



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**REPORT OF THE COMMITTEE ON COMMUNICATION, TRADE AND
INVESTMENT ON THE STATUS OF IMPLEMENTATION OF THE SINGLE
CUSTOMS TERRITORY IN THE EAC PARTNER STATES**

18TH – 23RD NOVEMBER, 2018



**Clerk's Chambers
EALA Headquarters
EAC Headquarters
Arusha – TANZANIA**

December 2018

ACRONYMS

ASYCUDA	Automated System for Customs Data
CIF	Cost, Insurance and Freight
COMESA	Common Market for Eastern and Southern Africa
COO	Certificate of Origin
EAC	East African Community
EALA	East African Legislative Assembly
ICDN	Inland Container Depot, Nairobi
ICT	Information and Communication Technologies
KEBS	Kenya Bureau of Standards
RCTGS	Regional Customs Transit Guarantee Scheme
RECTS	Regional Electronic Cargo Tracking System
KRA	Kenya Revenue Authority
OBR	Office Burundais des Recettes
OSBP	One Stop Border Post
SCT	Single Customs Territory
SGR	Standard Gauge Railway
TRA	Tanzania Revenue Authority
UNBS	Uganda National Bureau of Standards
URA	Uganda Revenue Authority

1.0 INTRODUCTION

The East African Legislative Assembly (EALA) is the Legislative Organ of the EAC established under the Treaty for the Establishment of the East African Community. Under Article 49 of the Treaty for the Establishment of the East African Community, the Assembly is mandated to exercise both legislative and oversight functions over all matters within the scope of the EAC. For the effective discharge of its mandate, and in pursuance of the provisions of Article 49 of the Treaty, the Assembly created Committees to oversight on its behalf the implementation and performance of EAC Projects and Programs.

The Committee on Communication, Trade and Investments (CTI) is among the 7 Standing Committees of the Assembly which under Rule 81 of the Rules of Procedure of the Assembly is mandated, among others: -

- i) to assess and evaluate activities of the Community;
- ii) to examine policy matters affecting their subject areas; and
- iii) to report to the Assembly on their functions.

Pursuant to the above provisions of the Treaty and the Rules of Procedure of the Assembly, the Committee on CTI undertook an oversight activity to assess the status of implementation of the Single Customs Territory, and some aspects of the Common Market Protocol (freedom of movement of persons, labour and services) in the EAC Partner States from 18th – 23rd November 2018.

The Committee reconstituted itself into Sub-Committees with each group headed by a team leader to undertake the oversight activity as indicated below:

- i) Sub-Committee A - Republic of Burundi
 - a. Hon. Kasamba Mathias – Team Leader
 - b. Hon. Burikukiye Marie Claire
 - c. Hon. Nsavyimana Sophie
- ii) Sub-Committee B - Republic of Kenya
 - a. Hon. Dr. Woda Odok Jeremiah – Team Leader
 - b. Hon. Aburi Mpuru Lawrence
 - c. Hon. Sergon Jematiah Florence
- iii) Sub-Committee C - Republic of Rwanda
 - a. Hon. Mbugua Nganga Simon – Team Leader
 - b. Hon. Bahati Alex
 - c. Hon. Rutazana Francine

In November 2013, the Summit of the EAC Heads of State adopted the framework on the Single Customs Territory. Consequently, the Summit directed that the SCT commences on 1st January, 2014 and that all operational requirements be finalized by June 2014.

Under Article 104 of the Treaty, the Partner States agreed to adopt measures to achieve free movement of persons, labor and services and to ensure the enjoyment of the right of establishment and residence of their citizens within the Community.

In order to ease facilitation of citizen's enjoyment of the aforementioned rights and freedoms, the Partner States concluded the Protocol for Establishment of the East African Community Common Market. The Protocol came into forth with effect from 1st July 2010 upon ratification by all the Partner States. Article 5 of the protocol provides for the scope of the protocol in the implementation of the Common Market and strategies for realisation of the rights and freedoms of citizens; ease of cross border movement of persons and adaption of integrated border management; removal of restrictions on movement of labor; services and the right of establishment and residence.

For the purpose of identifying the citizens of Partner's States, and pursuant to Article 8 of the Protocol, Partner States agreed to establish a common standard system of issuing identification documents to their nationals. In accordance with Article 9, citizens are expected to use a valid common standard travel document and Partner States who so wish, to use machine readable and electronic national identity cards as travel documents may do so.

The freedom of movement of workers is catered for under Article 10, where Partner States guarantee free movement of workers who are citizens of other Partner States within their territories. The article also provides for entitlement of workers concerning application for employment, free movement in Partner States, conclude contracts of employment, and enjoy rights and freedoms of association.

5.0 FINDINGS AND OBSERVATIONS

During the oversight activity, the Committee interacted with a number of stakeholders as highlighted in the methodology and the following findings and observations were made in respect of the objectives of the Oversight activity:

5.1 The Destination Model of the Single Customs Territory

A Single Customs Territory (SCT) is a stage in the full attainment of the Customs Union achievable through removal of trade restrictions including minimization of internal border controls on goods moving between Partner States. Therefore, the main objective of adopting the SCT was to achieve free movement of goods in the Customs Territory in order to reduce the cost of doing business.

The EAC Partner States adopted "The Destination Model of clearance of goods". The following are the key features of this model:

- i. Goods are cleared at the first point of entry.
- ii. One Customs declaration is made at the destination country.
- iii. Taxes are paid at the point of destination when goods are still at the first point of entry.
- iv. Goods are moved under a single regional guarantee bond from the port to destination.
- v. Interconnected customs systems.
- vi. Regional Electronic Cargo Tracking.
- vii. Minimized internal controls / checks

5.2 The objectives of the Single Customs Territory

The implementation of the Single Customs Territory was aimed at achieving the following objectives:

- i. Seamless flow of goods to enhance intra EAC trade.
- ii. Lowering clearance costs of goods within the EAC region.
- iii. Shifting of physical controls to electronic clearance processes.
- iv. Coordination between agencies responsible for clearance of goods.
- v. Compliance through a regional wide mechanism.
- vi. Building a foundation for EAC common market and internal single market.

- iii. Simplified import and export module for cross border trade.
- iv. Exports and transfers that have export levy.
- v. Inter-face with South Sudan Customs.

However air cargo is not provided for in the SCT because of the closeness of our airports. The time cargo takes to move from port to port is so short, probably even faster than document clearance under the SCT take.

5.4 Achievements/Benefits of the Single Customs Territory

The Committee noted that the implementation of the EAC Single Customs Territory has registered the following achievements/benefits:

- i. The Revenue Authorities and Ports Authorities of the EAC Partner States receive pre-arrival information on time.
- ii. It has led to a reduced cost of doing Business because it minimized duplication of processes e.g.:
 - a. For each transaction, there is a single agent, single declaration, single verification, and a single bond(RCTG), etc
 - b. Single Lodgment of Customs Declarations at first Point of Entry leading to removal of multiple customs entries.
 - c. Single entry for bulk consignments.
 - d. Reduced paper usage.
- iii. Advance payment of taxes and other fees at Country of Destination;
- iv. Elimination of Multiple guarantee Bonds (Single Regional Bond-RCTG)
- v. Reduced clearance times:
 - a. For dry cargo - from 18-22 days in 2012/2013 to 4-6 days in 2017/18 from Mombasa to Kampala.
 - b. For wet cargo (fuel) - from 3-6 days in FY 2012/13 to 8-14 hours in 2017/18 from Mombasa to Kampala.
- vi. Verification of goods is done once for goods subject to verification.
- vii. Improved Turn-around time for transporters.
- viii. Uganda and Rwanda mutually recognize Clearing Agents in the EAC under SCT.

5.5 Challenges in the implementation of the SCT

Despite the remarkable achievement/benefits so far registered, the implementation of the Single Customs Territory is not without challenges. The following specific challenges were noted in each of the EAC Partner States:

5.5.1 Republic of Burundi

- i. Unstable and unreliable internet connectivity. However, the delegation was informed that Burundi got support from COMESA and is going to address this issue in the near future.
- ii. Tanzania systematically gives a visa not exceeding one month stay. Any overstay in Tanzania is charged at 600 US dollars. This practice is obviously contrary to the Common Market Protocol which provides for 6 months stay for people who travel for visit purposes.
- iii. The design of the two OSBPs leaves a space which is located in Burundi and occupied by people who are citizens of Burundi. Apparently, none of the immigration officials from either OSBP regulates the movement of people and goods in the said space which possess a security risk.
- iv. The delegation noted that there was a list of limited products which are subject to mandatory testing by Burundi standards officials (BBN).
- v. The cargo tracking system operated by COTECNA is not interconnected to the electronic tracking at the Port of Dar es Salaam. It just covers trucks moving from Kobero to Bujumbura, and does not include goods in transit.
- vi. On the way to Bujumbura, the delegation noted more than 7 police stops (some police check-points had closed when the delegation passed there late in the evening) which actually constitutes Non-Tariff Barriers (NTBs). 3 out of the 7 are in the Muyinga Province alone, the first one being established at less than 2 Km from the exit gate of the Kobero OSBP.
- vii. The roads joining Kobero OSBP to Bujumbura capital city are too narrow to allow ease of movement of trucks. This problem is causing roads accidents and loss of goods.
- viii. Lack of weighbridges. While the weighbridges serve the purpose of protection of roads and preventing accidents due to overloading, Burundi has no weighbridge from Kobero to Bujumbura, the capital city.
- ix. Interface of the different Customs software systems operated by the Partner states is still problematic in respect of data transmission. However, the representative of OBR informed the committee that the relevant officials operating the systems keep in touch through phone calls and what's up messages to assist services users.

- iv. Abrupt changes of customs procedures resulting into imposition of trade bans and other non-tariff barriers without involving the key stakeholders.
- v. Lack of uniformity in the implementation of Single Customs Territory amongst Partner States.
- vi. Integration of OBR/KRA business Systems to address transmission challenges. This requires bilateral consultation to resolve maritime and some Intra Transfers because OBR Declarations appear in French Exports under SCT.
- vii. Indirect Exports through Bonded facilities and transit sheds for consolidation and fumigation. This will require disarming of RECTS.
- viii. Exports from Kenya through Partner States are not covered by Bond hence exposure to possible diversion.
- ix. Implementation of new COMESA Bond Management System. This is tied to new ICMS system.
- x. Use of different Computer systems. While Uganda, Burundi, Rwanda and Kenya were using the Asycuda World and SIMBA, Tanzania was still using Tancis. It is a challenge because the systems do not communicate to each other and therefore make running business very difficult.
- xi. For intra transfers, the challenge of proliferation of contraband products continues to pose compliance challenges due to concealment in empty trucks and buses.
- xii. Porosity of Borders: The development of border points is not properly done. An example is the Suam Border that runs for over 400 kms without any sort of development. It is noted that borders can be used to carryout illegal activities. The EAC needs to undertake proper border management and should be vigilant not to allow their borders to be used as a conduit for contrabands

container to leave the port, an Agent has to deposit with the shipping company between \$3500 - \$4000 for a 40"ft container and \$1500 - \$2500 for a 20"ft container. The promise is to reimburse the money once an agent brings back the container to the port. This money, most times is not immediately refunded even after containers are back to the port. There is no 'Body' that regulates Shippers locally.

- xi. Traders informed the committee that they were facing challenges when exporting locally processed goods because of standards. Agro Processed goods from Rwanda to the united republic of Tanzania take so long at the border to an extent that it was becoming a trade barrier. An officer from the Rwanda standards board informed the meeting that as standards bodies in the EAC they had a regional forum where they discussed their challenges and had gone a long way to harmonize their operations. The difference he said was the level of enforcement. He further informed the meeting that there was an EAC standards mark though countries were taking long to appreciate it into their systems.
- xii. Customs Clearing Agents informed the members of the committee that at a time when the EAC secretariat and Partner States were negotiating the SCT, they only negotiated on their behalf as government bodies but never put in consideration the views of the stakeholders. For example an agreement was reached to have Revenue Officers deployed in partner states ports but the arrangement excludes Clearing Agents, Insurance Agents, and all these are left to fend for themselves.

5.5.4 Republic of South Sudan

It was noted that the Republic of South Sudan was admitted into the EAC in 2017, at a time when other Partner States had made significant progress in the implementation of the Single Customs Territory. However, efforts are being made to bring the Republic of South Sudan on board, though with a number of challenges as noted below:

- i) Lack of adequate infrastructure at the borders.
- ii) Lack of enforcement instruments to sustain the SCT operationalization.
- iii) Poor network and ICT development.
- iv) Insufficient knowledge about the operations and benefits of SCT by the stakeholders.
- v) Inadequate laws in relation to the administration of Customs.
- vi) Limited functional structures within the Customs Administration and defined departments.
- vii) Limited information and documentation that are not disseminated to the respective implementers.

- viii. The customs officials are still exposed to some risks like transit cargo diversion due to pending implementation of some clearance regimes e.g Transit, Temporary export permits.
- ix. Null-paying items unable to declare for direct home consumption at first port of entry.
- x. Un-harmonized collection of Road User Charges in all Partner States.
- xi. Non-Tariff Barriers still exist along the northern corridor especially as evidenced by the numerous road blocks manned by the Police and other security personnel.
- xii. Lack of accommodation for staff at the Malaba OSBP.
- xiii. Mutual recognition of Clearing Agents in each Partner state is not balanced. From day one, it was agreed that no players in the partner states will be disadvantaged along the way. Willing players were to be allowed access to systems to be able to handle cargo destined anywhere in the partner states. Unfortunately Kenya is not granting these rights to other partner states yet Uganda has recognized many Agents from Kenya.
- xiv. The Clearing and Forwarding Agents and traders reported that they are forced to operate two Tracking systems one administered by KRA and a regional One-RECTS for goods transiting coastwise through Kenya. The KRA vendor seals come at a cost while the RECTS one is absolutely free of charge.
- xv. KRA does not respect the guidelines as set by SCT, they always want to manage all cargo at the port and refuse to relinquish power to other Revenue Authorities. Since they man all gates/exit points at the port, they keep impounding trucks and subjecting them to checks even after they have been released by other Revenue Authorities.
- xvi. Lack of Recognition of other revenue Authorities by KRA. Should they [KRA] get interested in any Transit container, they will seize, Threaten and even extort money from Importers with total disregard of the revenue authorities of other partner states. They also intercept cargo at will even if it has been released to proceed by other revenue authorities.
- xvii. Some Shipping lines in Kenya who have liaison offices in Uganda are still hesitant to recognize Agents operating in Uganda and therefore, opening up accounts for Container deposit and payment of Delivery orders and other related charges crucial for release of cargo at the port

records only cargoes; sometimes the systems faces interfacing problems.

- v. It was reported that some systems takes up to 11 characters while others take up to 10 characters. This causes problem in clearing goods because documents lack some characters.
- vi. There are many weigh bridges along the road from Dar es Salaam to Kobero (seven, and more were being constructed) which affects the turnaround time for trucks.

While the Customs officers from the Republics of Burundi, Uganda and Rwanda deployed at the Port of Dar es Salaam noted that there is cordial relations with their Tanzanian counterparts, they highlighted the following challenges:

- i. The office space is too small to accommodate the officers deployed by Partner States: Burundi has 8 officers sharing one office while Rwanda has 11 officers sharing a small office which is partitioned in three rooms. It was reported that they are promised that in February 2019 they would shift to the new TRA building which is more spacious.
- ii. Delay in getting working permits. It was reported by officers from the Republic of Burundi that they submitted applications for work permits for six officers in January, 2018, and they were not issued with any by the time of this activity which was more than ten months.
- iii. Clearing Agents from other Partner States are not allowed to access the Dar es Salaam Port. The government officials in Dodoma informed the Committee that under the EAC Common Market Protocol, Tanzania and Kenya did not open up clearing and forwarding services, and that the EAC Single Custom Territory Framework did not include access to Ports by Agents from other Partner States. However, they noted that this matter was still under consideration by the Partner States.
- iv. Lack of back-up or alternative system to be used when the main system fails.

5.6.0 Operations of the Visited One Stop Border Posts (OSBPs)

The Committee made on-Spot Visits to Rusumo OSBP, Malaba OSBP, Kobero OSBP and Elegu/Nimule OSBP. The Committee interacted with officials from Immigration, Customs, Police, Standards Board, Environmental Agency, Clearing Agents, Insurance Agents, Truck Drivers and Business Community.

- x. Clearing Agents informed the committee that the time of clearing goods had reduced tremendously but the challenge that still kept cargo at the border was failure to pay Road Toll charges.
- xi. Traders in agricultural products had challenges acquiring phytosanitary certificates. Whereas farm produce is available in markets near the border, Rusumo does not have laboratories for carrying out tests.
- xii. Traders have a challenge of retesting products that had already been certified. This was faced by mainly Rwandan exporters of Milk and milk products and other processed foods. Officials from the Tanzania bureau of standards do not recognize certification from the Rwanda Standards board. These multiple tests the traders complained, constitute an NTB.
- xiii. The Business Community was facing challenges paying government dues in the United Republic of Tanzania. Whereas it's a requirement that one must have a Tax Identification Number (TIN) to pay any form of tax, foreign nationals especially small enterprise traders dealing in farm produce found it difficult to have TIN numbers. This resulted into most of them becoming victims of fraud when paying through local agents who have TIN numbers.
- xiv. Rusumo border post is a twenty four hour duty station, but the business community finds it is a challenge, because whereas immigration and customs services are open on twenty four hour basis service providers close early. For example for any customs clearance, payments are made at the bank, yet banks on the Tanzanian side of the border close at 6.00 PM, in Rwanda closing time is 10.00 PM.
- xv. Truck drivers informed the committee that after adoption of the Single Customs Territory, they were given timelines for transiting through respective Partner States. From Dar es Salam to Rusumo, a truck is supposed to take only four days. However drivers said this was almost unrealistic because the part of the road from Nyakanazi to Rusumo a distance of slightly over 100 kilometers was in bad shape. Yet if you exceed the days allotted, a penalty of 40,000 shillings is charged.
- xvi. In Rwanda Transit period is 3 days to Goma and 4 days if exiting at Bukavu. The transit bond is automated and automatically gets retired in case the truck has not exited. The Agent in this case is notified and a search mounted. If a truck is found broken down the bond is re-opened. This bond has a maximum 15 days window to operate.

- v) Porous and illegal routes along the border which makes it easy of criminals to cross on either side of the border;
- vi) Limited officers especially at Nimule;
- vii) Lack of interconnectivity of the systems since South Sudan is not yet Automated;
- viii) Delays in completing phase one of the Nimule OSBP infrastructure due to poor project planning, engineering design, land acquisition and slow pace of the contractor due to insufficient machinery;
- ix) No space is provided for the local traders within the community to carry out their trade , eg currency traders
- x) Smuggling of illicit goods such as alcohol (Uganda Waragi) and khat (Miraa) which is done through buses licensed to carry passengers. This products are prohibited in South Sudan, but not in Uganda.
- xi) The Committee witnessed 25 trucks that were impounded loaded with absenia and teak logs from South Sudan destined for India. It was noted that the growing illicit trade in these items cannot happen without the involvement and permission by government officials from within the Republic of South Sudan and those in other Partner States in the Northern Corridor.

5.6.3 Malaba OSBP

- i. Malaba OSBP is the major (biggest) inland entry port on the northern corridor. Handles over 80% of cargo destined to in land (to Uganda), and in transit to Rwanda, Burundi DRC and South Sudan.
- ii. All border agencies and other Port Health fully occupied Malaba OSBP building in 2015.
- iii. With the opening up of new factories (National Cement Factory, Hima Cement Factory, Dong song and Sino Mbale Industrial parks) in Eastern Region - requiring large volumes of raw materials, it is anticipated traffic inflow is expected to increase by 2019

5.6.3.1 Benefits of Malaba OSBP

The Committee was informed that, following the establishment of the Malaba OSBP, the following benefits have been realized:

- i. More effective and efficient use of resources;
- ii. Better co-ordination and co-operation between government agencies and the trade community;
- iii. Improved trader compliance;

- v. Small yard in Kenya which cannot accommodate all the cargo or trucks from Uganda.
- vi. Disparity of internal tax rates like VAT which encourages smuggling.
- vii. Lack of scanner on Kenyan side.
- viii. Lack of integration between ASYCUDA and SIMBA systems.
- ix. Lack of staff accommodation in OSBP.
- x. Export permit acquisition does not favour small cross border trade of animals since permits are acquired centrally.
- xi. Porous border still encouraging smuggling.
- xii. Few staff for government agencies to operate 24/7.
- xiii. Absence of port health personnel from MOH.
- xiv. Domestic prohibited imports are sometimes not prohibited in the partner states e.g. used fridges which are prohibited in Uganda and not so in Kenya.
- xv. Yellow fever card not implemented in Uganda.
- xvi. Need for humane treatment of persons found to have illegally settled or crossed to Kenya e.g. minors, disabled and elderly.

5.6.4 Kobero OSBP

In addition to the challenges affecting the implementation of the SCT in Burundi as highlighted in Section 5.5.1, the Committee was informed that the following specific challenges were being faced at Kobero OSBP:

- i. Lack of appropriate testing equipment and facilities which necessitates the customs officials to send samples to Bujumbura City.
- ii. Limited staff especially for the standards and phytosanitary departments.
- iii. Lack of enough parking facility to accommodate goods and motor vehicles
- iv. Lack of storage and quarantine space for goods and phytosanitary products.

issuance of work permits, and in some cases denying citizens of other EAC work permits.

- vi. It was noted that the Republic of Kenya, gives work permits free of charge to all EAC citizens. A citizen from any of the EAC Partner States only has to apply and register for record purposes. The issuance of a permit takes up to one month.
- vii. Whereas the Summit of the EAC Heads of State gave two years for the roll out of the new E-passports, this may not be possible given the slow pace of implementation of this directive. While the Republic of Kenya started the issuance of E-passports in 2016, the rest of the Partner States have just begun the issuance of the same.
- viii. Relatedly, the Committee noted that the Republic of South Sudan charges EAC citizens USD50 for entry visas yet other Partner States waived the visa requirement for EAC citizens. On the same note Kenya and Uganda also charges South Sudanese citizens \$50.00 for an entry visa.
- ix. The Committee also noted that the enforcement of the regulations and commitments made by the EAC Partner States under the Single Customs Territory has been frustrated by some Partner States, thus affecting its full implementation. Apparently, there are no sanctions against Partner States who violate or fail to comply with these requirements.
- x. Non-Tariff Barriers continue to hamper the full implementation of the Single Customs Territory. For example, there are very many road blocks along the Northern Corridor manned by the Police and other security personnel who, often extort money from traders/transporters and also cause unnecessary delays.
- xi. It was noted that the effective implementation of the Regional Electronic Cargo Tracking System (RECTS) is being hampered by the inadequacy of seals. Currently, in the Northern Corridor, the Revenue Authorities can manage to procure only 20% of the required seals due to inadequate funding by their respective governments.
- xii. While the EAC Organs and Institutions continue to make important decisions for furthering the Integration agenda, some of the key

- xix. The Committee noted that the report of the Assembly on the On-Spot Assessment of the EAC Central and Northern Corridor Projects and Institutions in February 2018 was not transmitted to all key stakeholders by the Ministries responsible for EAC Affairs in the Partner States.

7.0 SPECIFIC RECOMMENDATIONS

In view of the aforementioned challenges in the implementation of the Single Customs Territory and observations made, the Committee would like to make the following recommendations:



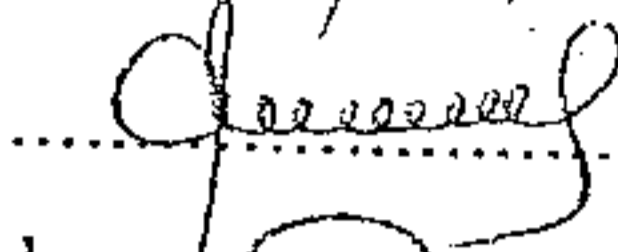

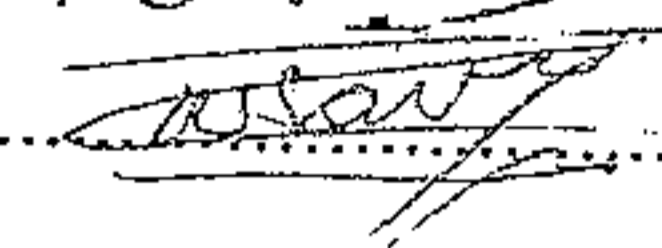




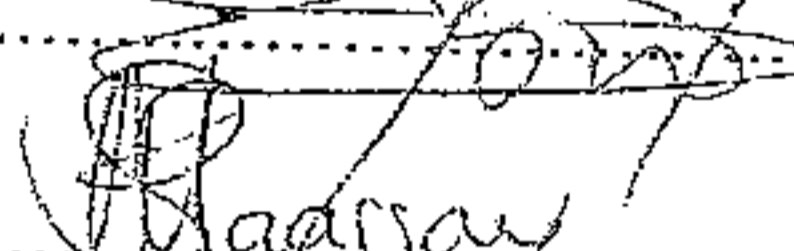
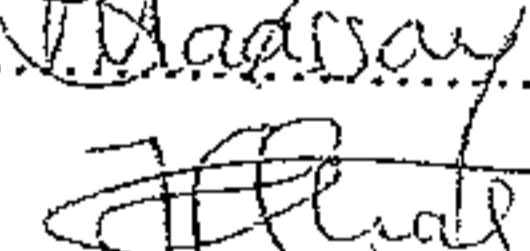

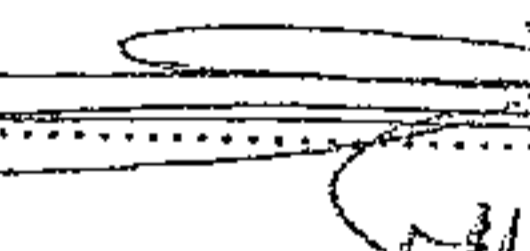

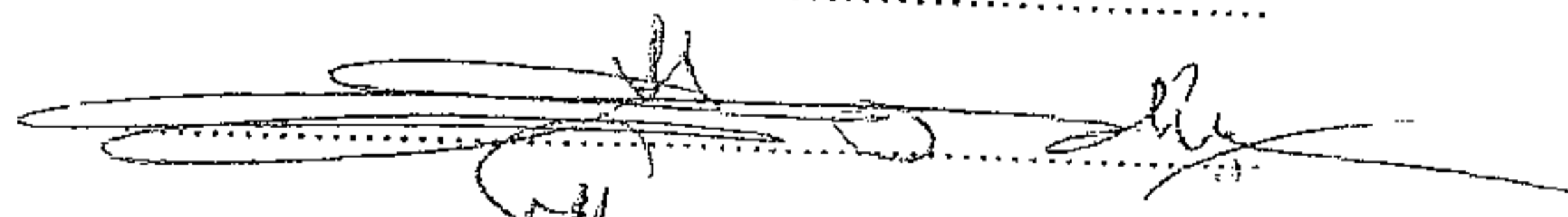
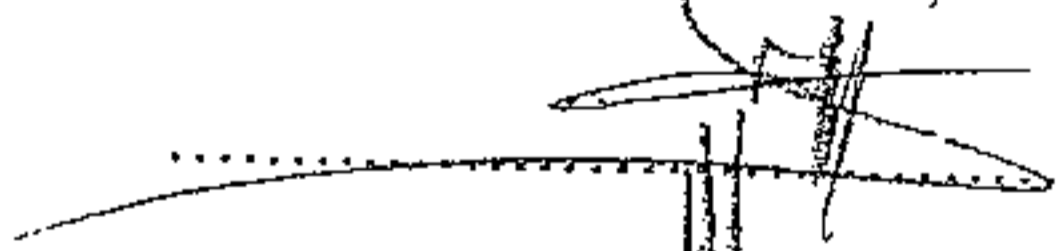
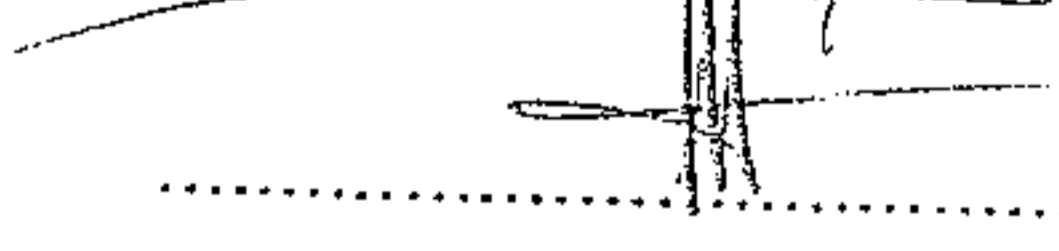
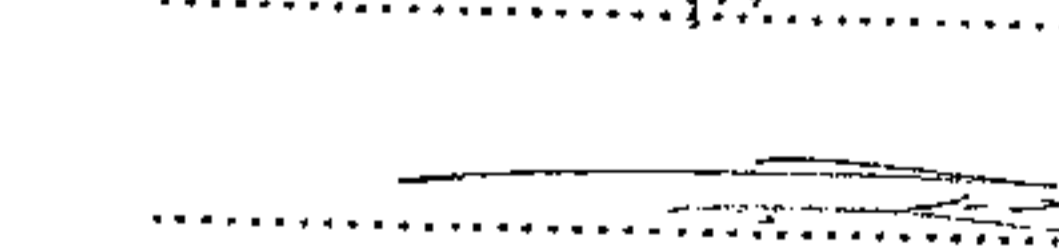
1. The Council of Ministers should expeditiously constitute and ensure the operationalisation of the East African Committee on Trade Remedies by December 2019.
2. The Assembly tasks the EAC secretariat to do a study and establish the different levels of implementation of the SCT in the northern and central corridor with a view of harmonizing the level and scale of work.
3. The Committee urges the Assembly, the Council of Ministers and the EAC Secretariat to scale up the level of sensitization of all the relevant stakeholders responsible for the implementation of Community decisions and furtherance of the EAC Integration agenda.
4. Urge the Council of Ministers, Revenue Authority bodies of the Republic of Kenya and the United Republic of Tanzania to fast track the inclusion of the Holili -Taveta border into the operations of the SCT. This will save costs for traders who import through the Port of Mombasa but seek a shorter and cost effective route to Rwanda or Burundi.
5. The transit period from the Port of Dar es Salam to Rusumo be extended by one extra day from 4 - 5 days till when the road works between the border and Nyakanazi are completed. This will go a long way to help transporters who often face penalties for delays on the route.
6. Urge the Council of Ministers to expedite the integration of the Republic of South Sudan into the EAC Single Customs Territory and to direct the Republic of South Sudan to fast-track the necessary legal and institutional reforms for this purpose.

18. Notwithstanding the provisions of Article 65 of the Treaty, there is need for the EALA Commission to develop a mechanism of enhancing feedback from the Assembly to the stakeholders on matters regarding the EAC Integration, in particular, the transmission of reports and recommendations to state and non-state actors.
19. There is need for the Government of Burundi to build/establish a public market in Kobero to facilitate exchange of goods and services by the cross-border communities.
20. Urge the Council of Ministers to follow up the issue of stay visas issued by immigration officers in all the Member States. All visas should be for 6 months as per the EAC Common Market protocol. The Council of Ministers should follow up closely this issue and report back to the House by close of 2019.

9. Officers at the One Stop Border Posts (OSBPs) should change their mind-sets and embrace the integration process as well as understand the regional laws and protocols that have been ratified. The Officers should remember that the regional laws supersede the national laws.
10. The various stakeholders should meet regularly to discuss challenges that come in the course of their work and in particular if they experience any challenges in the implementation of the EAC Laws and Protocols.
11. The Reports of the Assembly and the recommendations therein should be accorded due consideration by Partner States and communicated to all relevant stakeholders.
12. The Council of Ministers should urge the Partner States to harmonize their systems of clearing goods under the Single Customs Territory in order to solve problems of systems interface and provide back-up system in case of system breakdown.
13. There is need for Council of Ministers to thoroughly examine the trade laws in the EAC Partner States with a view of causing amendment of those laws that hamper trade and full implementation of the SCT. This is in line with article 5(2) of the Common Market Protocol. "to eliminate tariff and non-tariff, technical barriers to trade, harmonize and mutually recognize standards and implement a common trade policy for the Community".
14. The Council of Ministers should fast-track the development of a policy and protocol on Standardisation, Quality Assurance, Metrology and Testing for goods and services produced and traded in the Community in fulfilment of the provisions of Article 81 of the Treaty for Establishment of the EAC.
15. Urge the EAC Partner States to fast-track the harmonization their ICT systems to facilitate trade and allow access for clearing agents across the region.
16. The Council of Ministers should expeditiously consider the harmonization of the process of acquisition of work permits in the region and ensuring that the permit fees are fair and affordable. This will go a long way in facilitating the movement of persons and labour in the EAC.

REPORT OF THE COMMITTEE ON COMMUNICATION, TRADE AND INVESTMENT
ON THE STATUS OF THE SINGLE CUSTOMS TERRITORY IN THE EAC PARTNER
STATES 18TH TO 23RD NOVEMBER, 2018.

1. Hon. Gai William Deng Nhail
2. Hon. Thoar Gatpan Gideon
3. Hon. Burikukiye Marie Claire
4. Hon. Rurakambye Pierre Claver
5. Hon. Nsavyimana Sophie
6. Hon. Fred Mbidde Mukasa
7. Hon. Aburi Mpuru Lawrence
8. Hon. Sergon Jematiah Florence
9. Hon. Mbuga Nganga Simon
10. Hon. Rutazana Francine
11. Hon. Bahati Alex
12. Hon. Barimuyabo Jean Claude
13. Hon. Eng. Maassay Pamela Simon
14. Hon. Lugiko Happiness Elias
15. Hon. Eng. Mnyaa Mohammed Habib
16. Hon. Kasamba Mathias
17. Hon. Musamali Mwasa Paul
18. Hon. Dr. Woda Odok Jeremiah


.....

.....

.....

.....

.....
.....
.....

.....
.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....