the transit sections and to support informed decision making.
The Transport Observatory provides a set of tools for diagnosing problems, helps in identification of areas where improvements are needed and reports from the observatory support the making of informed timely interventions.

78. The Northern Corridor Secretariat is the first Corridor Management Institution in Africa to come up with a functional Transport Observatory. The TOP is a web based system and is currently online and accessible from any location on [http://top.ttcanc.org](http://top.ttcanc.org)

**Corridor Performance Indicators (CPIs)**

79. The TOP uses Corridor Performance Indicators to measure, monitor the performance of the Corridor and to measure the change in the situation over time. The Northern Corridor TOP has a list of 25 indicators grouped into these four main classifications:

- **Volume and Capacity:**
  - Mainly has imports and exports volumes desegregated in various ways.
  - Also provide transport equipment capacities for the corridor.

- **Rates and Costs Indicators:**
  - Covers various tariffs
  - Any other cost in the transport business of transit cargo.

- **Efficiency and Productivity**
  - Quality of the transport infrastructure.
  - Annual trucks millage, number of checkpoints, fraud/damages. Safety and security.

- **Transit Time and Delays**
  - Processes and transit times at various nodes and across countries.

- **Newly recommended indicators include:**
  - Import and export volumes
  - Weigh bridge compliance levels

80. The Transport Observatory has two main data sources; Secondary source data from ICT systems of stakeholders and Primary source data from surveys (Road surveys, GPS surveys and specialized surveys)

81. Stakeholders involved in providing data for the TOP include:

- Ministries in charge of transport
- Revenue authorities
- Ports Authorities and related organizations
• Authorities in charge of road and rail infrastructure development and maintenance
• Transporters Associations
• Private Sector Organizations
• Organizations operating rail transport etc

Sample of the GPS Transit Journey indicating the stops made by a truck from Mombasa to Malaba

Movement of a truck between Mombasa and Kampala via Malaba plotted using a GPS map
The table below shows the data collected from the GPS device for the truck in the GPS map above

<table>
<thead>
<tr>
<th>Date</th>
<th>Departing Location</th>
<th>Arrival at Next Location</th>
<th>Duration of the Journey</th>
<th>Distance Covered</th>
<th>Maximum Speed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thursday, March 28, 2013</td>
<td>4.014658 S 39.624588 E (Mombasa)</td>
<td>3.846255 S 39.451548 E (Mariakani)</td>
<td>1 hour, 19 minutes, 42 seconds</td>
<td>31.4 km</td>
<td>77.0 kmh</td>
</tr>
<tr>
<td>Friday, March 29, 2013</td>
<td>3.846201 S 39.451407 E (Mariakani)</td>
<td>1.601356 S 37.167174 E (Athi River)</td>
<td>7 hours, 51 minutes, 14 seconds</td>
<td>213.7 km</td>
<td>84.0 kmh</td>
</tr>
<tr>
<td>Saturday, March 30, 2013</td>
<td>1.601356 S 37.167174 E (Athi River)</td>
<td>0.607508 S 34.754375 E (Bungoma)</td>
<td>39 hours, 13 minutes, 32 seconds</td>
<td>614.6 km</td>
<td>102.0 kmh</td>
</tr>
<tr>
<td>Sunday, March 31, 2013</td>
<td>0.607249 N 34.754318 E (Bungoma)</td>
<td>0.465945 N 34.098773 E (Malaba)</td>
<td>3 hours, 33 minutes, 29 seconds</td>
<td>104.0 km</td>
<td>101.0 kmh</td>
</tr>
<tr>
<td>Tuesday, April 02, 2013</td>
<td>0.474174 N 34.094938 E (Malaba)</td>
<td>0.377777 N 32.566250 E (Kampala)</td>
<td>4 hours, 57 minutes, 5 seconds</td>
<td>19.5 km</td>
<td>75.0 kmh</td>
</tr>
<tr>
<td>Wednesday, April 03, 2013</td>
<td>0.377777 N 32.566250 E (Kampala)</td>
<td>0.377956 N 32.566276 E (Kampala)</td>
<td>25 hours, 26 minutes, 13 seconds</td>
<td>183.7 km</td>
<td>16.0 kmh</td>
</tr>
</tbody>
</table>

Data from the GPS Tracking System

Kenya Revenue Authority

82. The presentation made by KRA focused on the clearance of goods in transit with the highlights below;

- KRA is using the SIMBA; a web based automated customs business system which enables the stakeholders to access the KRA’s servers via the internet for lodgment of customs declarations and other services,

- The procedures for clearance of goods at the Mombasa Port and at other transit nodes along the Northern corridor can be accessed from the KRA website (www.kra.go.ke),

- In order to expedite the clearance of goods at the Port, KRA accepts pre-entries; one can declare his goods to customs prior to arrival of the ship at Mombasa to facilitate quick delivery of the goods from the port once the ships arrive.

- The primary documents required in making a declaration at the Port are; the first original copy of the Bill of Lading, copy of Commercial invoice, copy of packing list,
Motor vehicle export certificate (motor vehicle imports) and a copy of any relevant permits depending on the item being cleared. These documents should be sent to the clearing agent in advance prior to the arrival of the ship at Mombasa to prepare pre-entries. This will help to reduce the time the cargo spends at the port thus minimizing demurrage charges.

- Traders are given 21 days to have their cargo declared to customs at the Port failure to declare the cargo within this period the cargo is put on a want of entry list for auction. After the cargo is put on a want of entry list customs advertises the cargo for auction and the cargo is auctioned 60 days after it appears on the want of entry list.

- The transit period in Kenya is 30 days. An extension may be given at the discretion of the Commissioner of Customs.

- KRA provides advance information on cargo in transit through the RADDeX which can be used by stakeholders in the countries where the goods are destined to pre-declare the goods before their arrival to the countries of destination.

- In case of any complaints about the services offered by KRA one is encouraged to register his complaint with the station manager/ officer in charge at the KRA station or the KRA complaints information center e-mail address cic@kra.go.ke.

South Sudan Stakeholders Sensitization Drive: Leaders of the South Sudan Customs Clearing and Forwarding Agents hold consultations with their Kenyan counterparts.
Kenya Ports Authority (KPA)

83. Kenya Ports Authority was established as a statutory body on 20th January 1978 after the dissolution of the EAC in 1977 with the mandate to regulate all activities of scheduled seaports along Kenya’s coastline as well as inland water ports.

84. The ports under KPA’s mandate include; Mombasa, Lamu, Malindi, Mtwapa, Vanga, Kilifi & Kisumu

85. The Port of Mombasa serves Kenya which accounts for approximately 70 percent of total throughput; transit markets account for 29 percent of total throughput and comprise of Uganda, South Sudan, Eastern DRC, Northern Tanzania, Malawi, Burundi, Somalia & Ethiopia. 1 percent of the throughput is transshipment cargo.

86. Initiatives by KPA to improve trade facilitation include:

• Acquired initial 7 Ship to Shore (STS) gantry cranes to expedite offloading and loading of ships.

• KPA has 47 terminal tractors to shunt containers within and outside the Port area.

• Construction of an additional berth (Berth19) with a capacity to accommodate larger vessels with a length of 240metres. This gives the Port capacity to usher in Post Panamax vessels which carry bigger tonnage/more containers which will result in possible cost reduction due to economies of scale.

• Construction of a 2nd container terminal at Dongo Kundu, West of the current container terminal to increase port capacity by a further 18m metric tons beyond the 20m metric ton capacity which has been outstripped.

• Construction of the Port of Lamu at Manda Bay which is aimed at bringing closer port services to the people of the region as part of the LAPSSET project.

• The construction of the Isiolo – Merille road stretch which began in 2007 and was completed in 2011.

• Vision 2030 flagship projects aimed at propelling Kenya to an industrial nation include; standard gauge railway line from Juba to Lamu, major oil pipeline from South Sudan to Lamu and oil refinery at Bargoni, Lamu.
87. In 2012, South Sudan outpaced D.R. Congo to become the 2nd largest transit market after Uganda after recording 771,000 TEUS (Twenty Foot Equivalent Units). This was an increment of over almost 14 percent as compared to 2011 where the country recorded 665,000 TEUS transported via the Port of Mombasa.

<table>
<thead>
<tr>
<th>MOMBASA PORT TRANSIT MARKETS AND PERCENTAGE MARKET SHARE</th>
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<tbody>
<tr>
<td><strong>UGANDA</strong></td>
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<tr>
<td><strong>SOUTH SUDAN</strong></td>
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<tr>
<td><strong>DEMOCRATIC REPUBLIC OF THE CONGO</strong></td>
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<tr>
<td><strong>RWANDA</strong></td>
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<tr>
<td><strong>TANZANIA</strong></td>
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<tr>
<td><strong>BURUNDI</strong></td>
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<tr>
<td><strong>OTHERS</strong></td>
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<tr>
<td><strong>TOTAL</strong></td>
</tr>
</tbody>
</table>
88. Since independence in 2011, South Sudan has registered a tremendous growth in cargo turnover through the Port of 87 percent which significantly contributed to the overall increase of the Port’s turnover of 5.4 percent between 2011/12. This implies the growth rate for the South Sudan market is higher than the overall average.

89. Challenges highlighted:

- Poor Infrastructure: The road link has numerous deplorable stretches which are a major challenge to transporters in the form of costly delays due to reduced trips and high overhead costs.
- There is lack of a reliable railway network to link the Indian Ocean and Juba.
- Delayed off take of cargo from the Port due to liquidity concerns on the part of importers from South Sudan:
  - Leads to increased storage charges and contributes towards port congestion.
  - Makes it more expensive to the South Sudan importer and uncompetitive to ports.

90. KPA has opened up liaison offices for its transit markets in Uganda, Rwanda, Burundi and plans are underway to open up one in South Sudan. This is aimed at getting closer to customers this will also enable them to receive a firsthand account of the plight of their cargo before addressing their concerns with Mombasa and in due course Lamu.

**Kenya Police**

91. The role of the Kenya National Police Service is to take measures that provide a conducive environment for business to thrive through prevention of crime, detection of crime, maintenance of law and order, and law enforcement.

92. The National Police Service places emphasis is on early intervention strategies, crime prevention, rapid response with greater efficiency and effectiveness in policing and improved relations and collaborating with partner communities. Therefore the Police calls upon the stakeholders to report cases at the earliest opportunity and at the nearest Police Station.

93. The Kenya National Police Service expects the support and cooperation of all Partner States. From business people, it expects investments in modern technology that assist police to prevent crime and detect offenders in a timely manner. Such investments include installation of CCTV Cameras around business premises and transit cargo tracking devices which in the past have assisted Police to make arrests and recoveries.

**Kenya Transporters Association**

94. Kenya Transporters Association was founded in 1969 as Kenya African Road Transport Association (KARTA) latter changed its name to Kenya Transporters Association (KTA) and
was transformed into a limited company in 2011. KTA has an active membership of 250 truck transporters who own over 85% of the registered trucks in Kenya.

95. The mission of KTA is to represent, give advice and support road transporters through advocacy by conducting forums for negotiations with Government and relevant stakeholders. KTA advocates for policies, regulatory and administrative frameworks that facilitates competitive transport business.

96. Some of the service offered by KTA to its members include; Research, knowledge management and dissemination of information to members regarding policies and regulations, emerging trends in transport and road mapping for security hotspots.

97. Resolve operational issues such as weighbridge, customs, KPA and security concerns. KTA also provides of forum for networking by its members. The Association also Instills discipline and professionalism in the industry by establishing certification standards such as Code of conduct, environmentally friendly operations, certified drivers and HIV/AIDS support policies.

98. KTA promotes safety within the transport industry in Kenya through undertaking of vehicle safety and road safety measures for its members such as training of drivers in defensive driving, effective fleet and fuel management, ethical driving and stress management. In case of need KTA can be contacted using P.O. Box 88502-80100 Mombasa-Kenya, Tel. +254 412 312 015 e-mail info@kta.co.ke.

Driving Simulator: A trainee driver going through a practical simulator session at the KTA Ultra-modern training Institute for heavy commercial vehicle drivers at Mombasa. The training Institute was set up with the support of USAID-COMPETE.

**Workshop Deliberations**

99. The issues raised in the open discussion during the workshop include:

- There are several overstayed containers destined for South Sudan that are due for auction at the Mombasa Port.
• Delays by the traders in South Sudan to send back to Mombasa the containers used in importing goods through the Port of Mombasa thereby attracting high container retention charges by the shipping lines.
• There is no weighbridge between Nimule and Juba and the road has begun to get damaged by overweight trucks.
• There are numerous check points between Nimule and Juba.
• Despite the big volume of traffic through Nimule, the customs business processes are manual. Examination of goods is also entirely manually done.
• NC-TTCA called upon to undertake sensitization to enable RSS to fast track the domestication of the NCTTA.
• The RSS Customs Management Bill has not yet been passed.
• There is a challenge of non professional customs clearing agents operating in RSS.
• The stakeholders expressed interest to know the framework for the private sector participation in the spatial development plan of the NC-TTCA?
• Challenges of crossing the border by South Sudanese especially to Uganda.
• The stakeholders expressed interest to know the level of involvement of the RSS in the TOP.
• Difficult of getting trucks to transport cargo to South Sudan due to over stay of containers in the RSS, drivers report that they are not well treated in the RSS. The containers belong to shipping line if they overstay penalties apply.

100. **Recommendations Made during the Workshop**

- NC-TTCA Secretariat should undertake various sensitizations in all member countries – emphasis on South Sudan to support the domestication process of the NCTTA.
- The NC-TTCA Secretariat should undertake transport and transit audits in South Sudan after discussion with partners including TMEA on specific areas of concern.
- Development of an alternative route to Juba through Nadapal; NC-TTCA should critically examine the matter and prioritize it as part the NC-TTCA strategic plan.
- The RSS requested to consider applying to join FEAFA; the Chairman KIFWA pledged to assist in this matter.
- Conduct training/sensitization of the customs clearing agents as apriority, furthermore, all players in the business/logistics chain need to be sensitized to ensure that they are not a source of barrier to trade.
- The NC-TTCA Secretariat should assist the RSS to form Committees to participate in the NC-TTCA Secretariats’ activities.
- Kenya Ports Authority should regularly share information pertaining to over Stayed cargo at the Port of Mombasa with the South Sudan Chamber of Commerce and the South Sudan Business Union.
• The RSS through their Director General Foreign Trade Ministry of Finance Commerce Investment and Economic Planning may request for waver of storage charges for overstayed Cargo at the Port of Mombasa.

• The South Sudan Chamber of Commerce requested to assist the NC-TTCA Secretariat to implement the GPS survey for the South Sudan bound transporters that ply between Juba and Mombasa.

• The RSS requested to expedite the automation of operations of Customs and other stakeholders involved in the handling and clearance of goods are also requested to automate their processes.

• The RSS should consider extending hours of business at its borders which are busy and to embrace pre-clearance of goods at the borders to fasten clearance.

• The RSS requested to consider setting up a WB at Nimule to protect the new road to prevent premature damage to the road due to overloaded trucks.

• The RSS should be inducted and prepared to embrace the clearance of goods at the first Port or Station of entry of the goods into the region.

• The South Sudan Chamber of Commerce Industry and Agriculture requested to fast track the formation of Economic operators associations (Transporters, Traders, Agents, etc.) in the RSS.

• The RSS requested to appoint focal points for the different key stakeholders in South Sudan.
PART III

ICT Broadband Infrastructure Assessment Survey

101. **Objectives of the ICT Survey**

   a. To assess the state of ICT Infrastructure at the Border posts, and ICDs/Transit Sheds.
   b. To identify the mode of usage, extent of use and preferences in choice of connectivity to ensure business continuity at the borders or nodes
   c. Establish the level of service automation and computerization

**Areas Covered by the Survey**

102. The survey covered the following border posts, ICDs/Transit Sheds per country;

   - **Kenya:** Eldoret oil terminal (KPC) and Malaba Border (KRA & Immigration)
   - **Uganda:** Malaba Border (URA & Immigration), Weighbridge (UNRA) and Eregu Border (URA & Immigration)
   - **South Sudan:** Nimule Border (Customs & Immigration) and Nesitu Check Point

**Observations Made /Outcome of the Survey**

   **A. Eldoret Oil Depot**

   - **Kenya Pipeline Company**

103. Service/Process Automation: The Kenya pipeline oil depot at Eldoret has automated most of its processes, these include;

   - Loading
   - Oil storage management/volume monitoring
   - However the queuing process and Gate processes are not automated. They are currently using a manual system for queuing and gate clearances.

104. Infrastructure:

   - KPC Station has LAN infrastructure with internet connectivity linking them with HQ
   - COSIS- Customs Oil Stokes Information System is hosted at the depot station. This has led to limited system outages that would otherwise be recurring if the system was hosted at the HQ and remotely accessed by users.

   - **Kenya Revenue Authority**
105. Customs clearances services at Oil depot are currently automate. However experience frequent system outages/(SIMBA downtime) as result of service providers or delay at DPC.

106. Declaration is done by the clearing agents in the SIMBA, after loading the Bill of Lading is generated from the Stock Management System (COSIS). Integration of the two systems and merging of different systems processes/stages into a common flow is necessary to fully embrace full automation and use of technologies.

107. **Recommendation:**

   i. KPC should consider automating the queuing process i.e. a deploy a queuing system to minimize delays and complaints arising from manual system which is usually tempered with as some truckers jump the queue.

   ii. KRA should consider integrating the Customs Oil Stock Information Systems (COSIS) and Customs clearance system(SIMBA) into a single integrated system. This minimized delay and easy processes and improved efficiency.

   iii. Enhanced COSIS and integrated with SIMBA can make possible Launching of customs clearance before or during loading.

**B. Border Posts**

**ICT Infrastructure Status at Borders and Ports/ICDs**

108. **Kenya Malaba Border**

   i. Local Area Network infrastructure is only in the Customs and Immigration offices

   ii. Power Supply: currently relying on the power from National Grid which so far is unreliable in that region. Alternative power sources like diesel power generators is requirement to mitigate regular power outages.

   iii. For the broadband connectivity;

   - Customs relying on 3G GSM connectivity. This has proved unreliable given the regular outages/downtime reported.
   - Immigration had 3G GSM connectivity link but due to regular outages have setup local server with Multiple power back batteries thus minimizing reliance of internet service providers

   iv. Process Automation;

   - Customs services including the Simplified Trade regime (STR) have been automate except for the Automatic Bond Cancelation and Process for Temporary importation of vehicles.
• KRA customs staff have been issued with tablet which use both GSM SIM card and Wi-Fi connection. This is aimed expedite clearance at the border.

109. **Recommendation:**

   i. The new OSPB structure, should tap into the fiber optic going through the border for reliable and improved broadband speeds.

   ii. Customs to consider investing in deploying redundant link from another service provider to act as backup in case there is down. This is to minimize delays associated system outages.

   iii. Alternative power sources like diesel generator is recommended in order to provide backup power.

   iv. Deploy an IT staff to be present at border station for ICT matters given the fact that processes are automated, electronic and the numbers of ICT equipment and users is increasing.

110. **Uganda Malaba Border**

   i. A local area Network(LAN) with structure cabling in place at customs and Immigration offices

   ii. Customs uses two integrated systems; ASYCUDA World - a web base system and Customs Reconciliation System (CURES) – standalone Data Base application at Border.

   iii. For the broadband connectivity;

       • Fiber Optic is the main connectivity link with 3G GSM wireless as back up infrastructure link.

       • Uganda Telecom (UTL) is main contractor for internet provision and MTN Uganda & Orange as backup/redundant links.

   iv. Process Automation;

       • URA Customs has two integrated systems i.e. Customs Reconciliation System(CURES) and ASYCUDA World used in the clearance and reconciliation of transactions at the border.

       • Reconciliation of data in the systems is per record of entry in the database and had automatic notifications to agents and Importers

       • ASYCUDA World Currently in use having successfully tested, training both customs official and Agents at the border on its use
- ASYCUDA World has integrated services or operations which were initially manual but now done electronically; e.g. risk profiling, document scanning, verification online, self declaration and integrated email notifications

111. **Recommendation:**
   i. The OSPB in plan should look at including LAN & WAN infrastructure in the build with power backup systems as mitigation for outages due heavy rains and power.
   ii. Digital scanner is necessary to minimize delays or easy verification of goods.

112. **Tororo – Mbale Weighbridge Station:**
   i. UNRA has automated the Tororo – Mbale weighbridge. Local Area Network with Internet link and diesel generator for backup power was installed. The internet link allows sharing of data with a central headquarter office in Kampala.
   ii. The weighbridge weighs is motion and the weighbridge software automatically captures the truck load information. Most of the required information is pre-populated; it does not require keying in each information except for driver’s name, company/own and Plate Number.

113. **Elegu Border Posts:**
   Both Customs and Immigration process are automated, However, there no proper Network Infrastructure or adequate ICT equipment at the border station.

114. **Recommendation**
   There is need to build proper office structures for both customs and immigration with adequate ICT resources (LAN, Computers, WAN Connectivity links and Power system)

115. **Nimule Border**
   i. Customs processes at the border are currently manual but plans are underway to automate key processes, deploy/setup Local Network.
   ii. At a later stage same setup of automation will be done at Nesitu transit Point and the Customs Headquarters.
   iii. Connectivity links: a VSAT link will be required to connect the three stations (Nimule Border, Nesitu Transit Center and HQ) into one operation unit.
PART IV

SOUTH SUDAN STAKEHOLDERS COUNTRY CONSULTATIVE VISITS

Ministry of Transport Roads and Bridges:

116. The purpose of the consultative visit with the Ministry of Transport Roads and Bridges was to:

- Identify the transport routes linking South Sudan to DRC, Kenya and Uganda and request the RSS to designate transport routes and border entry points and to obtain the map of the RSS and the designated routes for the Northern Corridor and classification of the roads.
- To discuss priority projects in the infrastructure sectors (roads, railways, pipelines, etc.) and issues relating to infrastructure management.
- To learn about Transport policies and regulations in place for future planning and indentify areas for improvement.
- To identify potential providers of data in South Sudan for the Transport observatory project and to obtain focal points for the TOP data sources.

The Deputy Minister of Transport, Roads and Bridges Hon. Simon Mijok Mijak on his right is the Under Secretary for Transport and Safety Capt. Martin David Hassan unveil the South Sudan transport infrastructure map to the Executive Secretary of the TTCA-Northern Corridor Secretariat Mr. Donat Bagula.
117. The major entry points for South Sudan are; Nadapal/Lokichiogio along the border of RSS with Kenya; Nimule/Elegu, Kaya/Oraba, Kajo-Keji/Afogi and Tertenya/Madi-Opei along the border of RSS with Uganda, Yambio and Bazi along the border of RSS with DRC. RSS to make an official communication in regard to the routes and border stations designated for the Northern Corridor.

118. The RSS registered its need for assistance in terms of feasibility studies for the development of roads in South Sudan.

119. There is need for a weighbridge along the Nimule-Juba road to protect it from premature damage. There is also one bridge across the River Nile which has a limited capacity and needs to be protected.

**Directorate of Customs:**

120. The issues advanced for discussion included:

- The customs law under force in the RSS
- The designated transit nodes in the RSS (Border stations, Ports, Parking Yards, Customs check points and cargo terminals)
- Policy on the clearance of inter-state traffic and automation of the customs business processes.
- Management of goods in transit along the Northern Corridor.

The Executive Secretary NC-TTCA meets with the South Sudan Deputy Director General of Customs Services

- Licensing by customs (Clearing agents, Transporters, Cargo handlers).
- Plans for establishment of OSBP's
- Transport Observatory Project and customs focal point for data sourcing
- Challenges faced by the RSS Customs Services.

121. **Update on the issues discussed:**
- The Customs Management Bill is still before parliament pending approval
- TMEA and Crown Agents are running trials to automate the customs business processes at Nimule Border.
- Clearing agents licenses are issued by the Customs Directorate and are renewable every year. There is no customs bond at the moment being used by South Sudan; currently there are a few exports originating from the RSS.
- There is a facility for pre-declaration of goods by the traders as they await arrival and physical examination of goods into South Sudan. Perishables and fuel are also given preferential clearance at the borders and check points.
- There is a problem of infrastructure at Nimule; the infrastructure cannot accommodate the big volumes of traffic.
- There are capacity skills gap for the customs officers and clearing agents.
- There is a challenge of customs fraud especially the concealment of imported goods by the importers.

**Ministry of Finance, Commerce, Investment and Economic Planning**

**Directorate of Trade:**

122. Issues discussed with the Director General of Trade:
- Agencies under the Ministry involved in the handling and clearance of international freight.
- Update on domestication of laws and regulations relating to international trade.
- Framework for promotion and facilitation of trade.
- Role played by the Ministry in regulation of international trade
- Transport Observatory Project; objectives, data sourcing and identification of focal point.

**Update on the issues above:**

123. There is a trade policy which is being developed by the RSS.

124. The traders obtain licenses before they import goods into the RSS or export goods from the RSS. The trade development officers among other things at the border stations and check points check if the goods imported or exported have the relevant licenses. There are penalties for importing or exporting goods without a license. Before one is given a license by
the Ministry of Commerce he must have registered and incorporated as a trader by the Ministry of Justice.

125. The agencies involved in international trade under the Ministry of Finance, Commerce, Investment and Economic Planning are the Private Sector Development Project, National Bureau of Standards (RSS-NBS) and the RSS Chamber of Commerce in addition to the trade officers;

- The RSS-NBS checks for compliance to quality standards for goods produced, imported or exported out of the RSS.
- The Chamber of Commerce has two wings; the Business Chamber of Commerce and the Business Union the latter being mainly an association for traders.
- The Private Sector Development; reviews policies and frameworks for private sector promotion, mobilization of business persons to form associations and supporting the groups to obtain loans. They also provide microfinance facilities to empower individuals in cooperative societies.

**South Sudan Nation Bureau of Standards (SS-NBS)**

126. The issues advanced for discussion included:

- Mandate of RSS-NBS and areas of coverage.
- Scope of joint intervention with other agencies in the clearing of goods.
- System of data capture and management.
- Rate of compliance with standards.
- The Transport Observatory Project; objectives, data sourcing and focal point.

**Update on the issues discussed**

127. The SS-NBS is one of the Institutions under the Ministry of Finance, Commerce, Investment and Economic Planning. The SS-NBS was established by an Act of Parliament, SS-NBS is the implementing agency for the Act. SS-NBS is responsible for enforcing quality standards for goods imported or exported out of South Sudan. SS-NBS has its staff based at the key border stations and ports which include; Nimule, Kaya, Kajo-keji, Nadapal, Nesitu, the Airport and the River Ports.

128. The SS-NBS uses the East African Standards in enforcing quality standards in the country. SS-NBS enforces standards by performing laboratory tests as well preliminary basic checks such as checking expiry dates of products, country of origin, physical state of the goods and certificate of analysis. Goods which do not meet the mandatory standards are destroyed at the expense of the trader.
Directorate of Standards: NC-TTCA Secretariat officials led by the Head of Program Customs and trade Facilitation hold Consultations with the Director General SS-NBS at her Office.

129. **Challenges**

- Lack of capacity to detect substandard goods due to human resource skills gaps and equipment needed for testing.
- Importation of substandard building materials.
- Lack of equipment for destroying of substandard goods and the environmental issues that arise.
- There is lack of awareness of standard requirements by the traders.
- Risk of dumping substandard goods on the regional markets.

130. The importers are advised to buy goods which are designated for exports by the manufacturers or outlets designated by the manufacturer for the distribution of their products. The goods purchased should have a certificate of conformity to standards. Furthermore, the traders may opt to have their goods pre-inspected before shipment from the exporting country.

**TradeMark East Africa:**

131. Officials from NC-TTCA led the Executive Secretary met with the Country Director TMEA. The objective of the consultation with TradeMark was to chart a way of how to work
together and get to know the areas of intervention being undertaken by TradeMark East-Africa in South Sudan.

132. The areas of intervention by TradeMark East Africa in South Sudan are under three broad categories namely:

i. **Trade and Transport facilitation:**
   - Customs Policy; to establish a modern functional customs department, establish a suitable system for capturing trade data, build capacity of customs services, support implementation of new policies and laws, development of a customs business automated system which is also critical for exchange of data with the TOP.
   - TMEA is supporting the establishment of an interim automated customs business system designed along the Asycuda data set up which is being set up in liaison with URA but based on the requirements by South Sudan. 10 customs officers have been trained to manage the system; piloting of the system will be at Nimule and rolled out progressively to Kaya, the Airport and other stations.
   - The Corridor diagnostic work done in Uganda and extended to South Sudan indicated that if infrastructure is developed between Nimule and Gulu trade facilitation will be enhanced remarkably.
   - Planning to set up an OSBP at Nimule as a priority, a national stakeholders consultative firm has been set up to ensure that interests of all stakeholders are taken into account when developing the OSBP. The design of the OSBP is expected to be completed within 9 months.
   - Under trade and standards there is a project relating to NTB's being worked on.
   - Scoping study being undertaken to understand the necessary trade and transport infrastructure needed between Juba – Nimule – Gulu

ii. **Private Sector support**

iii. **Support to enable the RSS to accede to the EAC**

133. **Way forward:**
   - NC-TTCA was requested to hold more consultative forums in the RSS as one of the ways to sensitize the stakeholders and build their capacity on trade and transport matters. NC-TTCA was requested to use its position to get more funding for the RSS.
   - NC-TTCA can commence extension of the TOP to South Sudan starting with the use of the GPS to track the movement of trucks carrying cargo to and fro Mombasa to South Sudan.
   - NC-TTCA /TMEA should carry out a corridor diagnostic study for the RSS.
   - Build traders associations in the RSS such as clearing agents, manufacturers, importers/exporters, cargo handlers and transporters.
• Collaboration among the development partners when undertaking trade facilitation initiatives to avoid duplication.

South Sudan Business Union:

134. The issues discussed by the NC-TTCA Secretariat with the South Sudan Business Union were in regard to infrastructure (logistics, roads, railways and waterways transport). The Business Union reported facing several challenges along the Northern Corridor among which poor transport infrastructure and vehicles licensed in South Sudan not being allowed to collect cargo at Mombasa Port.

135. **Way forward:**

- Public Private Partnerships PPP's encouraged to exploit the great potential that South Sudan Business Union has.
- Construction of an inland dry port in South Sudan to address issues of delays and congestion at ports and border stations.
- The next Stakeholders Consultative Forum will offer an opportunity for South Sudan to know more of their obligations and rights and share the challenges they are facing in transporting goods along the Northern Corridor with all the concerned stakeholders.

South Sudan Chamber of Commerce

136. The South Sudan Chamber of Commerce is comprised of stakeholders that are registered business entities in the RSS. One has to be registered and licensed to carry out business in the RSS.

137. Procedure for obtaining a license: Register business with the Ministry of Justice → Obtain clearance from the line ministry depending on the kind of business you would like to engage in → Obtain a license from the Ministry of Finance, Commerce, Investment and Economic Planning → Obtain an operating license from the RSS State you want to operate your business from (you go through the Chamber of Commerce or the Business Union) → Request for membership from the South Sudan Chamber of Commerce, Agriculture and Industry (SSCCIA) to be recognized as a member of the South Sudan Business Community.

138. In case of foreigners opening up a business in the RSS you need to get a local partner with a minimum of 31% stake in the business. In case of an international company, then you are requested to certify your trading license from the country of origin and your bank statement for at least six months (documents must be accredited by your embassy in the RSS), this category in RSS known as International Company with branch in South Sudan.
South Sudan Chamber of Commerce: Officials of the South Sudan Chamber of Commerce pose for a group photograph with staff of the NC-TTCA Secretariat after a consultative meeting.
# PART V

## PROPOSED MEASURES TO ADDRESS THE IDENTIFIED CHALLENGES

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<tr>
<th>Observed Challenges</th>
<th>Recommendation</th>
<th>Responsibility Center</th>
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<tr>
<td><strong>A. Eldoret:</strong></td>
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| 1. Congestion of loaded tankers at Eldoret Fuel Terminal hinders access of empty tankers to the terminal to collect fuel. This was attributed to: | i. Pre-clearance by customs before trucks are loaded with fuel.  
   ii. Set a maximum time limit for the loaded trucks to vacate the fuel terminal parking lots.  
   iii. OMC’s should issue delivery orders to the fuel tankers after settling issues regarding payment for the fuel with their clients.  
   iv. Receive only tankers at the depot which have delivery orders from the OMC’s. | KRA/OMC’s/C-Agent.  
KPC  
OMC’s  
KPC |
| 2. Fuel tankers are allowed only four hours to transit to Uganda from Eldoret Fuel Depot after which they are penalized. This time is not adequate given the heavy traffic along this high way. | Review the time allowed to factor in the time spent at weighbridges and in the queue at Malaba. | KRA |
| 3. Slow speed of reconciliation with the COSIS system after an entry has been passed in the SIMBA thereby delaying release of trucks from the Eldoret Oil Terminal. | i. Upgrade and integrate the Customs automated business systems.  
ii. The customs entry should be passed before the fuel is loaded. | KRA |
| 4. Undue penalties levied by customs at Nimule for variations in the name of the Consignee on the Kenya Customs entry T812 from that reflected on entry T810. | Sensitization of customs staff at Nimule about the preceding customs documents used in transit and the changes that are permissible. | Customs – RSS/NC-TTCA |
| 4. Delays in offloading wagons received at Kampala.  
Poor state of the permanent way. | i. Investigate the cause of the delays and recommend appropriate action. | NC-TTCA/Secretariat.  
RVR |
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<tr>
<td>There is only one locomotive used for shunting at Eldoret railway station and for repairs of the permanent way which covers a stretch of over 200km.</td>
<td>ii. Regular maintenance and putting a limit of the weight carried by each wagon.</td>
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</table>
| 5. Double parking by trucks especially at the Bukembe trading center along the Eldoret – Malaba Highway. | i. Develop a road side station at this location after evaluation of the need for one.  
ii. Action should be taken against the errant drivers. | Kenya Govt./NC-TTCA  
Kenya Police |

**B. Malaba:**

| 6. Absence of KRA and URA customs staff at the Malaba Railway station OSBP to clear goods. | KRA and URA customs should designate at least one staff each to be stationed at the Railway OSBP office to expedite clearance of cargo by railway. | KRA/URA |
| 7. Unaccounted for goods; not all of goods that leave Mombasa in transit to Uganda via Malaba or in transit through Uganda via Malaba are received at the border by URA. | Exchange of information periodically (on a quarterly basis) relating to goods unaccounted for among the Revenue/Customs Authorities. | Revenue/Customs Authorities |
| 8. Goods in transit transported by trucks that were de-registered by DRC; trucks with registration series OR, NK and SK were reported have been de-registered by DRC. The series that are allowed to operate are the CGO series. | i. Information relating to the de-registered number plates should be shared among the revenue/customs authorities of the member States.  
ii. Customs should not issue transit goods licenses for the de-registered trucks.  
iii. Customs should not approve entries for which the de-registered trucks are the ones to transport the goods. | Govt. of DRC  
Customs Authorities of the member States. |
<p>| 9. The narrow roads leading to the border station contributing to congestion and blockage of the road. At times even when a truck is cleared it cannot proceed on its journey. | Develop dual carriage multiple lane roads stretching at least 2km from the border crossing point at Malaba and other busy border stations. | Road Authorities |
| 10. Lack of control over traffic across the border due to: | The new OSBP border infrastructure being developed should cater for | Member States |</p>
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<tr>
<td>• The gates at the border are opened 24/7 without anyone manning them, there is a mix up of vehicle and people traffic that pass through the gates unabated.</td>
<td>the separation of human and vehicle traffic crossing the border to enhance controls by Customs, Immigration, Police and other Government Agencies operating at the border station.</td>
<td>Transporters Associations/Freight Forwarders.</td>
</tr>
<tr>
<td>• The infrastructure configuration of the border stations makes it difficult for Immigration and Police to perform their functions of properly.</td>
<td>The drivers should be cautioned not to evade clearance through Immigration when crossing a border.</td>
<td></td>
</tr>
<tr>
<td>• Some of the drivers do not have proper identification, do not know how to write and lack the details of their destination.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>It was reported that some truck drivers evade clearance through immigration office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11. Some stakeholders do not work on Sundays and on Public holidays and some of them do not work 24/7</td>
<td>Customs should make working 24/7 as one of the requirements for licensing customs clearing agents.</td>
<td>KRA/URA</td>
</tr>
</tbody>
</table>
| 12. The Malaba border station is not equipped to detect narcotic drugs and other banned substances (lack of sniffer dogs – K9’s). Furthermore, absence of staff specialized in forestry, mines and wildlife to help in detection of prohibited items | i. Deployment of K-9’s to detect narcotic drugs  
ii. Train staff of Customs and Police working at the border stations on how to detect the prohibited items and how to perform an work for the agencies that are not represented at the border. | Govt of Kenya/Uganda                   |
<p>| 13. Poor documentation of passengers and crew by the inter-state Bus operators.                                                            | The bus drivers that do not submit a passenger manifest as required by law should be penalized.                                                                                                                                                              | Police/Customs/Immigration of Kenya/Uganda |
| 15. Lack of firefighting equipment despite the big volumes of fuel imports cleared through Malaba.                                               | Firefighting equipment should be availed at the Malaba border as a precaution for combating fires that may arise from fuel tankers.                                                                                                                             | Govt of Kenya/Uganda                   |
| 16. The URA check point is near the exit gate and causes congestion of trucks exiting the Customs yard and the two                                | The check point should be transferred at least 1km from this point to ease the deadlock of trucks.                                                                                                                                                              | URA                                   |</p>
<table>
<thead>
<tr>
<th>Observed Challenges</th>
<th>Recommendation</th>
<th>Responsibility Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private parking yards located near the check point. The congestion of trucks at this point inconveniences other road users.</td>
<td>Usually experienced at Kayembe.</td>
<td></td>
</tr>
<tr>
<td>17. Demand for a COMESA insurance cover by Police when the truck has insurance cover from a local insurance company in the country of transit.</td>
<td>Sensitization of transporters and Police about the insurance covers that are required by foreign registered vehicles while transiting a given country.</td>
<td>Transporters Associations Police</td>
</tr>
<tr>
<td>18. Power black outs frequently interrupt operations at the border.</td>
<td>Putting in place a standby power source.</td>
<td>Immigration Uganda.</td>
</tr>
</tbody>
</table>

**C. Elegu/Nimule:**

| 19. There is lack of awareness of regulations and procedures for clearance through customs and immigration by some travelers. Furthermore, there is a language barrier and some of the travelers cannot read and write. | i. Sensitization of travelers through issuance of information brochures and notices pinned at notice boards at the border stations.  
ii. Recruit staff that can speak the official languages of the states sharing the border. | Immigration RSS/Uganda |
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</thead>
<tbody>
<tr>
<td>21. Some travelers do not clear through immigration before exiting or entering into the country.</td>
<td>Travelers that do not clear through immigration should be penalized.</td>
<td>Immigration/Pолice</td>
</tr>
<tr>
<td>22. Traders reported that they are not well treated at the Elegu/Nimule Border.</td>
<td>The Governments should intervene to address the concerns of the traders.</td>
<td>RSS Govt./Uganda Govt.</td>
</tr>
<tr>
<td>23. Multiple taxation by South Sudan; there are federal taxes as well as central administration taxes levied on the same goods.</td>
<td>Harmonization of taxes and collection of taxes by a single agency.</td>
<td>Govt. RSS</td>
</tr>
</tbody>
</table>
| 24. Congestion of the Nimule border station. | i. Allow the traders to pre-enter their goods at Nimule.  
ii. Increase the number of times the SS Customs collects documents from URA Elegu Customs | Customs RSS |
<p>| 25. There are travelers that report to the | The travelers should be referred to | Immigration/Polic |</p>
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<tr>
<th>Observed Challenges</th>
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</thead>
<tbody>
<tr>
<td>border station with invalid or without travel documents; furthermore there are some travelers that lack any form of identification.</td>
<td>Police for further investigations.</td>
<td>e</td>
</tr>
<tr>
<td>Travelers reporting to immigration offices with Kenya temporary travel documents but without the Kenya National Identity Card.</td>
<td>Drivers should be advised to move with their identification documents when travelling.</td>
<td>Transporters Associations/Freight Forwarders.</td>
</tr>
<tr>
<td><strong>D. Juba:</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 27. The Nesitu parking yard is not in good condition, the driver’s park along the road for fear of their trucks getting stuck in the mud when it rains and for fear of the trucks overturning due to the big potholes in the yard. | i. Expedite the proposed development of the yard into a dry port by the Central Equatorial State.  
ii. Customs – RSS should come up with standards for infrastructure requirements for operating transit yards. | Central Equatorial State  
Customs – RSS |
| 28. Lack of man power to offload trucks during examination of goods. Goods are not properly packed in the containers making it difficult to be examined. | i. The parking yard operators should enlist laborers to provide the necessary manpower needed.  
ii. The drivers should provide a packing list for goods transported in their vehicle. | Parking Yard Operators.  
Transporters/traders. |
<p>| 29. The port does not have cargo handling facilities; the vessels are loaded and offloaded using manual labor. The Juba Port Authority does not own a single barge. Human resource skills gaps | Explore modalities of Public Private Partnership to capitalize and equip the Juba Port. | Govt. of the RSS |
| 30. Silting of the River Nile. During the dry season the water level/depth of the river falls which negatively affects the movement of the vessels along the River. | Dredge the River Nile | Govt. of RSS |</p>
<table>
<thead>
<tr>
<th><strong>Observed Challenges</strong></th>
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<th><strong>Responsibility Center</strong></th>
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<tr>
<td><strong>E. Transport Infrastructure:</strong></td>
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<tr>
<td>31. Drivers lack awareness of vehicle load control requirements and the need for Government to control axle loads, some drivers are rude and arrogant. Lack of parking yards at the weighbridge stations for vehicles impounded for non compliance.</td>
<td>Sensitization of drivers.</td>
<td>Road authorities, Transporters Associations, NC-TTCA Secretariat. Road Authorities.</td>
</tr>
<tr>
<td>32. The road linking Gulu to Elegu/Nimule is being upgraded, whenever it rains there are floods in some sections of the road and it takes a couple of days before the road becomes passable by big trucks.</td>
<td>i. Contractors of the Gulu Nimule road should give preference of upgrading the sections of the road that are normally affected by rains. ii. Develop of an alternative route connecting to Juba through Nadapal/Lokochiogio. iii. NC-TTCA should critically examine the matter and prioritize it as part the NC-TTCA strategic plan.</td>
<td>UNRA. Government of RSS/Development Partners NC-TTCA Secretariat.</td>
</tr>
</tbody>
</table>

<p>| <strong>South Sudan Stakeholders Workshop</strong> | | |
| 33. Lack of compliance to the NCTTA by member States. | Carry out sensitization in all member countries – emphasis on South Sudan to improve domestication process of the NCTTA. | NC-TTCA Secretariat |
| 34. The road linking Nimule to Juba is getting damaged due to overloaded trucks. | Put in place vehicle and axle load controls; Set up a Weighbridge along the Nimule – Juba road. | Government of the RSS |
| 35. The RSS is not yet part of the TOP. | Extend the TOP activities to the RSS. As a starting point, the South Sudan Chamber of Commerce requested to assist the NC-TTCA | NC-TTCA / RSS-Chamber of Commerce |</p>
<table>
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<th>Observed Challenges</th>
<th>Recommendation</th>
<th>Responsibility Center</th>
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</table>
| 36. Lack of representation of private sector stakeholders in the NC-TTCA Activities | i. Fast track the formation of Economic operators associations (Transporters, Traders, Agents, etc.) in the RSS.  
ii. Appoint focal persons for the associations through which NC-TTCA Secretariat can exchange communications.  
iii. The RSS should be supported in the formation of Technical Committees to participate in the NC-TTCA Secretariats’ activities. | South Sudan Chamber of Commerce Industry and Agriculture Traders Associations. NC-TTCA Secretariat |
| 37. Unclaimed cargo at the Mombasa Port due to over accumulated storage charges.    | i. Periodically share information about the South Sudan cargo at the Port of Mombasa with the SS Chamber of Commerce and the South Sudan Business Union.  
ii. The RSS advised to request for waver of storage charges by KPA for overstayed Cargo at the Port of Mombasa. | KPA Director General Foreign Trade Ministry of Finance Commerce Investment and Economic Planning. |
| 38. Slow speed of clearance of cargo at Nimule due to the Manual customs business processes employed and skill gaps of the persons involved in the handling and clearance of cargo. | i. Expedite the automation of operations of Customs and other stakeholders involved in the handling and clearance of goods at Nimule.  
ii. Training of customs officers and customs clearing agents.  
iii. Extension of hours of business at Nimule border station.  
iv. Furthermore, all players in the business/logistics chain need to | RSS/TMEA |
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<tbody>
<tr>
<td>39. RSS private sector not participating in the regional activities relating to</td>
<td>The RSS forwarding and clearing association should apply to join FEAFA; the Chairman KIFWA pledged</td>
<td>Chairman KIFWA/South Sudan Chamber of Commerce</td>
</tr>
<tr>
<td>transport and trade along the Northern Corridor.</td>
<td>to assist in this matter.</td>
<td></td>
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<tr>
<td>40. Clearance of goods at the first port of entry in the region, RSS is interested</td>
<td>The RSS requested to be included in the preparations leading to Clearance of goods into the region</td>
<td>NC-TTCA Secretariat.</td>
</tr>
<tr>
<td>to learn about this initiative but is not involved.</td>
<td>at the first Port of Entry.</td>
<td></td>
</tr>
<tr>
<td>41. Lack of consolidated information about the other transit routes within South</td>
<td>Surveys should be undertaken along other transport sections which link South Sudan with the other</td>
<td>NC-TTCA Secretariat</td>
</tr>
<tr>
<td>Sudan linking with its neighbors.</td>
<td>Northern Corridor member States.</td>
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### Annex i: Stakeholders Survey Team

#### SURVEY TEAM MEMBERS

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Position</th>
<th>Organization</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
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<td>10.</td>
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</tr>
<tr>
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<tr>
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<tr>
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</tr>
<tr>
<td>14.</td>
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<td>+254 724735509 <a href="mailto:esirali@ttcanc.org">esirali@ttcanc.org</a></td>
</tr>
</tbody>
</table>
## Annex ii List of Stakeholders Consulted During the Survey and Consultative Mission

<table>
<thead>
<tr>
<th>NAME</th>
<th>DESIGNATION</th>
<th>ORGANISATION</th>
<th>TELEPHONE</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Thomas Yongo</td>
<td>Yard Master - Eldoret</td>
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<td><a href="mailto:zakavokasango@yahoo.com">zakavokasango@yahoo.com</a></td>
</tr>
<tr>
<td>2. Zubeir Taban</td>
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</tr>
<tr>
<td>3. Charles Juma Seyis</td>
<td>Inspector for Cargo Vessel</td>
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<td>+211 954006175</td>
<td></td>
</tr>
<tr>
<td>4. Emmanuel Eli D.</td>
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</tr>
<tr>
<td>5. Jabel Male</td>
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<tr>
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</tr>
<tr>
<td>7. Simon Tumwesigye</td>
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</tr>
<tr>
<td>8. Kiwanuka Silvester</td>
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</tr>
<tr>
<td>9. Etyang Peter</td>
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<td></td>
<td></td>
<td><a href="mailto:setyang@nic.co.ug">setyang@nic.co.ug</a></td>
</tr>
<tr>
<td>10. Sey Slim</td>
<td>Manager</td>
<td>P N Mashru Ltd</td>
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<td><a href="mailto:ssei1709@yahoo.com">ssei1709@yahoo.com</a></td>
</tr>
<tr>
<td>11. Joash Oboka</td>
<td>Malaba Border</td>
<td>Multiple Hauliers</td>
<td>+254 722330712</td>
<td></td>
</tr>
<tr>
<td>12. Nuwamanya Charles</td>
<td>Malaba Border</td>
<td></td>
<td>+254 722625232</td>
<td>mutambuka,<a href="mailto:charles@yahoo.com">charles@yahoo.com</a></td>
</tr>
<tr>
<td>13. Esatu Paul</td>
<td>Malaba Border</td>
<td>RVR - Malaba</td>
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<td></td>
</tr>
<tr>
<td>14. Bonface Ogola</td>
<td>Malaba Border</td>
<td>RVR - Malaba</td>
<td>+254 728787203</td>
<td></td>
</tr>
<tr>
<td>15. Opiyo Thomas</td>
<td>Malaba Border</td>
<td>Bollor Africa Log.</td>
<td>+254 724205436</td>
<td></td>
</tr>
<tr>
<td>16. Martin Keverenge</td>
<td>Malaba Border</td>
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<td><a href="mailto:martin.keverenge@gmail.com">martin.keverenge@gmail.com</a></td>
</tr>
<tr>
<td>17. Kibtok Leting</td>
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<td><a href="mailto:Kibitok.Leting@kpc.co.ke">Kibitok.Leting@kpc.co.ke</a></td>
</tr>
<tr>
<td>18. Tieng Ouma</td>
<td>Customs - Eldoret</td>
<td>Kenya Pipeline Company</td>
<td></td>
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<tr>
<td>19. Roselyne Wachira</td>
<td>Customs - Eldoret</td>
<td>Kenya Revenue Authority</td>
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<tr>
<td>20. Martin Kiverenge</td>
<td>Customs - Eldoret</td>
<td>Kenya Revenue Authority</td>
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<tr>
<td>21. Martin Kiverenge</td>
<td>Customs - Eldoret</td>
<td>Kenya Revenue Authority</td>
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<tr>
<td>22. Winfred Ngungu</td>
<td>Eldoret</td>
<td>OMC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23. Leon Kipruto</td>
<td>Eldoret</td>
<td>GAPCO (OMC)</td>
<td>+254 722891210</td>
<td><a href="mailto:Andrew.Kosgey@kpc.co.ke">Andrew.Kosgey@kpc.co.ke</a></td>
</tr>
<tr>
<td>24. Jane Odegi</td>
<td>Eldoret</td>
<td>Pipe Company</td>
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<tr>
<td>25. Kennedy Aguko</td>
<td>Eldoret</td>
<td>Kenol-Kobil (OMC)</td>
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<tr>
<td>26. Andrew Kosgey</td>
<td>PLO</td>
<td>Kenya Pipeline Company</td>
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<tr>
<td>27. Adow Mohammed</td>
<td>Manager</td>
<td>C&amp;F Eldoret</td>
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<tr>
<td>No.</td>
<td>Name</td>
<td>Position/Department</td>
<td>Contact Information</td>
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<tr>
<td>28.</td>
<td>Hassan D Ali</td>
<td>Manager C&amp;F Eldoret</td>
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<tr>
<td>29.</td>
<td>Nancy Mulwa</td>
<td>Manager Eldoret KPC</td>
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<tr>
<td>30.</td>
<td>Ali Omar</td>
<td>Manager Eldoret</td>
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<tr>
<td>31.</td>
<td>Kennedy Barasa</td>
<td>Eldoret Bakri International</td>
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<tr>
<td>32.</td>
<td>Cathy Nabuduwa</td>
<td>Tororo-Mbale Weighbridge UNRA</td>
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<tr>
<td>33.</td>
<td>Christopher Otanga</td>
<td>Eldoret RVR</td>
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<tr>
<td>34.</td>
<td>Abaas Mutabaali</td>
<td>Lira Weighbridge UNRA</td>
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<tr>
<td>35.</td>
<td>Phillip Mugoya</td>
<td>Lira Weighbridge RVR</td>
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<tr>
<td>36.</td>
<td>Walter Oliga</td>
<td>Lira Railway Station RVR</td>
<td></td>
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<tr>
<td>37.</td>
<td>Paul Walukyesi</td>
<td>Incharge Elegu Customs URA</td>
<td></td>
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<tr>
<td>38.</td>
<td>Patrick Okumu</td>
<td>District Chairman Uganda Nat. Chamber of Commerce URA</td>
<td></td>
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<tr>
<td>39.</td>
<td>Ssekagya</td>
<td>Senior Immigration Officer Elegu</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40.</td>
<td>Hon Mijok Mijak</td>
<td>Deputy Minister Ministry of Transport, Roads and Bridges</td>
<td></td>
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</tr>
<tr>
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### Annex iii: Participants Stakeholders Consultative Workshop: Juba - South Sudan, 6th September 2013

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