

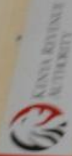


# **MOMBASA-TAVETA/HOLILI TRANSIT SECTION SURVEY REPORT**

**JANUARY 2019**



**CUSTOMS**



**TANZANIA**



**PORT HEALTH**

**TANZANIA**

**CD**



## LIST OF ABBREVIATIONS AND ACRONYMS

<b>AfCFTA</b>	Africa Continental Free Trade Area
<b>ASYCUDA</b>	Automated System for Customs Data
<b>C2</b>	Customs Form issued by Customs for release and transit of cargo by road
<b>CCTV</b>	Closed Circuit Television
<b>COC</b>	Certificate of Conformity
<b>CFS</b>	Container Freight Station
<b>CMS</b>	Customs Management System
<b>DCIO</b>	Directory of Criminal Investigation Office
<b>DO</b>	Delivery Order – issued by shipping lines
<b>DPC</b>	Document Processing Center
<b>DRC</b>	Democratic Republic of Congo
<b>DWT</b>	Dead Weight Tons
<b>EAC</b>	East African Community
<b>EAC-CMA</b>	East African Community Customs Management Act
<b>EAC-SAD</b>	East African Community Single Administrative Document
<b>ECD</b>	Empty Container Depot
<b>ECTS</b>	Electronic Cargo Tracking System
<b>e-SWS</b>	Electronic Single Window System
<b>FAL</b>	Facilitation of International Maritime Traffic - Convention
<b>FBW</b>	Fixed Berthing Window
<b>ICD</b>	Inland Container Depot
<b>ICDN</b>	Inland Container Depot – Nairobi
<b>ICMS</b>	Integrated Customs Management System
<b>IMO</b>	International Maritime Organization
<b>ISCOS</b>	Intergovernmental Standing Committee on Shipping
<b>JKIA</b>	Jomo Kenyatta International Airport
<b>KEBS</b>	Kenya Bureau of Standards
<b>KeNHA</b>	Kenya National Highways Authority
<b>KENTRADE</b>	Kenya National Trade Network

<b>KEPHIS</b>	Kenya Plant Health Inspection Services
<b>KMA</b>	Kenya Maritime Authority
<b>KNPS</b>	Kenya National Police Service
<b>KRC</b>	Kenya Railways Corporation
<b>KSAA</b>	Kenya Ship Agents Association
<b>KTA</b>	Kenya Transporters Association
<b>KIFWA</b>	Kenya International Freight and Warehousing Association
<b>KM</b>	Kilometer
<b>KPA</b>	Kenya Ports Authority
<b>KRA</b>	Kenya Revenue Authority
<b>KWATOS</b>	Kilindini Waterfront Terminal Operating System
<b>KWS</b>	Kenya Wildlife Service
<b>MMS</b>	Manifest Management System
<b>NC</b>	Northern Corridor
<b>NCTO</b>	Northern Corridor Transport Observatory
<b>NCTTA</b>	Northern Corridor Transit and Transport Agreement
<b>NCTTCA</b>	Northern Corridor Transit and Transport Coordination Authority
<b>OBR</b>	Office Burundais des Recettes
<b>OGEFREM</b>	Office de Gestion du Fret Multimodal
<b>OSBP</b>	One Stop Border Post
<b>OSC</b>	One Stop Center
<b>PIN</b>	Personal Identification Number
<b>PVoC</b>	Pre-Verification of Conformity
<b>RCTG</b>	Regional Customs Transit Guarantee
<b>R-ECTS</b>	Regional Electronic Cargo Tracking System
<b>RRA</b>	Rwanda Revenue Authority
<b>RRU</b>	Rapid Response Unit
<b>R-UCR</b>	Regional Unique Consignment Reference
<b>SAD</b>	Single Administrative Document
<b>SCT</b>	Single Customs Territory
<b>SGR</b>	Standard Gauge Railway
<b>SOLAS</b>	Safety of Life at Sea

<b>SSNRA</b>	South Sudan National Revenue Authority
<b>T1</b>	Transit Document issued by Revenue Authority's (OBR, RRA, TRA, URA)
<b>TANCIS</b>	Tanzania Customs Integrated System
<b>TBS</b>	Tanzania Bureau of Standards
<b>TEU</b>	Twenty foot Container Equivalent Unit
<b>TEVIES</b>	Temporary Vehicle Import and Export System
<b>TBL</b>	Through Bill of Lading
<b>TBT</b>	Technical Barriers to Trade
<b>TGL</b>	Transit Goods License
<b>TIN</b>	Tax Identification Number
<b>TMU</b>	Transit Monitoring Unit
<b>TRA</b>	Tanzania Revenue Authority
<b>TZ</b>	Tanzania
<b>UCR</b>	Unique Consignment Reference
<b>URA</b>	Uganda Revenue Authority
<b>USD</b>	United States Dollar
<b>VGM</b>	Verified Gross Mass – for containers
<b>WTO</b>	World Trade Organization

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*The successful delivery of this report would never have been made possible without the priceless contribution and support from our stakeholders who have provided information, shared their experiences and proposals for improvement of the trade and transport logistics along the Northern Corridor.*

*The NCTTCA Secretariat would like to sincerely thank Kenya Ports Authority, Kenya Revenue Authority and Tanzania Revenue Authority in facilitating the Survey Team to meet with the various stakeholders at the terminals visited during the surveys. Special thanks go to Kenya National Police Service who actively participated in the Surveys and ensured that we travelled and conducted the surveys safely.*

*Finally, we would like to extend our sincere gratitude to all those that have assisted us either in their corporate or individual capacities in taking us through the business processes, having interviews and discussions with the Survey Team. The success of developing the report primarily depends on the observations and discussions with stakeholders in the field.*

*We remain deeply indebted to you all,*

*The NCTTCA Secretariat*



## EXECUTIVE SUMMARY

1. The Northern Corridor trade and transport logistics surveys have continued to be one of the best mechanisms for assessment of implementation of trade and transport facilitation initiatives along the Northern Corridor and identification of causes of challenges being faced by stakeholders in the field before coming up with informed recommendations to address the challenges.
2. The Northern Corridor trade and transport logistics survey of Mombasa Port and the Mombasa to Taveta/Holili OSBP transit section via Voi was conducted from 14<sup>th</sup> to 19<sup>th</sup> January, 2019 by a multidisciplinary stakeholder's survey team constituted from both the public and private sectors involved in the handling and clearance of goods along the Northern Corridor.
3. The objective of the survey was to;
  - i. Establish the status of the transport infrastructure, facilities and logistics from Mombasa Port to Burundi, Rwanda and DRC using the shortest alternative transit route that passes through Tanzania. *Using this route the distance to Bujumbura from Mombasa is shorter by over 300km and that to Kigali shorter by over 200km compared to the traditional Northern Corridor route through Kampala.*
  - ii. Establish the status of the Standard Gauge Railway logistics at Mombasa Port and provide stakeholders with a basis for addressing the challenges faced when transporting goods by rail.
  - iii. Identify causes of challenges stakeholders are facing at the transit nodes and sections from Mombasa to Taveta/Holili OSBP and make informed recommendations to address the challenges.
  - iv. Sensitize stakeholders along the sections being surveyed about the ongoing trade facilitation initiatives along the Corridors.
4. The survey team; Visited operational areas in the field, made physical observations and examined the status of the transport infrastructure and facilities used in the handling and clearance of cargo; Interviewed and held discussions with the regulators and trade facilitation agents in the field and; Examined the regulations, business processes and documentation involved in the clearance of cargo at the transit sections and nodes from Mombasa Port to Taveta/Holili OSBP.

## HIGHLIGHTS OF OBSERVATIONS, CHALLENGES AND RECOMMENDATIONS

### **A. Gaps in exchange of data used in clearance of transit goods which traverse both the Northern and Central Corridor and poor customs business system interconnectivity.**

5. It was observed that information pertaining to Single Customs Territory clearance of goods in transit to Burundi, Rwanda and DRC through Tanzania is not shared with

Tanzania Revenue Authority. Therefore, trucks are required to make fresh declarations and execute fresh customs bonds by TRA at Holili border station before being allowed to transit through Tanzania. Furthermore, some information needed to clear cargo is not reflected on the KRA computer terminals at the border.

6. **The Revenue Authorities should put in place a mechanism to share information/data used in the clearance of cargo under the Single Customs Territory with the Revenue Authorities of the intermediary transit countries through which the cargo transits before its final destination country such as ship manifests and customs declarations. Furthermore, upgrade their systems to improve connectivity and exchange of this information/data.**

**B. Challenges surrounding Form C2 issued by KRA used in transiting and clearance of goods at Border Stations.**

7. It was observed that when trucks carrying goods in transit arrive at the border stations, cases keep resurfacing where there is a variation between the border station of exit declared on the customs entry by the clearing agent with that on Form C2 generated and issued by KRA at Mombasa. As such the driver or his clearing agent is referred back to Mombasa to rectify the issue before cargo is cleared across the border for onward transit.
8. **The Revenue Authorities should configure their systems such that the border station of exit declared by the clearing agent on the customs entry is the one which appears on Form C2 generated by the Revenue Authority (KRA). Furthermore, the Revenue Authorities should use information available in their systems at the border station to rectify errors made in generation of Form C2 and clear the cargo for onward transit other than referring the driver or his clearing agent back to Mombasa to rectify the error.**

**C. Transit Goods License validity is for a period of one year but all licenses issued during the year expire on 31st December of the year of issue.**

9. The Transit Goods License issued by the Revenue Authorities of the EAC Partner States under the EAC Customs Management Act has a validity period of one year but all licenses issued expire on 31<sup>st</sup> December of the year of issuance, meaning that even if one obtained the license at the beginning of the month of December it expires on 31<sup>st</sup> December of the same year hardly before being used for a period of one month.
10. A single expiry date is also a constraint to transporters to obtain renewal since all licenses expire at the same time irrespective of the time of the year a license is issued, it is also unfair to those who obtain the license towards the end of the year since payments are not pro-rata they pay the same amount with those licensed at the beginning of the year; January.
11. **It is recommended that the EAC reviews the expiry date of the TGL issued under the EAC-CMA so that the validity of the TGL runs for a year from the date of issue.**

**D. Trade and transport facilitation agents are constrained to carry out their activities in territories of Member States which they are not citizens.**

12. **Section 10** of the NCTTA Agreement and Protocol 11 of the same Agreement has provisions to facilitate trade facilitation agents to perform their operations in Member States which they are not citizens for purposes of facilitating interstate and transit traffic.
13. It was observed that trade and transport facilitation agents such as clearing agents and transporters or their service crews (mechanics) are getting challenges in territories of Member States which they are not citizens to facilitate clearance of goods in transit or repair trucks which breakdown on the way during their transit journeys.
14. **The Member States are urged to put in place a mechanism to facilitate trade facilitation agents from the other Member States to carry out their operations in their territories pertaining to facilitation of interstate and transit traffic. Furthermore, put in place a mechanism to facilitate service crews to import spare parts in their territories from another Member State for repair of trucks which breakdown during their transit journeys.**
15. **The Member States should minimize the requirements for trade facilitation agents opening up liaison offices in their territories and ease the process of obtaining work permits for their staff if they are already registered and licensed to operate in another Member State.**

**E. The EAC Single Administrative Document (SAD), used in the declaration of goods cleared under the SCT framework does not provide for capture of some vital information for it to be sufficiently used as a Regional customs declaration form.**

16. If goods are transiting through more than one country, the EAC-SAD used in the declaration of goods does not provide for declaration of the intermediary transit country(s) as well as their entry and exit border stations. For goods declared under the SCT Framework, there is no mention of the intermediary transit country(s) in the declaration made. As such the intermediary transit country demands for fresh declarations for the goods at their borders before allowing trucks to proceed in transit through their territories as was the case observed at Holili OSBP for goods destined to Burundi and Rwanda through Tanzania from Kenya.
17. Furthermore, capture of vital information needed by the country of export for goods originating within the Region to another Member State is also missed out when goods are declared under the SCT framework. Exports are declared in the destination country (importing country) before being released by the exporting country to proceed to destination. However, it was observed that the importing countries among the vital information, do not capture the TIN/PIN of the exporter which makes it hard for exporting countries to handle processing of VAT claims and other domestic tax returns filed by their exporters.

18. **The SAD should be amended to include provision for declaration of the intermediary transit country(s) and their entry and exit border stations through which cargo traverses before reaching the destination country. In case of exports cleared under the SCT Framework, the exporters PIN/TIN should be captured by the importing country for exports originating from the Region.**
19. **Furthermore, the Member States should implement a Regional Unique Consignment Reference (R-UCR) to support tracking of cargo from origin to destination and to ease accessing information for clearance of goods across all the border stations and other places in the region where the trucks/cargo pass. *Implement the prototype for a Regional UCR which was agreed by the NCTCA Member States.***

**F. Challenges of storage and handling of empty containers returned by SGR at Mombasa and high cost of guaranteeing return of empty containers.**

20. The SGR train terminates at Port Reitz Mombasa. There are two categories of empty containers returned by SGR to Mombasa. The Non-TBL containers which are evacuated from Port Reitz to Empty Container Depots (ECD) and the TBL containers which remain at the port awaiting vessels for repatriation by the shipping lines. Even then the shipping lines are required to reposition the containers at the Port for loading on the exporting vessels.
21. It was observed that there is limited storage capacity at Port Reitz and at the Mombasa Port for storage of empty containers awaiting evacuation/repatriation. Furthermore, the ECD's are also getting congested with containers, everyday there are more containers received at the ECD's than those being repatriated by the shipping lines, if the trend continues, the storage facilities at the Port and ECD's are going to get choked and this will adversely affect operations at Mombasa Port.
22. **Given the growing volumes of TBL containers, there is need for KPA to create more space for holding empty containers pending repatriation by vessels.**
23. **Shipping Line Containers are temporary imports, as such expected to be exported out of the country after a given period of time. The period of stay of empty containers should be regulated by KRA to compel the shipping lines to repatriate their containers in order to decongest the Port and the ECD's.**
24. The importers are required to make cash deposits to guarantee return of shipping line containers. The amount of cash deposit (foreign currency) demanded varies from shipping line to shipping line, destination of goods and client. Several challenges are being faced by the importers regarding the return of empty containers and the cash guarantees demanded by the shipping lines which need to be addressed as detailed in this report.
25. **It is recommended that the Member States take keen interest to address the delays in return of empty containers as well as regulate the cash guarantees**

**demanded by shipping lines from the importers.** *This report gives details of some of the specific recommendations to address the challenges observed.*

**G. Idle capacity at CFS's and use of SGR to transport duty paid goods to Nairobi.**

26. The private sector stakeholders invested heavily in the development and equipping CFS's to ease congestion of the Port and provide temporary storage for cargo pending clearance by regulators. Following the implementation of the SGR cargo train, the volumes of Nairobi bound cargo to the CFS's reduced considerably leading to loss in business and reduced returns to investment and jobs. The Nairobi cargo that is destined to CFS's is currently cargo which has to be inspected and whose tests take long before results are obtained.
27. It should be observed that the cargo dwell time at ICDN is over 10 days, some of the cargo is evacuated from ICDN long after being cleared by the regulators. This may be an indicator that, whereas fast movement and clearance of cargo is one of the key trade facilitation elements of interest to traders, some traders also want temporary storage for their cargo to sort out a few issues before taking delivery of cargo to their premises.
28. **Observing the traders need for temporary storage of their cargo pending clearance by regulators. There is need to explore modalities for use of CFS's at Mombasa to meet the temporary cargo storage needs of the traders as well as promote the use of SGR to transport duty paid goods from Mombasa to Nairobi.**

**H. Speed limits and use of road humps to calm speed.**

29. It was observed that generally there is great improvement in the quality of roads along the transport Corridors. However, the transporters were concerned at the speed limits at some of the road sections which they say were very low especially when one crosses into Tanzania. Furthermore, some of the road humps used to calm speed are built very high and may cause damage to vehicles. Survey of the remaining section of the transit route linking the Northern Corridor and the Central Corridor from Mombasa to Bujumbura will inform which sections of the Corridors may need review of speed limits.
30. **The Member States are urged to rationalize the number of road humps built along the different sections of the Corridor and also standardize the size of the humps with the aim of minimizing the damage they cause to vehicles.**
31. **Member States should also explore use of alternative speed calming measures other than emphasizing use of road humps such as use of speed cameras complimented with heavy penalties for offenders.**
32. **Nonetheless, it is apparent that the peoples need, is to move at fast speeds. Member States are urged to develop transport infrastructure that will meet the needs of their people; speed safely.**

## **I. Challenges at Maungu Lorry Park**

33. Maungu Lorry Park is located along the Mombasa – Voi transit section, about 30 km before Voi town. It is owned by the County Government of Taita-Taveta but currently managed by private operators. The Park has a capacity of about 150 trucks, has lodges, a medical facility and restaurants.
34. Most of the facilities advocated for in the Northern Corridor model for Road Side Stations development are among the facilities at the Maungu Lorry Park. However, during the survey there are some challenges at the Park which were observed, these include: Lack of running water (water pump for the borehole had broken down), lack of designated parking area for trucks carrying dangerous goods, lack of basic firefighting equipment, trucks parking along the highway at Maungu despite having a well paved park, small number of washrooms compared to the capacity of the facility. The challenges highlighted above were shared with the County Commissioner during the survey.
35. **There is need to have a mechanism through which the NCTTCA can follow up recommendations that are implemented by Local Governments such as addressing the issues raised in the paragraph above.**

## **J. Risk of importing invasive pests and diseases transmitted by wooden pallets used in the importation of containerized goods.**

36. Wooden pallets are frequently used when loading and parking goods in containers used in importation. It is an international requirement that these pallets are treated to curb pests and diseases before being used in loading/parking of goods in the country of export.
37. It was observed that it is difficult for the regulators in the importing countries to ensure and enforce that the pallets used in the parking of imported goods were treated. Furthermore, not all containers are checked by the regulators neither are the regulators present at all points where imported goods are offloaded thus exposing the region to risk of importation of pests and diseases that are hazardous to our plants and vegetation in the region.
38. **It is recommended that plastic pallets be used in parking of imported goods. Ban on use of wooden pallets for parking imports is advisable if the region is to contain importation of invasive pests and diseases.**



# REPORT OF THE TRADE AND TRANSPORT LOGISTICS SURVEY OF MOMBASA PORT AND MOMBASA-TAVETA/HOLILI OSBP TRANSIT SECTION

## **INTRODUCTION**

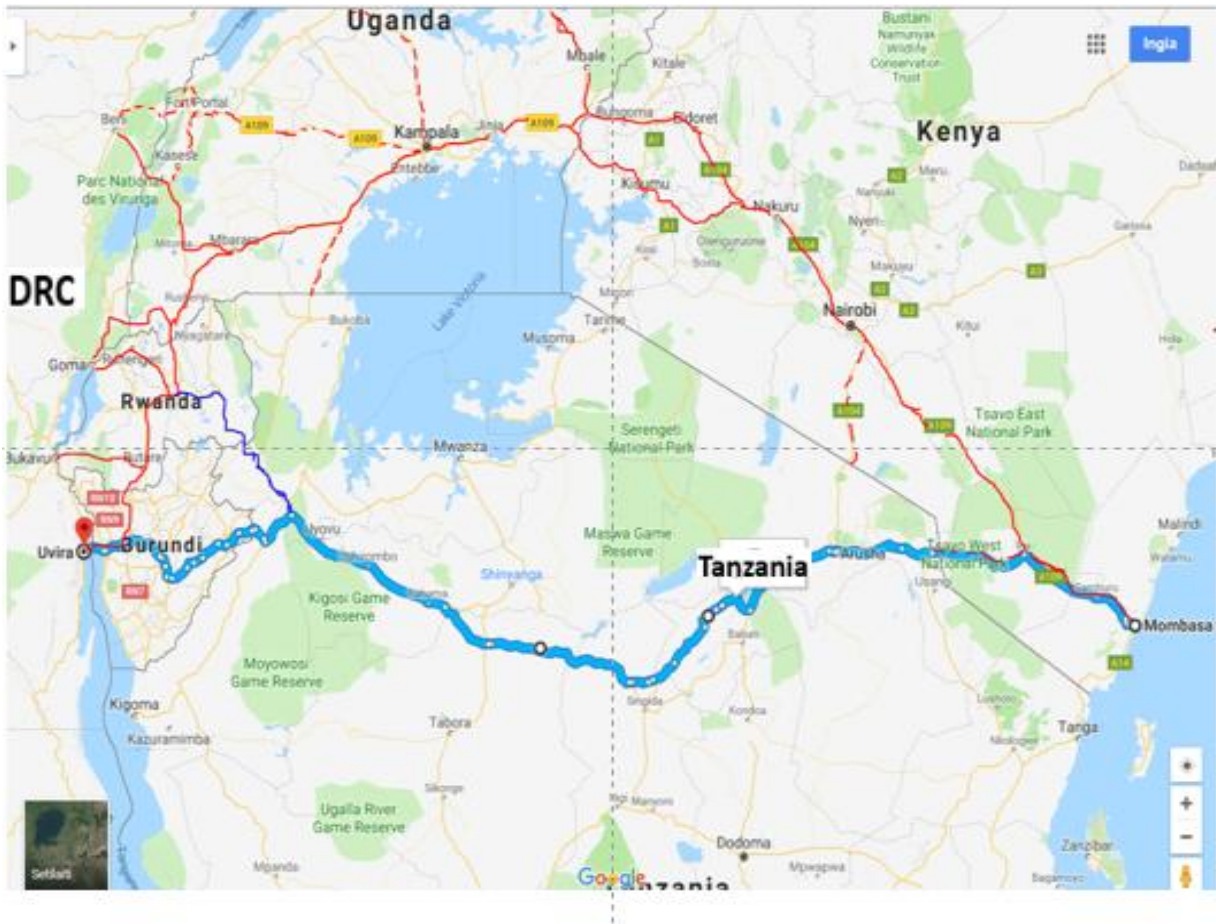
1. The Survey of Mombasa – Taveta/Holili transit section was carried out from 14th to 19th January, 2019 by a multidisciplinary team of stakeholders comprising of both the public and private sector involved in the handling and clearance of goods along the Northern and Central Corridor. The Survey of this transit section was preceded by the survey of the Port of Mombasa and the Mombasa SGR cargo terminal and concluded with a stakeholder’s workshop at Taveta/Holili border.
2. The survey is the first phase of multi-corridor trade and transport logistics survey planned to cover both the Northern and Central Corridor; running from the port of Mombasa-Kenya to Bujumbura-Burundi via Taveta/Holili, Singida-Tanzania, Rusumo and Kabanga/Kobero. Other surveys to identify new transit routes in the region will be carried out in future in the spirit of promoting interstate, intra-regional trade and the Africa Continental Free Trade Area, AfCFTA.

## **BACKGROUND**

3. The Port of Mombasa is located 1957 km from Bujumbura and 1,682Km from Kigali by way of the Northern Corridor traditional route through Kampala via the Malaba or Busia border station. In addition there are three border crossing points, namely Malaba - Busia, Katuna/Gatuna, Merama Hills/Kagitumba and Akanyaru Haut/Kanyaru Haut - Nemba/Gasenyi before reaching Bujumbura. In case one is proceeding to Uvira-DRC via Kigali and Bujumbura the distance is 1,984Km and has to cross another border station; Gatumba/Kavimvira.
4. Recently the road from Voi to Taveta/Holili OSBP which links the Northern Corridor with the Central Corridor was upgraded to bitumen standard. The route through Taveta/Holili border station is shorter than the traditional route through Busia or Malaba by more than 300 km to Bujumbura and Uvira and by more than 200Km to Kigali. The same advantage prevails for the goods ferried to other parts of Eastern DRC through Kigali and Bujumbura. Furthermore, the number of border crossing points through this route reduces from 3 to 2 for Burundi and from 4 to 3 to Eastern DRC through Gatumba/Kavimvira border.
5. In addition to import and export traffic through Taveta/Holili OSBP handled through the Port of Mombasa, cross border trade through the OSBP has increased during the last two years. The route is also key in facilitating inter-state and intraregional trade especially agricultural products from the rich agricultural area of Moshi and Northern Tanzania regions. Farmers through their intermediaries are able to access good markets for their produce in big towns across the border. Furthermore, get quick access to the sea through the Port of Mombasa for those exporting perishables overseas.
6. In spite of the advantages above offered by the shorter inter-corridor link between the Northern and Central Corridor, statistics show little additional interest by traders from Burundi, Rwanda and DRC to use this link to access the Port of Mombasa. Therefore, a ground survey was highly recommended to identify the real obstacles with a view to addressing them.



7. On the other hand, in advent of the SGR train services and with the need to widen the scope of the Port Community Charter, the survey of the SGR logistics in all its details was necessary to identify performance areas that need to be monitored. Trade and Transport Logistics Stakeholders Surveys over the years have proved to be objective sources of information when it comes to assessing performance of transport corridor logistic chain and proposing corrective measures to address inefficiencies identified.



Extract from google maps highlighting the **traditional Northern Corridor transit route in red** and the **proposed shorter transit route to Burundi, DRC and Rwanda in blue**

### **Objective of the Survey**

8. The objective was to:
  - i. Assess the status of logistics conditions along the Mombasa – Voi – Taveta/Hoili OSBP transit section, with a view to availing accurate information to stakeholders on the status of transport infrastructure and facilities, existing trade facilitation measures implemented along the route as well as challenges observed in order to formulate recommendations to the Member States for action.

- ii. Sensitize stakeholders along the sections being surveyed about the ongoing trade facilitation initiatives along the Corridors.
- iii. Establish the status of the railway-SGR logistics at Mombasa Port and provide stakeholders with a basis for addressing the challenges faced by transport of goods by rail. Furthermore, identify key performance areas whose regular monitoring will help the Authority in charge of rail transport, other relevant public and private agencies and stakeholders involved or interested in rail transport logistics, to take preventive measures and keep the rail logistics efficient.

### **Survey Team**

- 9. The survey team led by officials from the NCTTCA Secretariat comprised of representatives from the following agencies; Burundi Revenue Authority, DRC-OGEFREM, Kenya Revenue Authority, Rwanda Revenue Authority, Kenya Ports Authority, Kenya Maritime Authority, KIFWA, ISCOS, KRC, KENTRADE, KTA, KNPS, KEBS, KeNHA, KSAA, KEPHIS and Rwanda Private Sector.

### **Scope of Survey and Target Stakeholders**

- 10. The trade and transport logistics survey examined issues to do with the efficiency of trade and transport logistics along the transit sections and nodes surveyed such as: clearing processes for goods, regulatory requirements, security and safety for cargo, personnel, transit bonding system, number and type of controls en route to destination of cargo, IT systems automation and integration, condition of transport infrastructure and facilities, transport costs and other charges.
- 11. It covered the sections of the road and transit nodes situated between the Port of Mombasa and Taveta/Holili OSBP via Voi.
- 12. The survey of the SGR logistics covered the Mombasa SGR cargo terminal at Port Reitz where containerized cargo and empty containers are loaded and offloaded from wagons.

### **Survey of the Mombasa Port, Mombasa-Taveta Transit Section and Taveta/Holili Border Station**

- 13. The areas and stakeholders surveyed at Mombasa included; Mombasa Port, Port Reitz, ECD's, CFS's, KPA, KRA, OBR, OGEFREM, RRA, URA, SSNRA, TRA, KENTRADE, KRC, Kenya National Police Service, KSAA, KIFWA, KEBS and KEPHIS.

### **Areas of operations surveyed**

- 14. The areas of operations examined during the survey included:
  - i. Documentation, processes, procedures and exchange of information among stakeholders at the Mombasa Port and at the Taveta/Holili OSBP.
  - ii. Handling and clearance of imports on Through Bill of Lading Vs Merchant Bill of Lading.

- iii. Capacity/adequacy and productivity of infrastructure, facilities and equipment used in the handling and transportation of cargo by SGR.
- iv. Volumes of cargo handled/transported per day/month/year
- v. Quality of infrastructure/facilities used in the transportation, handling and clearance of cargo at the Taveta/Holili OSBP
- vi. The quality and adequacy of transport infrastructure along the transit section
- vii. Transaction Costs and other incidental costs.
- viii. Status of possible trade impediments to the flow of goods along the route; axle Load enforcement system, the 24/7 schedule, pre-arrival clearance of cargo, ECTS enforcement, challenges/solutions
- ix. Cross cutting issues (safety, security, health etc.) Updates on the new developments on trade and transport facilitation along the transit section.

### **Methodology and approach**

- 15. Literature review to identify areas of focus during the survey.
- 16. The survey was conducted based on a check list informed by a number of commitments taken by key stakeholders in the East Africa Region, the Northern Corridor Transport Observatory reports and recurrent issues raised by beneficiaries of logistics services.
- 17. It entailed making physical observations; getting to know the business processes and systems used in clearance of cargo; interviewing public and private sector operators at the key transit nodes and along the transit section.
- 18. Validation of the survey report drafted by the NCTTCA Secretariat in a stakeholder's workshop with participation from both the public and private sector.

## **Observations made during the Survey of the Mombasa Port**

### **A. Survey of Kenya Ports Authority – KPA**

- 19. The Survey Team examined the facilities, equipment and processes for handling and clearance of cargo by KPA at the Mombasa Port and went through the KPA process for handling and clearance of cargo.

### **Facilities and equipment for handling cargo at the Mombasa Port**

- 20. These include:
  - a. Two container terminals; Terminal 1 has three berths; Berth Number 16,17 and 18 which are served by a yard with annual capacity of 555,000TEU's and Terminal 2 has two berths; Berth Number 20 and 21 served by a yard with annual capacity of 450,000 TEU's. 32.5% of cargo handled at Mombasa Port is containerized.

- b. Nineteen deep water berth with draft ranging from 10 – 15 m of which includes; two bulk oil jetties, two bulk cement berths with three silos each with capacity of 6,000 tons and ten Conventional Cargo berth of which berth No.1 is to be converted to receive cruise liners.
- c. Equipment for handling cargo include; Rubber Tyred Gantry cranes, Terminal Tractors, Ship to Shore cranes, Harbor Mobile Cranes and Reach Stackers.

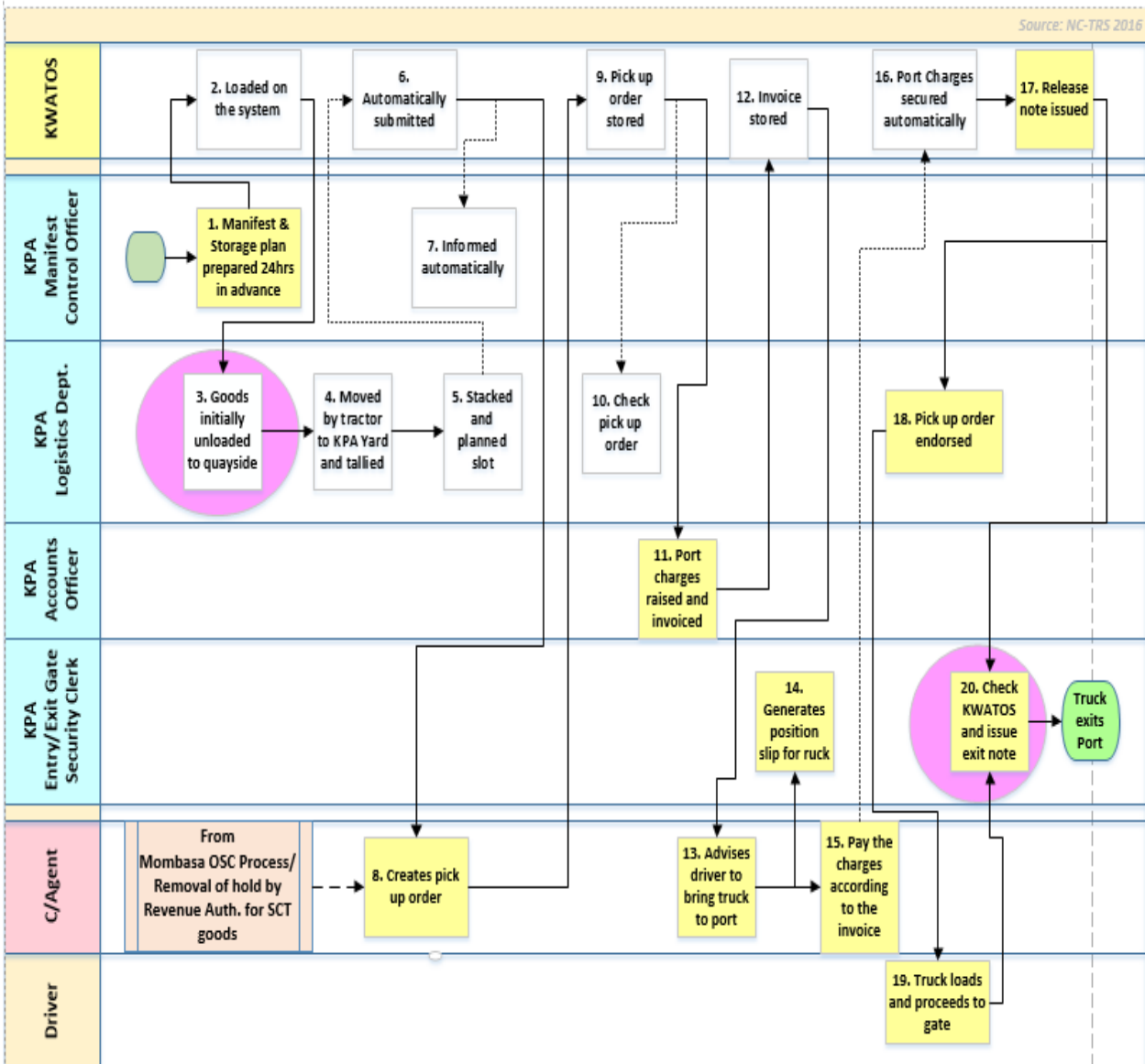


**On the Left; Reefer Points at Mombasa Port:** The Port is beefing up its capacity to handle perishable cargo, currently the installed points for reefer containers are 178 at terminal 1 and 288 at terminal 2.

### **Handling and Clearance of Cargo by KPA**

- 21. Kilindini Water Front Terminal Operating System (KWATOS) is the automated business systems used by KPA for clearance of cargo. Cargo handled at the port is tracked using KWATOS and billing for KPA services is also done through KWATOS. KPA is in the process of acquiring a new Port Terminal Operating System to replace KWATOS to enhance service delivery to its clients.
- 22. To access the Mombasa Port one needs to have a Port Pass which can be applied for, 48 hours in advance before visiting the Port. Vehicles including trucks require gate passes before being allowed into the Port unless the vehicle has a port pass. If one is visiting the Port on official business s(he) has to apply for a Temporary Movement Control Permit. Application for a Port Pass or Movement Control Permit can be done online through the KPA web portal. The application has to be supported by copies of valid passport or national identity card.

## KPA PORT CLEARANCE PROCEDURE: MOMBASA - KENYA



23. KPA handles loading and offloading of cargo from the SGR wagons. The SGR railway relief line has been extended to the Messina yard to facilitate SGR operations. Each vessel at arrival has a list of containers for delivery to Nairobi ICD by SGR. The SGR clerks ensure that the containers are received by SGR Operations unit at Port Reitz.
24. KPA commenced loading containers ex-hook from vessels onto the SGR wagons, it takes less than 10 minutes to offload and load a container from a vessel onto an SGR wagon. The containers that are not loaded ex-hook onto the SGR wagons are deposited in a designated area at Port Reitz to await the next train. Currently the container interchange between KPA and SGR is managed manually.



There are enough equipment deployed at Port Reitz to facilitate loading and offloading containers on the SGR wagons. Furthermore, KPA loads and offloads containers from trucks.

25. It is only upon request by the consignee, that transit containers are transported by SGR to Nairobi. The Non-TBL transit containers are railed by SGR to Nairobi only upon request by the consignees, the requests have to be formally made to KRC and copied to KPA. SGR does not transport dangerous goods, out of gauge containers, open top containers, imbalanced containers and Reefer containers.
26. The consignee of the Non-TBL container has to first clear with KPA thereafter pay his SGR freight charges at the SGR office where (s)he obtains a railway consignment note before the container is loaded on the SGR wagon. For goods originating from outside the Port, the owners have to pay their freight at the SGR office, get a consignment note and thereafter a KPA port pass to allow the container to access the SGR terminal through the Port.
27. Currently SGR runs 8 to 10 cargo trains daily. Each train is made up of 50 to 58 wagons i.e. each train transports 100 to 116 TEU's. The set target is to run 12 cargo trains daily.



An oiler being decanted at Mombasa Port Oil Jetty. It takes about 4 days to offload an oiler carrying 50, 000 tons of fuel.



A vessel being served at the new container terminal at Mombasa Port. Following dredging of the Port and construction of a bigger berth. The Mombasa Port can now receive Post Panamax container ships of capacity 8,000 TEU's

### **Handling of Exports and Empty Containers by KPA**

28. KPA also enforces the IMO SOLAS convention on Verified Gross Mass (VGM) for export containers loaded at the Port. 5% of loaded containers are randomly checked for conformity with the VGM SOLAS Convention. KPA has equipment calibrated for VGM, exporters that miss-declare the weights of their containers are penalized.

29. KPA gives four days grace period for storage of export containers and empty containers at the port awaiting repatriation by vessels. Nevertheless, the gates for receiving containers at the Port are opened 7 days prior to arrival of the exporting vessel.
30. TBL empty containers returned by SGR to Mombasa remain at the Port whereas the Non-TBL empty containers returned by SGR to Mombasa are processed for transfer to the designated ECD. The operators of the ECD's are the ones responsible for transferring the empty containers from the Mombasa SGR terminal at Port Reitz to their depots.



The Port Reitz yard often gets congested with empty containers. The TBL containers are expected to remain at the Port pending repatriation by vessels. The MGR area where empty containers used to be stacked pending repatriation, was diminished by the construction of the SGR railway lines.

31. The shipping lines submit a pre-advise shipping order to KPA to advise them about the containers that are to be repatriated by ships. The containers are pre-stacked before arrival of ships, KPA stacks the containers for each ship separately to ease the process of identification and loading onto the ships. The containers are pre-stacked in a manner in which they are to be loaded onto the vessels.
32. The challenges enumerated during the Survey of KPA included;
  - a. Congestion at ICDN due to delays by the consignees to take delivery of their cargo out of the ICD. Partly this delay is attributed to the intervention in clearance of cargo by other Government Agencies.
  - b. The only way one can access the SGR terminal at Port Reitz to have his goods transported by SGR is passing through the Port; one has to go through the process of getting a gate pass.
  - c. It is difficult for SGR to return the TBL empty container within the grace period offered by the shipping lines due to challenges faced at last mile.



- d. Batching of vessels due to their arrival at the same time. Some vessels have to wait before they are berthed. Implementation of the Fixed Berthing Window (FBW) has mitigated this challenge. The vessels on FBW which arrive before their window opens are categorized as vessels waiting at their own convenience.
- e. Cargo meant for consumption in Mombasa being railed by SGR to ICDN even if it is on a Non-TBL. The Survey Team was informed that all local containers destined to Nairobi and beyond were being railed by SGR to Nairobi ICD. Consignees with Nairobi address but intending to have their cargo consumed in Mombasa were the ones to make request stopping the cargo being railed to Nairobi.

### Share of Mombasa Port Transit Cargo Throughput (DWT) for Jan – Sept. 2017 and Jan – Sept. 2018

COUNTRY	TRANSIT TRAFFIC		CHANGE		% SHARE	
	2017	2018	VOLUME	%	2017	2018
Uganda	628,695	755,197	126,502	20.1	84.1	81.8
South Sudan	52,103	81,984	29,881	57.3	7.0	8.9
D.R.C.	31,227	45,508	14,281	45.7	4.2	4.9
Rwanda	21,198	19,456	-1,742	-8.2	2.8	2.1
Tanzania	14,257	18,750	4,493	31.5	1.9	2.0
Somalia	237	1,298	1,061	447.7	0.0	0.1
Burundi	87	573	486	558.6	0.0	0.1
Others	20	-	-20	-100.0	0.0	0.0
<b>TOTAL</b>	<b>747,824</b>	<b>922,766</b>	<b>174,942</b>	<b>23.4</b>	<b>100.0</b>	<b>100.0</b>

Source: Northern Corridor Transport Observatory

### B. Mombasa SGR Cargo Terminal - Port Reitz Yard

- 33. All SGR trains from Nairobi terminate at Port Reitz. The yard at Port Reitz has 14 lines. Cargo is received at the yard on a cargo acceptance form issued by the KPA Tally Clerk and the information is shared with the SGR operator. Safety inspection of the containers is done at the railway yard.



**SGR Cargo Terminal at Port Reitz.** The Survey Team observed that the space for holding loaded and empty containers pending evacuation is inadequate given the volumes handled at the facility.

34. Wagons are booked using the freight manifest system. Wagons are placed according to weight. KPA loads the wagons, communicates to SGR operator to move the loaded wagons through a weighbridge to obtain weight and stability of the container. If 2x20ft containers are loaded on the same wagon the containers must have a weight difference of less than 3 tons; for 1x40ft container, axle load difference for the wagon must be less than 3 tons. Cargo in a 1x40ft container can be redistributed for the container to conform.
35. KRC generates a railway consignment note in their system. The consignment note is issued in hard copy. The train manifest is shared with other stakeholders in soft copy.
36. For cargo originating from outside the Port to be transported by SGR, clerks request KPA for port access for the cargo and give a copy to KRA and to KRC. All empty containers delivered by SGR to Port Reitz have to go through the KPA process before being evacuated from Port Reitz.
37. Between Nairobi and Mombasa there are 30 SGR interchange stations where trains moving in opposite directions can bypass each.



A damaged container at Port Reitz. Irrespective of the party that caused the damage, the consignee often is the one that bears the burden for the damage. The container deposit that guarantees return of empty container is withheld by the shipping lines, at times the shipper foregoes the guarantee and may even be required to pay more to the shipping line because of the damage.

38. The challenges faced by KRC/SGR at Port Reitz include:
- a. Inadequate space for storage of empty containers returned by SGR to Mombasa.
  - b. Delay by the ECD's to collect empty containers from the Port Reitz yard.

### **C. Kenya Revenue Authority – KRA**

39. In case of cargo being imported by vessels through the Mombasa Port, a ship manifest is submitted by the shipping line to KRA 48 hours before arrival of the vessel. Upon approval of the manifest by KRA, it is transmitted to stakeholders; KPA and Revenue Authorities. DRC and South Sudan not yet getting online manifest.
40. KPA nominates cargo to the CFS's. Upon discharge of the vessels after its arrival. TBL containers and some Non-TBL containers are loaded on wagons and railed to ICDN Nairobi for clearance. The remaining Non TBL containers are transferred to the CFS's by the CFS operators. The CFS's are given 48 hours to transfer containers from the Port to their premises after being offloaded from a vessel.
41. Goods destined outside Kenya are cleared using two systems, SCT where the traders enter the goods with customs in the country of destination as is the case for Burundi, Rwanda, Tanzania and Uganda. Otherwise, for goods destined to other countries, the traders clearing agent prepares a transit entry in the KRA SIMBA system.

42. For goods processed by EAC Partner States using SCT, KRA issues a C2. DRC and South Sudan still clear their cargo using the KRA SIMBA system. Goods for examination are targeted mainly basing on information from the scanner. All containers go through the scanner at Mombasa Port.
43. Use of R-ECTS; about 15% of the cargo is sealed, currently KRA has about 3,000 R-ECTS, the target is to have 17,000. The cost of a R-ECTS device is about US \$800.
44. Regarding automation and interconnectivity with other stakeholders, the Kenya National e-SWS is used for exchange of data used in the clearance of goods among the stakeholders. However, currently the Manifest Management System (MMS) used by KRA, is not able to receive and process partial manifests for approval and clearance of goods.
45. Other issues that need taking note of:
  - a. Only imbalanced containerized cargo transported by SGR is opened by KPA to enable redistribution of the cargo before a container is transported by SGR to ICDN.
  - b. It is the cargo owners/CFS's that apply to transfer cargo by SGR.
  - c. Tracy seals are used to track containers in the yard and containers transported by SGR
  - d. South Sudan Representative at the Port of Mombasa is notified in case there is any South Sudan bound cargo that is to be verified at the Port.
  - e. Imports are scanned on their way out of the Port and exports are scanned as they are being received at the Port.
  - f. Identification of containers for examination is guided by comparison between the scanned images and what is declared on the entry. About 3% of the containers are verified. No scanning takes place between 05:00am and 08:00 am this period is to allow the scanners to cool.
  - g. Generation of C2 is after arming the truck/containers with the R-ECTS. Arming of the containers is done at terminal 2.

## Recommendations

46. **KRA should Geo-fence the R-ECTS transit route from Mombasa to Burundi, DRC and Rwanda that passes through Taveta/Holili OSBP beginning with the Voi-Taveta/Holili transit section to enable tracking of cargo using this transit route.**
47. **The Revenue Authorities should enhance SCT data exchanges and CMS integration for an improved C2 and exit process management.**

## D. Rwanda Revenue Authority

48. RRA clearance process begins with receipt of ship manifests from shipping lines through KRA/KENTRADE. KRA approves the manifest and shares it with RRA. The C/Agents declare the goods in RRA Asycuda World. Supporting documents for the goods are submitted online.

49. The Trader/Agent pays taxes or executes bond in case of goods entered for warehousing. Obtains a release order from Customs and proceeds to Mombasa Port to collect the goods.
50. Once a Customs release order is issued in the System, Customs removes the holder on the goods in KWATOS to allow trader/agent process clearance with KPA.
51. The Trader/Agent obtains a Pickup Order from KPA. Goods are presented to RRA for physical release.
52. After a Customs Entry has been assessed, there are different channels of processing clearance of goods by RRA. These are;
  - i. Blue Channel, direct release – Exit Note for the goods is generated.
  - ii. Yellow Channel; documents are verified in the system.
  - iii. Red Channel; containers with a single type of commodity are opened for verification at Mombasa Port, those with mixed goods an e-mail is sent to RRA Rwanda, for the container to be verified when it arrives in Rwanda.
53. RRA releases the Cargo, issues Exit Note for cargo whose taxes are paid or T1 in case of goods entered for warehousing, KRA seals the goods where applicable and generates a C2 to allow the goods transit to the Kenya exit border station.
54. Challenges:
  - i. Shortage of R-ECTS seals.
  - ii. Inter-connection of Systems and gate exit processes taking long.
55. **EAC Partner States urged to enhance their Customs Management Systems interface to ensure exchange of data with TRA's TANCIS for goods cleared under SCT framework in Mombasa transiting through Taveta/Holili OSBP to Burundi and Rwanda.**

## **E. KENTRADE**

56. KENTRADE manages the Kenya e-SWS, a platform used by all cargo interveners to exchange data on goods being cleared. The Kenya e-SWS also provides a platform for stakeholders and regulators to process and issue permits used in the clearance of internationally traded goods.
57. KENTRADE has partnered with the Revenue Authorities to share data especially manifests for goods destined to the neighboring countries and with OGEFREM-DRC.
58. The agencies without automated business systems can use the KENTRADE platform to process permits for clearance of goods such as the case now with KEBS and OGEFREM.

59. The KENTRADE e-SWS captures time stamps which can be used to measure time taken by the respective Government Agencies in the process of clearance of goods. They have engaged KMA to integrate their system with the e-SWS; so that KENTRADE can provide data for the Port Community Dashboard.
60. KENTRADE set up a backup site that is currently up and running, it ensures business continuity of KENTRADE System operations. Pre-clearance of cargo and partial release of cargo is currently tied to implementation of the ICMS which is currently being piloted at JKIA.
61. Some of the processes at the OSC are manual, KENTRADE is working to automate the release process. A module has been developed where releases will be online and can be reviewed. Agencies will do their interventions/halt clearance of cargo through the system.
62. Unique Consignment Reference (UCR) is assigned to every consignment before commencement of document processing. A dashboard is already in place for the stakeholders to know the progress of clearance of goods by the different Government Agencies at the OSC. The stakeholders need a KRA PIN to register to access the dashboard, stakeholders are given an account for this purpose.
63. Implementation of the Marine Single Window System which is a requirement of IMO is underway. The setting up of a Marine Single Window is geared towards automation of the FAL recommendations relating to documentary requirements of marine transport, through reducing the number of declarations, reducing paper work, simplifying formalities, documentary requirements and procedures associated with the arrival, stay and departure of ships engaged on international voyages.
64. Challenges experienced by KENTRADE include; small number of staff deployed to cover the whole Mombasa Region, there are only three staff for the Region. There is need for Service Level Agreements to be able to identify which stakeholder is responsible to address a given issue when it arises.

**Recommendation:**

65. **The UCR under implementation by the Member States should take into consideration the Regional UCR prototype agreed by the NCTTCA Member States for harmonization in UCR generation and for easy of data exchanges with other SCT Members.**

**F. Kenya Bureau of Standards - KEBS**

66. The role of KEBS is to inspect manufactured goods to check and enforce compliance to National, Regional and International standards.
67. Legal Notice 127 of Kenya requires PVoC; Pre-Verification of Conformity to Kenyan standards before goods are imported in Kenya for all goods coming from a PVoC Partner State. A Certificate of Conformity (COC) is issued after testing the goods and this

certificate must accompany the imported goods. The testing also takes care of national safety and environmental concerns. Traders that import goods without a COC, apply through the National e-SWS for local inspection and for a local COC. Approvals by KEBS are all done through the e-SWS.

68. KEBS also does surveillance to enforce compliance to the standards, however, does not normally intervene on products destined to other EAC Partner States transiting through Kenya. Before goods that are not compliant are destroyed by KEBS, the owner is contacted. KEBS also participates in auction of goods to ensure that any goods being auctioned meets the quality standard requirements.
69. Border stations are also empowered to issue local COC's. The process of getting a COC involves getting a UCR and approval through the Kenya e-SWS.
70. The KEBS laboratories have been equipped to carry out a wide range of tests. If everything is in order, a local COC takes a minimum of 4 hours to obtain. However, there are some COC's that take long such as cement whose tests take 30 days before results are obtained. Kenya is a signatory to the WTO –TBT which requires Member States not to use standards to hinder trade.
71. Not all goods require PVoC such as raw materials. There is also a provision for importers to apply for a waiver of PVoC and have their goods tested on arrival in the country. Furthermore, for reputable importers, there is also a provision for release of goods under seal to owners' premises pending results from the tests being carried out by KEBS; one has to apply for this facility.
72. Kenya recognizes certification of standards issued by the EAC Partner States. When goods manufactured in the Region meet the quality standards they are issued with a Regional Standards mark which KEBS recognizes when such goods are imported in Kenya.
73. **The results of the tests by KEBS are not shared online through the e-SWS, they are issued to individual importers for confidentiality purposes. It is difficult for other agencies to obtain and use this information in the process of performing their duties when needed.**

## G. KEPHIS

74. KEPHIS is a parastatal under the Ministry of Agriculture which monitors imports and exports to check for presence of pests and diseases as well as admissible plant species. Goods inspected by KEPHIS are agriculture products and products made from wood.
75. One needs a plant permit before importing or exporting a plant from Kenya; this is mandatory.
76. The process for importation commences with the importer submitting an import permit to the exporting country spelling out the conditions for importation of a given product. The

documents required at importation include; a phytosanitary certificate issued by the exporting country, fumigation certificate, moisture content certificate/analysis. Application for a phytosanitary certificate in Kenya is done on line but issued in hard copy

77. Physical examination of goods by KEPHIS is done in collaboration with other Government Agencies. In case of goods rejected at first inspection, there are three options applied by KEPHIS. KEPHIS may have the goods; treated before being cleared; returned back to the exporting country or destroyed depending on their condition at importation and the basis for rejection.
78. In case of bulk inspections of cargo on vessels its takes about 30 minutes for KEPHIS to issue a certificate of discharge if cargo is compliant. Containerized cargo is inspected either at the Port or at the CFS's, KEPHIS checks both the documents and the physical goods.
79. In case there are pests in the consignment, KEPHIS identifies the type of pest, if the pest does not exist in Kenya, the cargo is rejected. However, if the pest exists in Kenya, the cargo has to be fumigated. KEPHIS has a list of accredited inspectors the cargo owner can use to conduct the fumigation. KEPHIS conducts an annual audit of the accredited inspection companies before renewal of their accreditation.
80. KEPHIS has a state of the art lab at Nairobi where referrals for testing are made. There is a charge of 3 cents per kilogram levied for inspection. However, for wheat and grain destined to Uganda, no inspection charges are levied.

### **Challenges faced by KEPHIS**

81. The biggest challenge for KEPHIS is lack of space at the Port. If a consignment is condemned there is no space to hold the cargo to avoid further contamination. Furthermore, there is possibility of spillage during movement of the cargo.
82. It is an international requirement that wooden pallets used in packing containerized goods are treated before they are used. However, it is a challenge to ensure that all the pallets used in packing containerized goods are treated since it is not possible for KEPHIS or any other regulator to witness offloading of all cargo imported in containers given that most containers are offloaded at owners premises. There is a big threat of spread of invasive pests and diseases through untreated wooden pallets used in the shipment of containerized goods.
83. **Given the threat of importation of invasive pests and diseases in the Region through the use of untreated wooden pallets used in packing of goods, it is recommended that plastic pallets be used. It is advisable to ban the use of wooden pallets to safeguard our Region from importation of invasive pests and diseases.**



## **H. Port Health**

84. Kenya Port Health is responsible for inspection of drugs, chemicals, cosmetics, detergents and used clothing's. Port Health has offices at the Port and at the CFS's.
85. Importers/Agents request for inspection of their cargo online and Port Health field inspectors verify the cargo and make their reports online. Samples are drawn by the field inspectors who deliver them to the Government Chemists for testing. The samples drawn for testing are taken to the Government Chemists the next day and the Importer/Agent is able to get the results 2 days after the samples are drawn.
86. Port Health also is responsible for clearance of ship crew. The Master of a vessel has to make a Maritime declaration of health and also submit a voyage memo outlining where the vessel passed during the past 6 months. If vessel passed a port where there is a pandemic, the vessel can be put under surveillance until incubation period is over before being allowed to discharge the people and the goods on board. People travelling on a vessel must have vaccinations before the vessel sails. Special clearance is sought by the master of a vessel when there is a dead body on board a vessel.

## **I. Radiation Protection Board – RPB**

87. The Radiation Protection Board is a department under the Ministry of Health and it is affiliated to the International Atomic Energy Agency. Its core business is to ensure that food imports are free from radiation contamination.
88. Clients apply online through the Kenya e-SWS to have their consignments tested. Samples of foods collected everyday are brought to the Port Office for testing. Analysis is done and release of results is done in 24 hours. After analysis a certificate is issued; a rejection or acceptance.
89. The RPB has a radiation portal that monitors to ensure that whatever is going outside the Port is free from radioactive emissions. Using gadgets installed at the exit gates, an alarm is produced and the control center receives an alert to check where the consignment is coming from. Second hand vehicles are also tested for radiation as well as vehicles leaving the Port to neighboring countries.
90. Challenges include shortage of staff; there are only 4 staff for the Mombasa office. Most radioactive analysis is contracted to other agencies.

## **J. Container Freight Stations CFS**

91. The CFS's were established to ease congestion of the Port with cargo and to provide temporary storage for cargo pending clearance by regulators. The CFS's are an extension of the Port.
92. The CFS processes start with nomination of cargo to the CFS by KPA or the shippers. Currently nomination of cargo to CFS's is done on a rotational basis; round robin basis.

93. The process at the CFS's runs as follows;
- Shipper or KPA nominates a CFS to which cargo is to be deposited upon arrival of the vessel.
  - The CFS's obtain a payment advice from the Port, pays Port charges and obtains a pick up order for the containers. (KPA charges each particular container destined to the CFS).
  - The CFS transfer the cargo from the Port to their CFS's, they are given 48 hours to evacuate a containers from the Port after it is discharged from a vessel.
  - Shipper obtains a Delivery Order from the shipping line.
  - Cargo is declared by clearing agents and thereafter examined by customs and other regulatory agencies where applicable before customs issues a Release Order.
  - Once released by customs, the shipper pays all storage and handling charges to the CFS inclusive of Port Charges. The CFS's apply the same tariff as KPA.
94. Information among the stakeholders is shared by e-mail; i.e. shipping lines, shippers, transporters and clearing agents.
95. The challenges faced by CFS's include;
- a. Delays in return and difficulty in evacuation of empty containers returned to Mombasa by SGR.
  - b. The CFS work is paralyzed once KRA or KPA faces a network downtime, if it is fiber cable breakdown, the CFS may not work the whole day.
  - c. Lack of customs seals (ECTS) and shortage of staff especially for seal vendors delays delivery of cargo from the CFS's.
  - d. KPA should try to allocate cargo equally to all CFS's; apportion cargo basing on total volumes.
  - e. The average cargo dwell time at the CFS is about 10 days.
96. **Idle capacity at Mombasa CFS's and sensitization on usage of the SGR to transport tax paid goods from Mombasa to Nairobi.**
- a. Following the implementation of the SGR cargo train, the volumes of Nairobi bound cargo to the CFS's reduced considerably. The Nairobi cargo that is destined to CFS's is currently cargo on Non TBL and cargo which has to be inspected and whose tests take long before results are obtained.
  - b. Whereas fast clearance is one of the key trade facilitation elements of interest to traders, some traders also want temporary storage for their cargo to sort out a few issues before taking delivery of cargo to their premises. Notwithstanding other

challenges at ICDN, the high cargo dwell time at ICDN; currently about 10 days could be partly as a result of some traders constrained on where to store their cargo after clearance. As such may even delay its evacuation from ICDN long after being cleared by the regulators.

97. **Observing the need by traders for temporary storage of their cargo pending clearance by regulators. There is need to explore modalities for use of CFS's to meet the needs of the traders as well as promote the use of SGR for transporting duty paid goods cleared in CFS's from Mombasa to Nairobi as well as other goods originating from Mombasa.**
98. **There is need for private investors to invest in warehouses where shippers can store their cargo after clearance by customs.**

#### **K. Empty Container Depots – ECD**

99. Empty Container Depots play a crucial role in the transport logistics chain. Empty containers are repositioned at the ECD's in preparation for repatriation or loading exports destined overseas. ECD's play a critical role for receiving, examining, repair, cleaning and storage of empty containers. They act as an intermediary between the shipping lines and the shippers that use the containers. The ECD's are designated by shipping lines to receive on their behalf empty containers being returned by shippers to Mombasa after offloading their imported merchandise. The last mile on the Delivery Order from the shipping line will indicate the place/ECD where the container is to be returned by the shipper.
100. Process for receiving empty containers at ECD's:
  - i. The process of receipt of empty containers is ideally the same at all the ECD's in Mombasa. Different shipping lines give different grace period for the return of their empty containers to the designated or nominated ECD. The number of days given as grace period also depends on the destination of the imported goods ranging normally from 14 days to 30 days. Counting of the grace period by the shipping line starts from the time the container lands at the Port.
  - ii. Furthermore, the shipping lines also demand guarantees for the return of their containers which is deposited by the shipper or his agent before a Delivery Order is issued to the trader/agent to collect the container from the Port or CFS. The amount of guarantee demanded depends on the shipping line, destination of the goods and relationship between the shipping line and the shipper or his agent.
  - iii. Upon arrival of an empty container at the ECD, the ECD receives the Delivery Order or Storage Order from the truck driver and checks the validity of the period the container is expected to be received at the ECD. If the date of return of the container has passed, the driver/agent is advised to revalidate the date of return with the shipping line before it is received by the ECD. Some shipping lines such as Maersk have an online platform where this information can be checked before the container is returned or received in the ECD.

- iv. If the date of return is valid, the ECD signs off before the transporter is allowed to bring the container into the depot. The ECD has a system to regulate the number of trucks received in the yard. A booking form is completed and the driver is assigned a number to enable him access the yard when his times comes to offload the container.
- v. The driver is called to bring in the container which is received by security and skilled personnel at the ECD who confirm that the container booked is the one in the document.
- vi. The truck is allowed entrance into the depot, the container is surveyed for any damages, wear, tear and cleanliness. Report of the status of the container is generated and fed into the system and a container interchange receipt is automatically generated.
- vii. Once one receives the container interchange receipt, it is proof that the ECD has received the container. The interchange receipt is presented to the shipping line to process refund of container deposit.
- viii. The ECD's also reposition containers for loading exports. The standard of container issued for loading of exports depends on the type or kind of goods being exported. Some goods such as tea, require very good containers whereas certain type of goods may not depending on their nature.



**An Empty Container Depot at Mombasa:** ECD's often face a challenge of congestion, on average per day, the ECD's receive more containers than the number repatriated by shipping lines.

101. In case of repatriation of empty containers, shipping lines request the ECD by e-mail for the containers they want to repatriate. The empty containers are then delivered to the Port 2 to 4 days prior to arrival of the exporting vessel at the Port.

102. The business model for the ECD's is that it is the shipping lines that pay for their services and not the shippers. The number of days the container is stored at the ECD does not affect the amount of money the ECD charges the shipping line.
103. Challenges faced by ECD's include:
- The biggest challenge faced is congestion at KPA as well as at the ECD. On average per day the ECD's and KPA receive more empty containers than are repatriated by the vessels from Mombasa.
  - The roads leading to most ECD's are in poor condition and congested at most times. Often the ECD's are not able to deliver containers to the Port on time for loading onto exporting vessels. Because KPA is unable to receive them in advance due to lack of space to stack them.



**Empty Containers stacked at Mombasa Port awaiting repatriation.** Often the Port faces challenges of lack of space for storage of empty containers awaiting repatriation by vessels. This in turn delays delivery of empty containers from ECD's to the Port often missing the cut off time by KPA for receipt of containers for repatriation by vessels.

### **Observation**

104. Shipping Line Containers are temporary imports, as such expected to be re-exported out of the country after a given period of time. The regulators do not track and monitor the period of stay of empty containers in the country(s) as such they may not know which containers have over stayed and even those that are sold without paying taxes. For temporary imports one is expected to pay taxes if the period granted for temporary importation expires unless extended.

105. **The period of stay of empty containers should be monitored and regulated by KRA in order to compel the shipping lines to repatriate their containers in order to decongest the Port and the ECD's, furthermore, ensure that containers are not sold on the country without paying taxes.**
106. **Given the growing volumes of TBL containers, there is need for KPA to create more space for holding of empty containers especially the TBL returned by SGR to Mombasa pending repatriation by vessels.**



The activities at the MGR yard makes it hard for storage of empty containers in this area. Before extension of the SGR this area used to be used for repositioning of empty containers awaiting repatriation by incoming vessels

#### **L. Uganda Revenue Authority (URA) – Mombasa Port**

107. The current system used for clearance of goods under SCT is the destination model. Documentation and lodgment of entries is done in Kampala, though declaration of goods in the URA ASYCUDA can be done online from anywhere.
108. Clearance Process for goods destined to Uganda:
  - The trader/agent makes a declaration for the goods in the URA-ASYCUDA and does self-assessment of taxes and after payment of taxes in the bank the customs entry made by the trader reflects on the system.
  - Documentary checks for compliance with valuation, classification of goods and restrictions by other Government Agencies is done in Kampala. When the entry is passed the trader gets a Release Order issued by DPC in Uganda (Kampala).
  - The Agent uses the Release Order to request for removal of cargo from the Port whether for Home Use or Warehousing. In case of warehousing, taxes are not paid but a Regional Customs Transit Guarantee is committed before a release order is issued in the form of T1 to enable the trader/agent process exit of goods from the Port.
  - At Mombasa Port, the trader/agent uses the Release Order to request for an Exit Note from the URA Customs office at Mombasa Port. Before this is done, URA has to remove

the customs hold in the KPA KWATOS system for the trader to be able to pay Port charges and get the KPA Pickup Order and process a gate pass to allow entry of the truck into the Port that is to transport the goods to destination.

- The trader/agent proceeds to the gate where the goods are and presents the Exit Note to the KRA officer at the gate who generates a form C2 to allow the goods exit from the Port and proceed on transit to the exit border station.

109. Other issues to note

- Arming of the R-ECTS is done by KRA before generation of Form C2 basing on risk assessment.
- Cargo on TBL and destined to ICDN is cleared by URA staff at ICDN.
- In case of Uganda destined cargo to CFS, it goes on a cargo receipt. However, the trader requests permission from KRA and KPA, and must have an entry lodged in the URA ASYCUDA. URA writes to KRA to confirm this before KRA issues a cargo receipt for the goods to proceed to the CFS.
- Between 65 and 70% of goods received at the port are declared in the URA system before arrival of the vessels.

110. The challenges faced by URA at the Port include;

- Poor business systems interconnectivity which delays clearance of goods out of the Port.
- Shortage of R-ECTS to seal cargo before being allowed to transit to the destination country. An R-ECTS device costs US \$800. In the past transporters proposed that they be allowed to purchase the devices and the Revenue Authority retain the function of their operations. They allude that it is more costly in terms of time and cost incurred while waiting for an R-ECTS than when the transporter has his own device which is armed by customs whenever required.

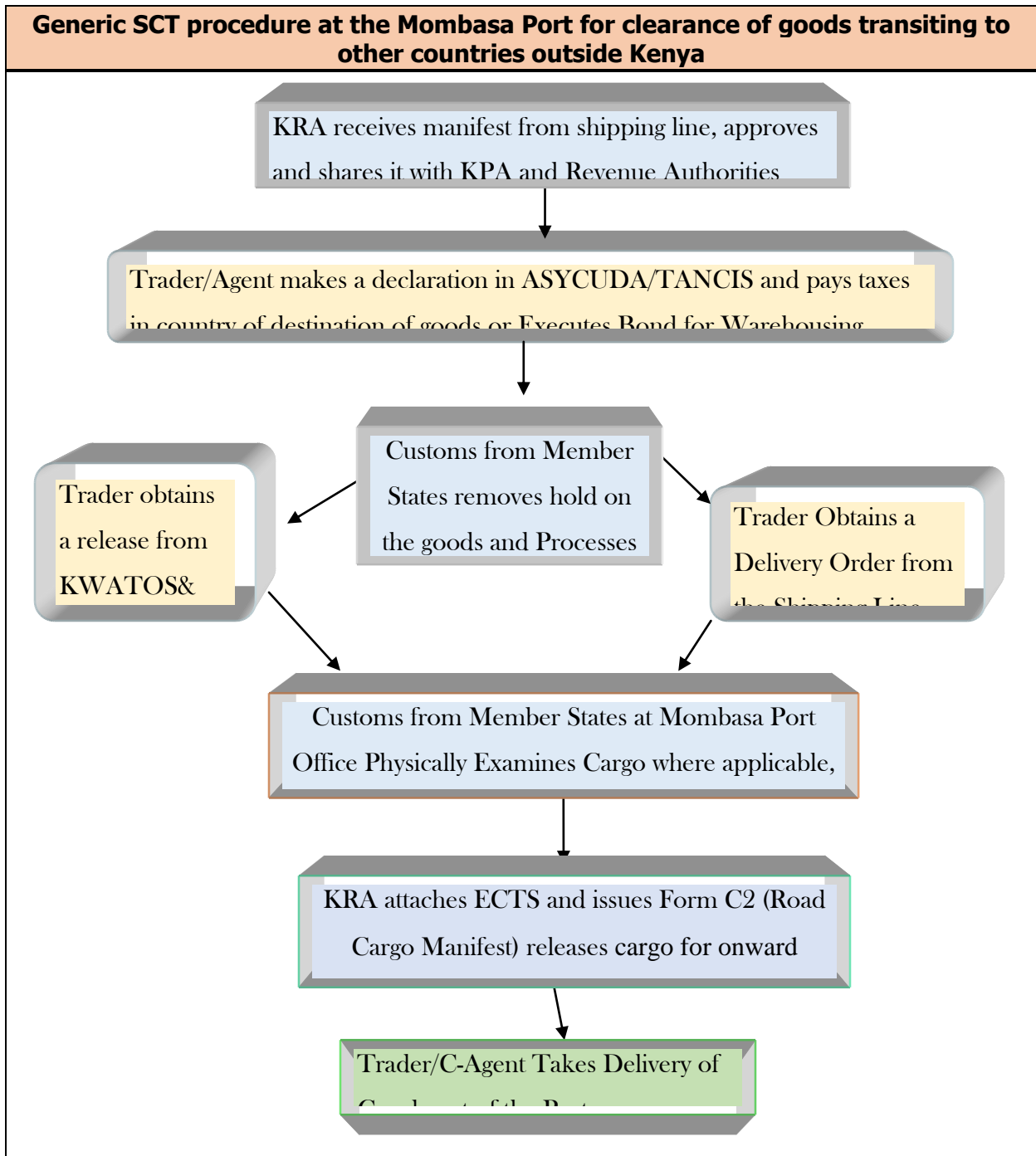
### **M. Tanzania Revenue Authority – TRA**

111. The TRA customs business system used in the clearance of cargo is called TANCIS. The process of clearance of goods destined to Tanzania through the Port of Mombasa is similar to the one used by OBR, RRA and URA.

112. The challenges raised by TRA include;

- Challenges in exchange of data and poor interconnectivity of systems among the stakeholders.
- High container deposits demanded by shipping lines as guarantee for the return of empty containers.

- Non recognition of the RCTG bond executed at Mombasa for goods destined to Burundi and Rwanda when they arrive at the Kenya/Tanzania Border station due to lack of information in TRA Customs Business system about these goods.



## N. Kenya Ships Agents Association – KSAA

113. The involvement in the clearance of goods by shipping lines is as follows;



- a. Shipping lines prepare and submit ship manifests to KRA 48hrs before arrival of a vessel at Mombasa Port, the manifests are prepared as per customs formats.
- b. Shipping lines are yet to begin submitting partial manifests, this waits implementation of ICMS by KRA. Currently shipping lines submit supplementary manifests where applicable.
- c. In order to be given a Delivery Order one has to first pay the invoice issued by the shipping line which also includes the container cash guarantee deposits. Thereafter receives container guarantee forms plus all the necessary documents such as payment receipts. Delivery Orders are obtained within 6 hours. To obtain a Delivery Order you need to submit the Original Bill of Lading and a national identification documents of the shipper.
- d. Delivery of cargo out of the Port for a TBL can be either by road or train, but a TBL comes at an extra cost to cater for transport charges from Mombasa to destination and return of empty container.

Other issues discussed included;

114. The shipping lines tasked NCTTCA to use alternative sources of data in generating maritime indicators to compare the outcome of the performance indicators with what is currently being used. KSAA promised to avail raw data to NCTTCA Secretariat to generate maritime indicators some of which are not currently being tracked such as turnaround time for containers.
115. Cash deposits demanded by shipping lines as guarantees for return of empty containers:
  - a. Shipping lines argue that it is the containers that they use to do business. If they are held by shippers and are not being used to transport goods by sea, then they make losses. The container deposits demanded is risk assurance against; delays by shippers to return the empty containers beyond the grace period, damages, misuse, detention, loss (theft) and the regulatory environment does not protect the shipping lines to ensure that they get their containers back or are compensated for loss or damages to the container.

The containers deposits demanded by shipping lines;

- For local cargo cash deposit for a 20ft container ranges from US \$500 – 1,000 and twice the amount for a 40ft container.
- For transit cargo cash deposit for a 20ft container ranges from US \$1,000 – 2,000 and twice the amount for a 40ft container.
- For special purpose containers such as Reefers and Flex Tanks, the amount demanded may be even higher.
- The amount of cash deposit demanded varies depending on the shipping line, destination of cargo and relationship between the shipper and the shipping line.

116. On the other hand shippers argue that the cash deposits demanded are too high and getting refunded by shipping lines when the containers are returned takes too long. To obtain a refund one has to present the following documents to the shipping line; application for refund, receipt of deposit payment, container guarantee form, container interchange report issued by the ECD where the empty container is returned.
117. The cash deposits increase the cost of doing business by tying up working capital, it is paid prior to getting a Delivery Order for the goods but one has to hustle to get refunded, long after the empty container is returned. The impact of cash deposits is even felt more by shippers importing big volumes of cargo.
118. Efforts by some stakeholders to come up with alternative means for guaranteeing return of empty containers to the sea ports such as insurance bond guarantees are yet to materialize.

### **General Observation on management of containers.**

#### **Role of Government:**

119. The interest of Government in monitoring and regulating movement of containers used in the importation of goods remains as long as the taxes are not yet paid. After payment of taxes on the imported goods, the Government loses interest in the containers and stops monitoring their movement or whereabouts. The return of the container is then left at the whims of the trader. DRC customs used to require shippers to declare containers on a separate form as they enter DRC and monitor their period of stay before re-exportation, however, this is no longer in practice.
120. Shipping line containers are temporary imports as per customs laws, much as taxes are not paid at the point of importation, no bond security is demanded, furthermore, their period of stay in a given country before re-exportation is not being regulated. Containers are staying in countries for unspecified long periods of time without being re-exported, indeed some may end up being sold on the local market without paying taxes to Government.

#### **Cost of Return of Empty Containers:**

121. After the trader removes his goods, he has to transport/return the container to the Port or ECD and it comes at a cost to the trader, a cost which the traders are not easily willing to bear after they have received their goods.
122. On the other hand some truckers find challenges to deliver empty containers in yards at Mombasa. Often the yard operators reject to receive them at times it takes a couple of days before an empty container is offloaded from a truck. As such they opt to make their return journey empty other than going through the huddles of delivering empty containers. The truckers also bear the cost relating to re-validation of container guarantee forms before the empty containers is received. The cost comes in form of time spent by the truckers waiting before revalidation and any due payments are made by the shipper which often takes days.

### **Regulatory Framework on Containers:**

123. There are gaps in the regulatory framework regarding management of containers as temporary imports and regulating container guarantees demanded by shipping lines at the Mombasa Port, the shipping lines may even demand an amount of deposit more than the value of the container being guaranteed. The solution to this problem requires the involvement of Government not only to compel shippers to timely return the empty containers to Mombasa but also to protect them from exorbitant cash guarantees.

### **Best Practice Scenario for Management of Temporary Imports:**

124. Currently Uganda Revenue Authority uses the Temporary Vehicle Importation and Exportation System; TEVIES to manage vehicles that are temporarily imported or exported out of Uganda. Just like the temporarily imported or exported vehicles, shipping line containers are temporary imports where neither taxes are paid at the point of importation nor a customs bond executed to guarantee exportation of the container after serving the purpose for which it was imported or after a given duration of time. TEVIES can be used as a benchmark for developing a mechanism for monitoring and management of shipping line containers.

125. **It is recommended that:**

- **Trade facilitation agents should explore modalities to have revolving cash deposits with shipping lines to guarantee return of empty containers, other than specific guarantees being demanded for each transaction.**
- **The Customs should monitor movement and regulate the period of stay of containers in their countries and also compel shippers or shipping lines to re-export them.**
- **Explore the use of insurance as container guarantee whereby a shipper pays some premium.**
- **There is need for a regulatory framework not only to protect the legitimate interests of the shipping lines but also the shippers.**
- **The shipping lines should allow the ECD's to receive the containers and thereafter validate the return date for containers that have stayed beyond the grace period to enable release of the trucks for other transport business.**
- **The Member States are urged to take advantage of the existing system for management of temporary import/export of vehicles; TEVIES to develop a system for monitoring and management of stay of shipping line containers in their countries.**
- **Secretariat should develop a detailed concept paper to support discussion by Member States to address the challenges of delay of return of empty containers as well as the high cash deposits demanded as guarantee for their return.**

## **O. Kenya International Forwarders and Warehousing Association – KIFWA**

126. C/agents commence the process of documentation of cargo after receiving the key commercial documents from the trader which include; Bill of Lading, Invoice, Insurance Certificate, Packing List and certificates of compliance required by the different regulators depending on the type of goods being imported.
127. Once a manifest is approved by KRA in the system, the clearing agents commence the process of clearance by processing the Import Declaration Form (IDF), make a customs declaration in the SIMBA and electronically submit the entry to the DPC for customs to process.
128. The agent obtain the Delivery Order from the shipping Line after payment of the dues to the shipping line and making a cash deposit to guarantee return of empty container to the shipping line.
129. The Delivery Order and customs entry are used to process delivery of cargo out of the Port/CFS.
130. Challenges faced by the clearing agents in their work:
  - i. Delay in evacuation of cargo from the Port
  - ii. Containers that are not balanced are rejected and cannot be transported by SGR unless rectified.
  - iii. Container twist locks that are spoilt
  - iv. No communication by KPA of rejected containers
  - v. Dangerous goods clearance
  - vi. Congestion at ICDN
  - vii. Containers on vessels offloading next to SGR are given priority for loading on SGR wagons destined to ICDN, while those which arrived at the Port earlier are kept waiting at the Port.

## **P. Burundi Revenue Authority – OBR**

131. The process of clearance of goods to Burundi in brief is as follows:
  - i. OBR receives ship manifest from KRA and uploads it on its Customs Business system to enable Clearing agents to make declarations.
  - ii. Clearing Agent lodges customs entry.
  - iii. Agent submits entry with supporting documents to OBR; Submits a file to customs after duty is paid. OBR processes entry at their office in Burundi and generates a Release Order in the OBR-ASYCUDA.

- iv. Agent presents Release Order to OBR Mombasa Office which issues an Exit Note for cargo which has paid taxes. For cargo under Warehousing a T1 is issued.
- v. Revenue Customs Hold in KWATOS is removed to allow the trader pay the Port Charges and have his cargo released by KPA for onward transit.
- vi. Agent proceeds to KRA with T1/Exit Note to obtain a C2.
- vii. In case of motor vehicle units to Burundi, verification is done at the Port before being released for onward transit.
- viii. Burundi rolled out SCT clearance of goods on 1<sup>st</sup> September 2018.
- ix. Challenge of exchange of information still exists. e.g. manifests from SIMBA are not got, in that situation a request to allow use of old system IM8 to clear goods on transit to Burundi is made to KRA.

## Q. South Sudan Customs

132. It was observed that;

- i. Currently South Sudan Customs is under the newly established National Revenue Authority; the South Sudan National Revenue Authority.
- ii. Currently South Sudan Customs is not automated.
- iii. Goods to South Sudan are cleared through the KRA SIMBA System before being allowed on transit from Mombasa.
- iv. South Sudan Customs at the Port monitors South Sudan bound cargo by use of KRA file/System.
- v. South Sudan Customs Officers at Mombasa Port currently cannot access information on a transaction until all transit clearance procedures in the KRA-SIMBA system are completed.
- vi. Declaration of goods with South Sudan customs is done at the South Sudan border stations.
- vii. Cargo to CFS's delays which leads to payment of demurrage.
- viii. All goods through Nadapal border station between South Sudan and Kenya are verified at Mombasa Port.

133. **South Sudan Customs is urged to expedite the process of automating its business processes to facilitate implementation of clearance of goods under the SCT framework as well as exchange of data used in the clearance of goods with other stakeholders.**

## R. Kenya National Police Service – KNPS

134. In the performance of its duties KNPS;

- i. Provides security for the Port and along the entire transport corridors. Security for the Port starts from the Kenya territorial waters – with Kenya Naval. Does surveillance of sea and ensure safety.
- ii. Conducts patrols along the water channels and inside the territorial waters as well as along the entire transport Corridors.
- iii. Prevents non-authorized vessels or persons within the channels, can board and inspect vessels and verifies documents and crew on board.
- iv. When goods are offloaded, KNPS secures them while in the KPA yard. The Port is covered by CCTV cameras which are used to monitor and detect any problem in the port. The National Intelligence Service provides information to prevent breach of the law.
- v. Ensures free flow of traffic within the port and regulates traffic within the port.
- vi. The DCIO ensures investigations are carried out thoroughly, supports prevention of contraband goods and where applicable liaises with Interpol to handle crimes committed.
- vii. Security is provided for goods that have left the Port. There is a Northern Corridor Security team and the Northern Corridor is divided into sectors along the road from Mombasa to Malaba. There are also subsectors within the sectors which facilitates offering effective security for goods in transit.
- viii. Conducts 24/7 surveillance to monitor cargo along the Corridor. The KNPS works in conjunction with all the Revenue Authorities. This is done in collaboration with the local police stations. Police is part of the KRA-TMU Rapid Response Unit. Police officers are also at hot spot areas to deter breaching of containers along the Corridor when trucks are in transit such as hilly places.
- ix. Ensures that one has a Port Pass when in the Port. The Pass is used to check for authorized vehicles and visitors.
- x. Police officers are attached to all agencies.
- xi. There is a system of communication between Revenue Authorities and Police; the NC Police. KNPS also has mobile patrol units along the NC and along the Voi – Taveta transit section, furthermore, KWS also does foot patrols along this route which beefs up security.

135. The challenges highlighted by KNPS include;

- i. Clearance of cargo involves a lot of documents and not all police officers are well versed with the documentation, the officers need training.
- ii. Even if KNPS has access to some systems within the Port e.g. scanners – not all police officers are able to interpret the scanner images which requires training for them to interpret the images.

- iii. More Police officers are needed for the NC Police Unit for effective and adequate coverage of the route.
  - iv. There is a need for harmonization of laws across the region to check contrabands.
  - v. Security needs to vet the ship chandlers that are supplying stores to the ships to strengthen security and safety.
136. **It is recommended that Police officers deployed to support enforcement of compliance to regulations relating to transport and handling of international traded cargo be given at least basic customs training and trained on how to interpret images from scanners.**
137. **It is also recommended that Revenue Authorities put in place a mechanism where they can share alerts from the R-ECTS on real-time with the Police Unit in-charge of monitoring cargo along the transport corridors to support quick response by police in case cargo is being tampered with.**

#### **Mombasa – Voi – Taveta Transit Route**



**SGR Cargo train carrying 100 TEU's heading to Nairobi from Mombasa Port.** It takes about 10 hours for the train to reach Nairobi a distance of about 500km. Completion of the Dongo Kundu road shown in the photograph above, has also eased access by trucks to and from the Port.

#### **Length of classified roads in Kenya**

138. The table below gives the length of classified roads in Kenya and the nature of their surfaces.

Classified Roads under KeNHA			
Road Class	Paved	Unpaved	Total (Kms)
Super Highway (S)	40	0	40
International Trunk Roads (A)	4,609	2,221	6,830
National Trunk Roads (B)	5,463	6,216	11,679
<b>Total</b>	<b>10,112</b>	<b>8,437</b>	<b>18,549</b>

Source: KeNHA

### S. Mariakani Weighbridge

139. The Mariakani weighbridge is the second busiest weighbridge station in Kenya after Athi River. To ease flow of traffic at Mariakani, another weighbridge was installed on the opposite side of the road to weigh vehicles travelling towards Mombasa. The weighbridge is used to enforce the EAC vehicle load limits. The operations of weighbridges in Kenya is contracted to private companies. The Mariakani weighbridge is managed by Avery East Africa Ltd.

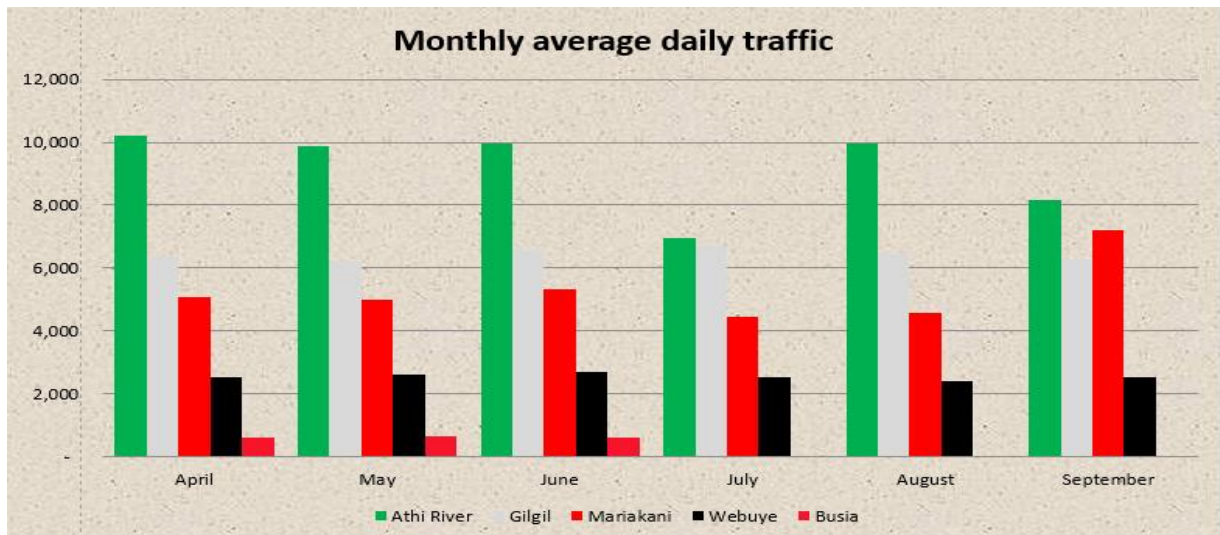


A truck being weighed at the multi-deck weighbridge scale at Mariakani. The static scale takes the weight of all axles at the same time once a truck is on the scale it takes less than a minute to weigh it. The biggest challenge with trucks carrying bulk cargo like the one in the photograph, is shifting of the cargo when the truck is in motion.

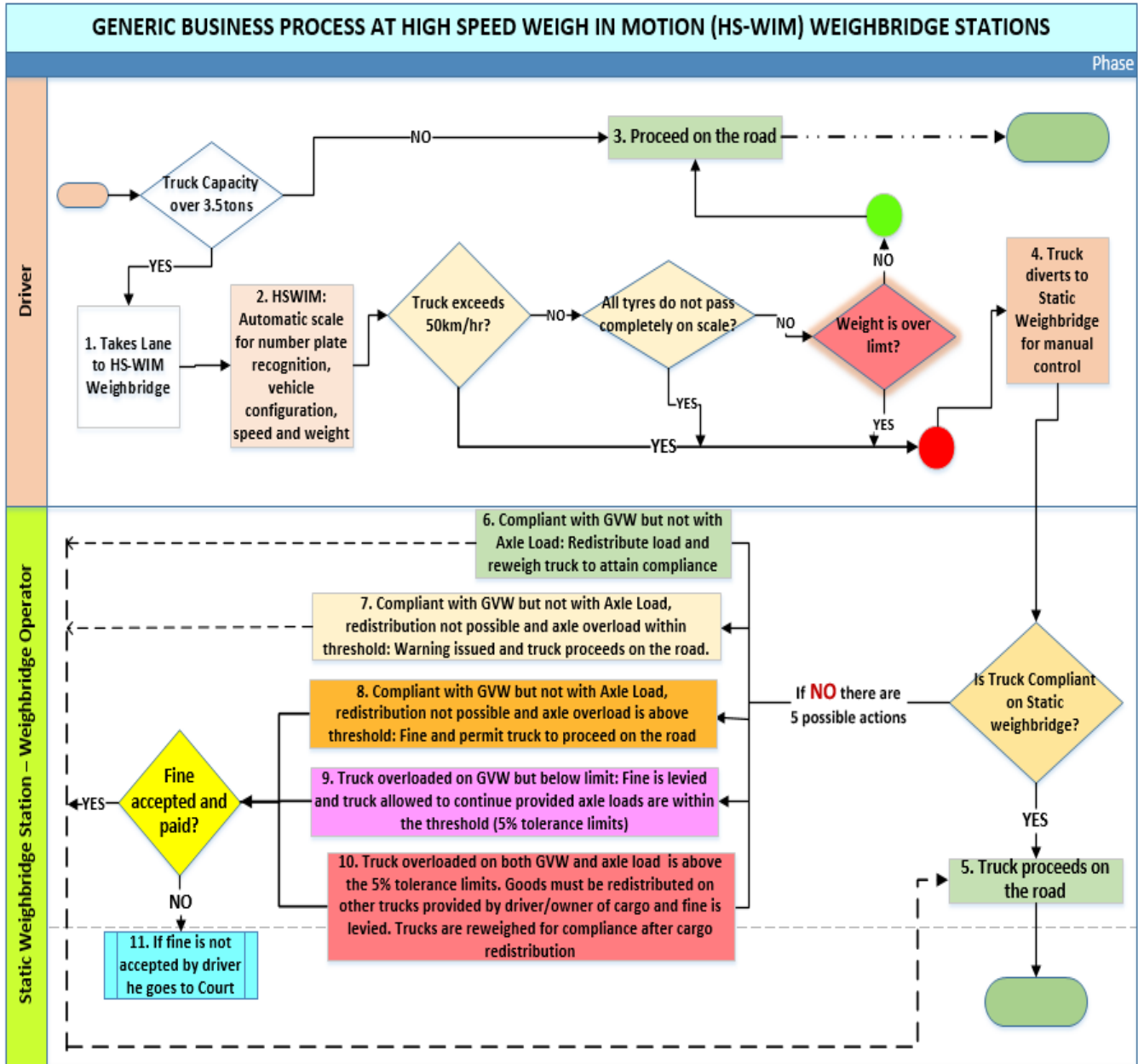




A Transporter is directed to redistribute cargo in the 1x40ft container. After offloading, it is often difficult for all the cargo to be returned back into the container. The trader has to get another vehicle to transport the goods which cannot be returned in the container which poses a big challenge especially for cargo in transit to other countries, it also exposes goods to damage and theft. The tolerance limit for axle load is 5% and for Gross Vehicle Weight is 0%.



Source: NCTD – Daily average for each month for the number of trucks weighed at weighbridges along the Northern Corridor in Kenya for the period April to September 2018.



## T. Maungu Lorry Park

140. The Maungu Lorry Park was developed by the Taita-Taveta County Government. It has a capacity of 150 trucks, has lodges, restaurants and medical facilities. Parking and other facilities at the Park are managed by private operators. The Park does not levy any charges for trucks that park during the day but charges Kshs 100 per truck per night. On average 50 trucks park per night. The lodges charge Kshs 300 per night. Security at the Park is provided by Kenya National Police Service.



Trucks parked at Maungu Lorry Park. Other traveling public like in buses and cars also use the park to utilize the facilities there. Some transport companies also have offices at the Park which they use as check points to monitor movement of their trucks and also provide assistance to their drivers when need arises.

141. The observed challenges at the Park included;
  - i. The Park lacked running water, at the time of our visit the borehole pump had broken down.
  - ii. The number of washrooms at the Park is small compared to its capacity.
  - iii. There is no designated area for parking trucks carrying dangerous goods.
  - iv. The Park lacks basic firefighting equipment.
  - v. There is need to beef up security measures at the Park.
  - vi. Drivers prefer parking along the road despite existence of the Park raising security as well as road safety concerns for other road users.
142. **It is recommended that security measures at the Maungu Lorry Park be reinforced by CCTV cameras to support monitoring the activities in the Park. All vehicles entering the Park should be registered even if they are not spending a night in the Park. The vehicles registered should not be limited to trucks only, but also other categories of vehicles that access the Park such as buses and cars.**
143. **The Authorities in charge of road construction should build road parks in areas where there are no Road Side Stations or facilities for parking trucks. Given the challenge of land acquisition, the County Governments in Kenya are urged to provide land for building road parks along the highways.**

## U. Voi Police Station

144. The Voi region has four divisions and four police stations. To enhance security for goods along the Corridor. They have a highway patrol dealing with security for goods in transit, set up impromptu road blocks to check on eventualities and to act as a deterrent for breach of law. During the last six month no incidence of theft of goods was reported in the area involving goods in transit. However, it was reported that some drivers collude with thieves to rob goods in transit.
145. The accident black spots in the Voi region are at Ndera and Ndili despite the sections of the road at these points being straight.
146. Much as the Revenue Authorities share information with KNPS on goods breaching the transit code (alerts from R-ECTS) this is not done at real-time to enable KNPS make timely intervention.
147. **There is need for automatic alerts from the R-ECTS to be shared with Police to enable quick intervention by Police in case cargo is being tampered with. This may be done to supplement the WhatsApp group being used by Police.**



A section of the road near Voi undergoing repair. Police presence at such spots is critical to guide the flow of traffic to avoid gridlock of vehicles. The Northern Corridor is the busiest Corridor in the East African Region, a hold up of traffic flow for just 5 minutes can lead to a traffic jam stretching for over 5 km and delays of over 2 hours.

## V. Taita-Taveta County Commissioner

148. The Survey Team visited the Taita-Taveta County Commissioner to share with her some of the findings of the Survey and issues of concern that need to be addressed which fall under the jurisdiction of the County.
149. **It was recommended that the final report of the Survey be shared with the Taita-Taveta County Commissioner to follow up implementation of recommendations made which fall in the areas under the jurisdiction of the County.**



Sections of the newly constructed Voi-Taveta road with proper markings and road infrastructure. The road meets the minimum standards recommended for the Northern Corridor roads; 7m width, shoulders of 1.5m each side of the road, climbing lane for hilly sections, proper marking, signage and guard rails where applicable. Below salon car after surmounting a road hump. Some of the humps constructed along this road are too high causing damage to vehicles.



There is too much use of roadhumps as a speed calming measure, much as they promote safety, they have a negative side of causing delays, traffic jams, damage to vehicles and increased pollution as trucks slow down and accelerate.

150. It was observed that generally there is great improvement in the quality of roads along the transport Corridors. However, the transporters were concerned at the speed limits at some of the road sections which they say were very low especially when one crosses into Tanzania. Furthermore, the roads humps are too many, some of them are built very high and may cause damage to vehicles as they pass over them.
151. **It is recommended to survey the remaining section of the transit route linking the Northern Corridor and the Central Corridor from Mombasa to Bujumbura to update the stakeholders about the status of the whole transit route linking**

**the Central and the Northern Corridor. This will as well inform which sections of the Corridors to front for consideration for review of speed limits.**

152. **It is recommended to rationalize the number of road humps built along the different sections of the Corridors and also standardize the size of the humps with the aim of minimizing the damage they cause to vehicles.**
153. **It is further recommended to use other speed calming measures other than emphasizing use of road humps such as use of speed cameras complimented with heavy penalties for offenders.**



A section of the newly constructed Voi-Taveta road. On the right gullies are developing there is need to work on the drainage to protect the road from premature damage.

### **Taveta/Holili OSBP**

154. Holili OSBP is located on the Tanzanian side of the Taveta/Holili border station between Kenya and Tanzania.



The NCTCA Stakeholders Survey Team take a group photo with stakeholders at the Holili-Taveta OSBP after the consultative meeting.

## **W. Tanzania Revenue Authority – Taveta/Holili OSBP**

155. There are two categories for clearance of cargo by TRA at Holili OSBP;
- The SCT documented goods, where customs declaration for the goods is done at the destination country and examination at the port of entry and
  - Fresh declarations originated at the OSBP, where clearing agents lodge declarations in the TRA TANCIS system to declare goods in transit or for Home Use. The documents can be processed in the TANCIS by clearing agents before arrival of goods at the border. Goods in transit are sighted, bond security approved by customs and sealed at OSBP before release for onward transit.
156. In case of goods in transit through Tanzania from Burundi, DRC and Rwanda to Kenya (Mombasa), the trucks stop at the Kenyan side of the OSBP (Taveta), TRA confirms customs seals are intact processes the goods out of Tanzania and hands over the goods to KRA for clearance for onward transit.
157. Since completion of the road linking Taveta-Holili border to Voi, volume of goods through the OSBP has increased a lot. The goods cleared through the OSBP mostly include; cement, clinker, fertilizers, table salt, corrugated iron sheets, crude palm oil to Burundi and Rwanda. On average 7-8 trucks are cleared per day but sometimes the OSBP clears bunches of trucks up to 20 carrying fertilizers or clinkers in transit.

158. Goods entered under the SCT destined to Tanzania from Kenya are verified at the border and released for Home Use, risk management is used to target goods for verification. Verification may involve other Government Agencies. There are twelve Government Agencies operating at Holili OSBP these include TRA, TBS, Port Health, TFA, Weights and Measures, Government Chemist, Forestry, Veterinary.
159. There is no interface to receive data on goods declared under SCT from the Port of Mombasa to Rwanda and Burundi, as such, the trader/agent is required to make fresh declarations and execute fresh customs bond at the Holili Border before the goods are allowed to transit through Tanzania.
160. There are limited facilities for handling goods since the OSBP is not meant for examination of goods. The OSBP at the moment has capacity to verify 6 trucks at the same time at its verification bay. Goods in transit are not subjected to thorough examination. The OSBP also has limited space for parking trucks. It can accommodate about 30 trucks.



The Survey Team holding a consultative meeting with the Tanzanian and Kenyan Government officials at the Holili OSBP. Unless one goes in the field he may not be able to know and comprehend the causes of the challenges both the public and private sector operators face in the performance of their duties. The Joint Border Committees at the Holili-Taveta OSBP have been critical in addressing operational challenges faced at the Border.

161. Road user charge is charged at a rate of USD 16 per 100km and USD 20 for cars per month. Vehicles from EAC Partner States are allowed up to 7 days free entry. For a vehicle to be allowed to transport goods in transit in the EAC Partner States, it has to be



licensed by customs to do so in one of the Partner State. The Transit Goods License (TGL) for a single truck is US \$200 and valid for one year.



Trucks parked at Holili OSBP, most of these trucks by the time of the visit by the Survey Team had been parked at the OSBP for more than two weeks. They could not be cleared for onward transit because their Transit Goods Licenses (TGL) had expired. The TGL's are valid for a period of one year but the irony is that they all expire on 31<sup>st</sup> December of the year of issue irrespective of the date of issue.

162. Transit Goods License (TGL) validity is for a period of one year but all licenses issued during the year expire on 31st December of the year of issue.

- The TGL issued by the Revenue Authorities of the EAC Partner States under the EAC Customs Management Act are recognized by all the Partner States and have a validity period of one year but all licenses issued during the year expire on 31<sup>st</sup> December of the year of issue. This means that even if one obtained the license at the beginning of the month of December it expires on 31<sup>st</sup> December hardly before being used for one month. Payment for TGL is not pro-rata, one pays the full amount for a year for the TGL irrespective of the date of issue.
- A single expiry date is also a constraint to transporters to obtain renewal since all licenses expire at the same time irrespective of the time of the year a license is issued, it is also unfair to those who obtain the license towards the end of the year. Over ten trucks were found held at the Taveta/Holili OSBP for more than two weeks; could not be cleared for onward transit as a result of their TGL's having expired on 31<sup>st</sup> December 2018. The trucks arrived at the border carrying goods in transit before the year ended.

163. **It is recommended that the EAC reviews the expiry date of the TGL so that the validity of the TGL runs for a year from the date of issue.**

164. The other challenges highlighted at the Taveta-Holili OSBP included;

- The OSBP lacks scanners to expedite clearance of goods at the OSBP.

- The parking area for the Holili OSBP is small basing on the projections for traffic through the OSBP which is on the increase. Furthermore, the OSBP lacks a designated area for parking trucks carrying dangerous goods and lacks an animal holding facility.
- Interface of business systems for exchange of data is still a big challenge.
- TRA is not yet using the R-ECTS as such goods from a Partner State in transit through Tanzania to another Partner State are required to get a seal for Tanzania before transiting through Tanzania even when they have a R-ECTS.

165. **It is recommended that all the EAC Partner States adopt a R-ECTS with a common platform to enable seamless tracking of goods from origin to destination along the entire Central and Northern Corridors.**

166. **Furthermore, the Revenue Authorities should geo-fence all the transit sections to support tracking of cargo across the entire corridor networks.**



**Animals grazing near Taveta-Holili border:** There are a lot of animals traded across the Taveta-Holili border, But the OSBP lacks an animal holding facility for keeping the animals pending clearance by the regulatory agencies. Over 60% of animal diseases are contagious.

## **X. Tanzania Immigration – Taveta/Holili OSBP**

167. Travelers entering Tanzania from Kenya are received by immigration at the Holili OSBP. They receive an exit stamp in their travel document from the Kenya immigration counter before proceeding to the Tanzania counter to receive the Tanzanian visa entry stamp. Citizens from the EAC Partner States do not pay visa fees and are allowed a period of stay up to 3 months. **However, currently South Sudan citizens, even if they are members of the EAC, pay single entry visa to Tanzania of US \$50, the same applies to Tanzanians when they are visiting South Sudan.**

168. Immigration also has a facility for emergency entry pass valid for 14 days within a radius of 13kms.

169. Frequent travelers crossing the border are accorded multiple entry visa so that it does not require them to have their passports stamped each time they cross the border especially those crossing the border several times in a day or a week.

170. **The Member States of the Central and Northern Corridor are urged to eliminate visa fees for citizens of their Member States.**

## Y. Tanzania Port Health – Taveta/Holili OSBP

171. The role of Port Health is to control spread of infectious and contagious diseases. To enter Tanzania one needs to have an international vaccination certificate and should have been vaccinated for yellow fever.
172. Tanzania Port Health conducts vaccinations at the OSBP at a fee of TZ Shs 30,000 for EAC Citizens and US \$50 for non EAC Citizens. Vaccinations are carried out for people aged between 2 and 60 years old.



Port Health counters for Tanzania and Kenya at the Taveta – Holili OSBP

## Z. Kenya Bureau of Standards – KEBS

173. The role of KEBS is to check that goods imported in Kenya conform to the set standards. There are three standards against which goods are checked against National, Regional and International standard.
174. Locally manufactured goods are given the S-mark for quality. Goods whose quality is known can be pre-cleared by KEBS. Goods with Regional quality marks are accorded fast clearance. There is a database for certified products produced in the Region. In the EAC Region there are 1,200 products whose standards have been harmonized.
175. One of the key tests carried out for agriculture produce is the test for aflatoxin and moisture content. Taveta OSBP has kits for testing for aflatoxin and moisture content. The tests are carried out and results uploaded on the e-SWS in 15 minutes to support production of a Certificate of Conformity (COC).
176. Goods for small scale cross border traders are declared using the simplified trade regime documents and the preliminary tests are physical appearance of the produce that is being

traded across the border. There is minimal intervention on goods in transit by KEBS at Taveta OSBP.

## **AA. Kenya Revenue Authority KRA**

177. The cargo clearance process by KRA is similar to that of TRA. Trucks from Kenya to Tanzania stop at Holili OSBP on the Tanzanian side of the border for clearance by the regulatory agencies of the two countries and the reverse is done for trucks from Tanzania to Kenya which are cleared at Taveta.
178. The goods are jointly sighted or verified by KRA and TRA before clearance. Multi-agency approach is used to resolve challenges at the border. Patrols are done at both sides of the border to enforce compliance.

The challenges highlighted during the discussion included;

179. Challenges relating to Form C2 issued by KRA used in transiting cargo through Kenya and clearance of goods at Border Stations.
  - It was observed that cases keep resurfacing where a truck reports at the Taveta/Holili OSBP in transit to Rwanda or Burundi from Mombasa and the border station of exit on Form C2 generated and issued by KRA at Mombasa reads Malaba or Busia. As such the driver or his Agent is referred back to Mombasa to rectify the issue before cargo is cleared across the border for onward transit.
  - There are also cases where the C2 generated at Mombasa is not reflected in the KRA computer terminals at the border station. Furthermore, it was reported that when form C2 is generated at Mombasa a print out for this form is not issued to the agent/driver, the KRA officer just makes an endorsement on the drivers' copy of the customs documents.
180. **It is recommended that the Revenue Authorities configure their systems such that the border station of exit declared by the clearing agent on the Entry is the one which appears on Form C2 generated by the Revenue Authority (KRA).**
181. **Furthermore, the Revenue Authorities should use information available in their systems at the border stations to rectify errors made by their staff and clear the cargo for onward transit other than referring the driver or his clearing agent back to Mombasa to rectify the error.**
182. Gaps in exchange of data used in the clearance of goods transiting through both the Northern Corridor and Central Corridor and poor system interconnectivity.
  - Observed that information pertaining to goods originating from Kenya (Mombasa) cleared under SCT in transit through Tanzania to Burundi, Rwanda and DRC is not shared with TRA by either the destination country (OBR/RRA) or KRA. Therefore trucks carrying cargo transiting to these countries are required to make fresh customs

declarations and execute fresh customs bonds by TRA at Holili border station before being allowed to transit through Tanzania. Furthermore, at times some information needed to clear cargo from Kenya to Tanzania cleared under the SCT framework is not reflected on the computer terminals at the border.

183. **The Revenue Authorities should put in place a mechanism to share information used in the clearance of cargo under the Single Customs Territory with the Revenue Authorities of countries through which the cargo transits such as ship manifests and customs declarations.**
184. **Furthermore, improve connectivity of their business systems and exchange of information/data.**
185. **In the same spirit, KRA/KENTRADE should also share manifests for cargo destined to South Sudan with South Sudan Customs Office at Mombasa Port.**
186. Gaps in use of the SAD prescribed in the EAC-CMA as a regional document for the SCT where identified to include;
  - The SAD does not provide for declaration of entry and exit border station for intermediary transit countries, e.g. if goods are transiting from Mombasa to Burundi through Tanzania as the intermediary transit country. There is no provision in the SAD for declaration of the entry and exit station for Tanzania. The situation is even more complex if the goods are transiting through more than one intermediary transit country.
  - Lack of a Harmonized SAD for use in declaration of goods under the SCT. i.e.
    - There are two versions of SAD in the EAC-CMA; the C17A and C17B, furthermore,
    - each Partner State customized the SAD to suit its interests as such;
      - a mandatory field for one country may not be mandatory for another;
      - the information demanded in the fields of the SAD is not harmonized e.g. Box 1 for the C17A is for "Declaration Type", whereas Box1 for the C17B is for "Exporter/Consignor",
      - There are also new developments like the use of the Unique Consignment Reference (UCR) in declaration of goods. Each country has its own way of generating a UCR. There is need for a Regional UCR which can be used to track a consignment from origin to destination irrespective of the number of countries the consignment is transiting.
      - These variations contribute to the challenges of exchange of data across business systems in the Region.
    - Exports cleared under the SCT regime are declared in the country of destination before being released by the country of export to proceed to their destination i.e. importing country. The information exchanged by the country of importation with

the country of export does not capture some of the salient data elements for use by the country of export such as the PIN/TIN of the exporter which are vital in processing of VAT returns and other domestic tax returns.

*If it is a **Single Customs Territory** why **Multiple Customs Declaration Formats**?*

187. **It is recommended that the SAD under the EAC-CMA used in the declaration of goods be amended and harmonized to address the gaps identified above.**
188. **Furthermore, the Member States should implement use of a Regional UCR; a prototype for a Regional UCR was agreed upon by the NCTTCA Member States. The prototype agreed can work both as a National UCR and also as a Regional UCR.**

#### **BB. Taveta ICD**

189. Taveta ICD belongs to KPA. KPA acquired 20 acres of land near Taveta OSBP, the land has been fenced/secured and has a temporary office.
190. It was reported that the process to develop the land into an ICD commenced with commissioning of an environmental impact assessment which is currently on going. Tendering for a feasibility study was done in December, 2017 and the process of finalizing tender award is ongoing.
191. **KPA is urged to expedite development of the ICD at Taveta to relieve the shippers from having to move to Mombasa to collect or drop their cargo. The facility can also be used for depositing empty containers being returned to Mombasa Port for repatriation.**
192. **Furthermore, it is recommended that the ICD be developed to serve as a dry port for transit countries.**

#### **CC. Taveta-Holili OSBP Trade Facilitation Agents**

193. The Survey Team met with the trade facilitation agents at the Taveta-Holili OSBP. The aim of the meeting was to have an input from the agents on how to improve trade and transport facilitation for traders passing through the OSBP and using the two Corridors before they reach their destination.



Public and Private sector stakeholders from Kenya and Tanzania participating in a consultative/sensitization workshop held at the Taveta-Holili OSBP. Standing with a mic is the Officer In-Charge RRA Mombasa Office delivering her presentation during the workshop.

194. The challenges reported included trade and transport facilitation agents constrained to carry out their activities in territories of other Member States.
- The Northern and Central Corridor Agreements have provisions to facilitate trade facilitation agents from a State to perform their operations in other territories for purposes of facilitating interstate and transit traffic.
  - It was observed that trade and transport facilitation agents such as clearing agents and transporters or their service crews (mechanics) are getting challenges in territories of other Member States to facilitate clearance of goods in transit or repair trucks which breakdown on the way during their transit journeys. Service crews/mechanics for trucks that have broken down find it had to perform their operations in other territories in which they are not domiciled.
195. **It is recommended that a mechanism be put in place to facilitate trade facilitation agents carry out their operations in territories of all the Member States pertaining to facilitation of interstate and transit traffic.**
196. **Furthermore, put in place a mechanism to facilitate service crews to import spare parts into any Member State territory from another Member State for repair of trucks which breakdown during their transit journeys.**

197. **The Member States should minimize the requirements to open liaison offices in their territories for trade facilitation agents already registered and licensed to operate by another Member State and also ease the process of obtaining work permits for their staff.**

**DD. Holili – Taveta OSBP Stakeholders Consultative and Sensitization Workshop.**

198. At the end of the Survey a consultative workshop was held to validate the findings of the survey as well as sensitize the stakeholders about the ongoing trade and transport facilitation initiatives by the different agencies.



A cross section of some of the public and private sector stakeholders from Kenya and Tanzania that participated in the consultative/sensitization workshop organized by the NCTTCA Secretariat at the Holili-Taveta OSBP.

**RECOMMENDATION IMPLEMENTATION MATRIX  
TRADE AND TRANSPORT LOGISTICS SURVEY OF THE MOMBASA – VOI –  
TAVETA/HOLILI TRANSIT SECTION**

	<b>Observed Challenge</b>	<b>Recommendation</b>	<b>Responsibility Center</b>
1.	<p><b>Gaps in exchange of Information used in the clearance of cargo across the region:</b></p> <p>- Information pertaining to Single Customs Territory clearance of goods in transit to Burundi, Rwanda and DRC through Tanzania is not shared with Tanzania Revenue Authority as</p>	<p>Put in place a mechanism to share information used in the clearance of cargo under the Single Customs Territory with the Revenue Authorities of the intermediary transit countries through which the cargo transits before its final destination country such as ship manifests and customs declarations.</p>	<p>Revenue Authorities</p>



	Observed Challenge	Recommendation	Responsibility Center
	<p>such trucks are required to make fresh declarations and execute fresh customs bonds by TRA at Holili border station before being allowed to transit through Tanzania.</p> <p>- Furthermore, some information needed to clear cargo is not reflected on the KRA computer terminals at the border.</p>	<p>Furthermore, upgrade business systems to improve connectivity and exchange of information/data used in clearance of internationally traded goods.</p>	
2.	<p><b>Challenges Surrounding Form C2 issued at Mombasa:</b></p> <p>When trucks carrying goods in transit arrive at the border stations, cases keep resurfacing where there is a variation between the border stations of exit declared on the customs entry by the clearing agent with that on Form C2 generated and issued by KRA at Mombasa. As such the driver is referred back to Mombasa to rectify the issue before cargo is cleared across the border for onward transit.</p>	<p>Configure customs systems such that the border station of exit declared by the clearing agent on the customs entry is the one which appears on Form C2 generated by the Revenue Authority.</p> <p>Use information available in the customs systems at the border station to rectify errors made by customs staff and clear the cargo for onward transit other than referring the driver or his clearing agent back to Mombasa to rectify the error.</p>	Revenue Authorities - KRA
3.	<p><b>Validity of the Transit Goods License (TGL):</b></p> <p>Transit Goods Licenses issued by the Revenue Authorities are for one year but all licenses expire on 31<sup>st</sup> December of the year of issue. Implies that a license can be issued and it expires hardly before one uses it for 1 month.</p>	<p>Review the expiry date of the TGL so that the validity of the TGL runs for a year from the date of issue. TheNCTTCA Secretariat should pursue this issue with the EAC Secretariat to have it mainstreamed in its activities for implementation.</p>	EAC Secretariat
4.	<p><b>Trade and transport facilitation agents are constrained to carry out their activities in territories of Member States which they are not citizens:</b></p> <p>Trade and transport facilitation agents such as clearing agents and transporters or their service crews (mechanics) are getting challenges in territories of Member States in</p>	<p>Governments urged to put in place a mechanism to facilitate trade facilitation agents from the other Member States to carry out their operations in their territories pertaining to facilitation of interstate and transit traffic.</p> <p>Furthermore, put in place a mechanism to facilitate service crews to import spare parts in</p>	<p>Member States</p> <p>Revenue Authorities.</p>

	Observed Challenge	Recommendation	Responsibility Center
	which they are not citizens to facilitate clearance of goods in transit or repair trucks which breakdown on the way during their transit journeys.	<p>their territories from another Member State for repair of trucks which breakdown during their transit journeys.</p> <p>Minimize the requirements for trade facilitation agents opening up liaison offices in their territories and ease the process of obtaining work permits for their staff if they are already registered and licensed to operate in another Member State.</p>	Immigration
5.	<p><b>Gaps in the use of the EAC-SAD as a Regional document for declaration of goods:</b></p> <ul style="list-style-type: none"> <li>- Does not provide for capture of intermediary transit countries and their entry/exit border stations.</li> <li>- Capture of some vital information needed by the exporting countries is missed out especially for goods cleared under the SCT framework.</li> </ul>	<ul style="list-style-type: none"> <li>- Amended the SAD to include provisions for declaration of the intermediary transit country(s) together with their entry/exit border stations.</li> <li>- Goods cleared under the SCT Framework, the exporters PIN/TIN should be captured by the importing country for exports originating from the Region.</li> <li>- Implement a Regional Unique Consignment Reference (R-UCR) to support tracking of cargo from origin to destination and to ease accessing information for clearance of goods across all the border stations and other places in the region where the truck/cargo passes. <i>Implementation of the prototype for a Regional UCR which was agreed by the NCTTCA Member States pends.</i></li> </ul>	<p>EAC Secretariat/Revenue Authorities (<i>The NCTTCA Secretariat should pursue this issue with the EAC Secretariat to have it mainstreamed in its activities for implementation</i>)</p> <p>Revenue Authorities</p> <p>Member States – Revenue Authorities/Agencies in charge of e-SWS implementation.</p>
6.	<p><b>Challenges of storage and handling of empty containers returned by SGR at Mombasa:</b></p> <p>Limited storage capacity at Port Reitz and at the Mombasa Port for storage of empty containers</p>	Given the growing volumes of TBL containers, there is need for KPA to create more space for holding of empty containers pending repatriation by vessels.	KPA

	Observed Challenge	Recommendation	Responsibility Center
	awaiting evacuation/repatriation. Furthermore, the ECD's are also getting congested with containers.	The period of stay of empty containers should be regulated by KRA to compel the shipping lines to repatriate their containers in order to decongest the Port and the ECD's.	Revenue Authorities (KRA)
7.	<p><b>High cost of guaranteeing return of empty containers:</b></p> <p>The high costs of guaranteeing return of empty containers is crippling the businesses in the Region.</p> <p>On the other hand, delays, damages and loss of shipping containers entrusted to importers for transportation of their goods is costing the shipping lines dearly.</p>	Member States urged to take keen interest to address the delays in return of empty containers as well as regulate the cash guarantees demanded by shipping lines from the importers. <i>This report gives details of some of the specific recommendations to address the challenges observed.</i>	Member States – <i>(NCTTCA/ISCOS/EAC should pursue this issue with the Member States for implementation)</i>
8.	<p><b>Idle capacity at CFS's and use of SGR to transport duty paid goods to Nairobi:</b></p> <p>Cargo dwell time at ICDN is over 10 days, some of the cargo is evacuated from ICDN long after being cleared by the regulators. This may be an indicator that, whereas fast movement and clearance of cargo is one of the key trade facilitation elements of interest to traders, some traders also want temporary storage for their cargo to sort out a few issues before taking delivery of cargo to their premises.</p>	Explore modalities for use of CFS's at Mombasa to meet the temporary cargo storage needs of the traders as well as promote the use of SGR for transporting duty paid goods from Mombasa to Nairobi.	KPA/KRA/CFS's
9.	<p><b>Speed limits and use of road humps to calm speed:</b></p> <p>Transporters were concerned at the speed limits at some of the road sections which they say were very low especially when one crosses into Tanzania.</p> <p>The number of road humps along the Corridors is high and it keeps increasing. Furthermore, some of the road humps used to calm</p>	<p>Rationalize the number of road humps built along the different sections of the Corridor and also standardize the size of the humps with the aim of minimizing the damage they cause to vehicles.</p> <p>Explore use of alternative speed calming measures other than emphasizing use of road humps such as use of speed cameras complimented with</p>	<p>Road Authorities</p> <p>Road Authorities/Traffic Police</p>

	Observed Challenge	Recommendation	Responsibility Center
	speed are built very high and may cause damage to vehicles.	heavy penalties for offenders.  Nonetheless, it is apparent that the peoples need, is to move at fast speeds. Member States are urged to develop transport infrastructure that will meet the needs of their people; to speed safely.	Member States
10.	<p><b>Challenges at Maungu Lorry Park:</b></p> <p>Lack of running water (water pump for the borehole had broken down), lack of designated parking area for trucks carrying dangerous goods, lack of basic firefighting equipment, trucks parking along the highway at Maungu despite having a well paved park, small number of washroom compared to the capacity of the facility.</p>	Institute a mechanism of following up recommendations that are implemented by Local Governments	NCTTCA Secretariat
11.	<p><b>Risk of importing invasive pests and diseases transmitted by wooden pallets used in the importation of containerized goods:</b></p> <p>Difficult for the regulators in the importing countries to ensure and enforce that the pallets used in the parking of imported goods were treated.</p> <p>Not all containers are checked by the regulators neither are the regulators present at all points where imported goods are offloaded thus exposing the region to risk of importation of pests and diseases that are hazardous to our plants and vegetation in the region.</p>	<p>Plastic pallets be used in parking of imported goods.</p> <p>Ban on use of wooden pallets for parking imports is advisable if the region is to contain importation of invasive pests and diseases.</p>	Member States
12.	<p><b>R-ECTS not Geo-fenced for Some transit Sections:</b></p> <p>False cargo diversion alerts by R-ECTS for cargo in transit to Burundi, DRC and Rwanda when</p>	KRA should Geo-fence the R-ECTS transit route from Mombasa to Burundi, DRC and Rwanda that passes through Taveta/Holili OSBP beginning with the Voi-Taveta/Holili	Revenue Authorities

	Observed Challenge	Recommendation	Responsibility Center
	using the transit route through Tanzania via Voi and Taveta/Holili OSBP	transit section to enable tracking of cargo using this transit route.	
13.	<p><b>Inadequate knowledge and information to support enforcement of compliance by Police officers in the field:</b></p> <p>Police officers are part of the enforcement system to enforce to compliance to international trade and transport regulations but limited in knowledge about what they are enforcing. Often find difficulty in interpreting documents used in clearance of internationally traded goods.</p> <p>Lack of real time information to support enforcement action of cargo in transit being tampered with.</p>	<p>Police officers deployed to support enforcement to compliance to regulations relating to transport and handling of international traded cargo be given at least basic customs training and trained on how to interpret images from scanners.</p> <p>Put in place a mechanism to share alerts from the R-ECTS on real-time with the Police Unit in-charge of monitoring cargo along the transport corridors to support quick response by police in case cargo is being tampered with.</p>	Revenue Authorities/Police
14.	<p><b>Risk of accidents caused by trucks parked along the highways:</b></p> <p>Safety concerns arising from trucks parked trucks along the highways especially at busy trading centers.</p>	<p>Build road parks in areas where there are no Road Side Stations or facilities for parking trucks. Given the challenge of land acquisition, the County Governments in Kenya are urged to provide land for building road parks along the highways.</p> <p>Where RSS and Road Parks exist. Trucks should not be allowed to park along the highways.</p>	<p>Road Authorities (KeNHA).</p> <p>Police</p>
15.	<p><b>Incomplete information of the shortest and cheapest transit route to Burundi, DRC and Rwanda:</b></p> <p>Only information pertaining to the status of the proposed transit section linking the Northern Corridor and the Central Corridor was obtained. Need for information for the whole transit section to enable stakeholders make informed decisions and plan their journeys more appropriately.</p>	Conduct survey of the remaining section of the transit route linking the Northern Corridor and the Central Corridor from Mombasa to Bujumbura/Kigali to update the stakeholders about the status of the whole transit route linking the Central and the Northern Corridor.	NCTTCA Secretariat/ CCTTFA/EAC Secretariat

	<b>Observed Challenge</b>	<b>Recommendation</b>	<b>Responsibility Center</b>
16.	<p><b>Opportunity for transit countries to have their cargo picked closer to them:</b></p> <p>KPA acquired land at Taveta if developed into an ICD it will avail an opportunity for countries at the end of the Corridors to avoid the burden of travelling up to Mombasa to collect their cargo.</p>	<p>Expedite development of the ICD at Taveta to relieve the shippers from having to move to Mombasa to collect or drop their cargo. The facility can also be used for depositing empty containers being returned to Mombasa Port for repatriation.</p> <p>Furthermore, it is recommended that the ICD be developed to serve as a dry port for transit countries.</p>	KPA
17.	<p><b>Countries are still charging visa fees despite the protocols on its elimination:</b></p> <p>Currently South Sudan citizens, even if they are members of the EAC, pay single entry visa to Tanzania of US \$50, the same applies to Tanzanians when they are visiting South Sudan.</p>	<p>The Member States of the Central and Northern Corridor are urged to eliminate visa fees for travelers who are citizens of the Member States.</p>	Member States

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