

Northern Corridor Stakeholders Survey of Kisumu – Busia –Kampala – Mpondwe/Kasindi – Katuna/Gatuna Transit Sections

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Glossary

Acronyms:

ASYCUDA	Automated System for Customs Data
C/Agent	Customs Agent or Clearing Agent
CBTA	Cross Border Traders Association
CIF	Cost Insurance and Freight
CFS	Container Freight Station
COMESA	Common Market of Eastern and Southern Africa
DPC	Document Processing Center
DRC	Democratic Republic of Congo
EAC	East African Community
EAC-CMA	East African Community – Customs Management Act
EAC-CMR	East African Community Customs Management Regulations
ECTS	Electronic Cargo Tracking System
e-SWS	Electronic Single Window System
GMT	Greenwich Mean Time
GVW	Gross Vehicle Weight
ICD	Inland Container Depot
IT	Information Technology
KEBS	Kenya Bureau of Standards
KENTRADE	Kenya Trade Network Agency
KEPHIS	Kenya Plant Health Inspection Services
KIFWA	Kenya International Freight and Warehousing Association
KMA	Kenya Maritime Authority

KPA	Kenya Ports Authority
KRA	Kenya Revenue Authority
KRC	Kenya Railways Corporation
KTA	Kenya Transporters Association
MV	Motor Vessel
NTB	Non Tariff Barrier
NC	Northern Corridor
TTCA-NC	Transit Transport Coordination Authority of the Northern Corridor
OGA	Other Government Agencies (used in this document to refer to Government Agencies other than Customs, Immigration and Police)
OGEFREM	Office De Gestion Du Fret Multimodal
OSBP	One Stop Border Post
RADDeX	Revenue Authorities Digital Data Exchange
RVR	Rift Valley Railways
SIMBA	Automated Business System used by KRA to receive and process Customs Declarations
STR	Simplified Trade Regime
TEU	Twenty Foot Container Equivalent Unit
TGL	Transit Goods License
TMU	Transit Monitoring Unit
TTCA	Transit Transport Coordination Authority
UNBS	Uganda National Bureau of Standards
UNRA	Uganda National Roads Authority
URA	Uganda Revenue Authority
URC	Uganda Railways Corporation

VSAT Very Small Aperture Terminals

US United States of America

Definitions:

Customs Agent Commonly referred to as Clearing Agent: Person licensed by the Commissioner Customs to transact business relating to the declaration or clearance of any goods or baggage other than accompanied non manifested personal baggage of a person travelling by air, land or sea.

Customs Value Value of goods appraised by Customs for Customs purposes e.g. determining taxes, approving bonds and compilation of statistics

Customs Warehouse Rent Fees paid to Customs Authorities for storage of goods deposited in a Customs Warehouse

Home Consumption Goods for the Local Market

Inco-terms International Commercial Terms

Member States Member States of TTCA-NC; Burundi, DRC, Kenya, Rwanda and Uganda

Proper Officer Person employed on duty or service relating to the Customs by order or with the concurrence of the Commissioner Customs to perform that duty or service.

Through Transit Goods arriving from a foreign country at a border/customs station en route to another foreign country.

Transit Hub Building, yard or place designated by Customs for the deposit of cargo in transit for purposes of temporary storage or transshipment.

Wagon Ferry Vessels with onboard inbuilt railway lines that can be connected to overland railway lines for purposes of hauling rail wagons on and off the vessel.

**REPORT ON THE SURVEY OF THE KISUMU – BUSIA – KAMPALA -
MPONDWE/KASINDI – MBARARA - KATUNA/GATUNA TRANSIT
SECTIONS**

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REPORT ON STAKEHOLDERS SURVEY OF THE NORTHERN CORRIDOR TRANSIT SECTION OF KISUMU – BUSIA – KAMPALA - MPONDWE/KASINDI – MBARARA – KATUNA/GATUNA

BACKGROUND

Introduction:

1. The Northern Corridor Transit Agreement (NCTA) provides a framework for cooperation on issues related to trade and transport among the member States of Burundi, Democratic Republic of Congo, Kenya, Rwanda and Uganda. One of the key activities of the Transit Transport Coordination Authority of the Northern Corridor (TTCA-NC) Secretariat is the identification and removal of Non Tariff Barriers along the Northern Corridor as one of the channels to facilitate trade and reduce the cost of doing business along the Corridor.
2. In May 2011 the TTCA-NC Secretariat organized a joint survey of the Northern Corridor transit section of Mombasa to Malaba with the key Public and Private sector stakeholders involved in the handling and clearance of goods along the Corridor. During this survey several challenges were identified and a good number of recommendations made to address the challenges have been implemented by the stakeholders. In February to April 2012 the TTCA-NC Secretariat conducted a diagnostic survey of the Port of Mombasa; the report was shared with the stakeholders to address the challenges identified during the survey.
3. The above surveys showed that the performance of the different transit sections and nodes along the Northern Corridor are interdependent, a problem at one point of the Corridor may have a direct or an indirect impact on the performance of the other points along the Corridor. During the TTCA-NC 35th Executive Board Meeting, the Executive Board directed the Permanent Secretariat to survey the remaining sections of the Northern Corridor in order to identify and address the challenges faced by the users and operators throughout the whole Corridor.
4. The Survey of the Northern Corridor transit sections of Kisumu – Busia – Kampala - Mpondwe/Kasindi and Mbarara - Katuna/Gatuna was undertaken from 17th to 23rd October 2012 by a Survey Team comprising of the Public and Private sector stakeholders involved in the handling and clearance of cargo along the Northern Corridor.

Objective of the Survey:

5. The overall objective of the survey was to:

- Identify the causes of delays and high costs of doing business along the Northern Corridor and come up with actions to address the recurring delays and the associated costs.
- Promote collaboration among the public and private sector stakeholders to address their day to day operational challenges at the transit nodes.
- Obtain on spot updates on implementation of earlier recommendations made by the TTCA-NC policy organs and state of play of implementation of the trade facilitation instruments.
- Identification of areas/points with infrastructure deficiencies, locations for setting up roadside stations and wellness centers, and identification of opportunity for private sector participation in infrastructure development along the Northern Corridor.
- Disseminate information and sensitize the stakeholders about new developments along the Northern Corridor.

Part I

Methodology:

6. A multidisciplinary Survey Team comprising of the key public and private sector stakeholders involved in the handling and clearance of cargo along the Northern Corridor was constituted.
7. A check list used as a guide to conduct the survey highlighting the transit nodes to be surveyed and areas of focus at these nodes was developed.
8. The survey entailed:
 - Making physical observations;
 - Examination of the business processes and the documents used in clearance of cargo;
 - Obtained incidental costs;
 - Interviewed the public and private sector operators involved in the handling and clearance of cargo and people;
 - Held plenary meetings with the stakeholders at the key transit nodes to enable the stakeholders to have an input in the recommendations arrived at.

Scope of the Survey:

9. The survey covered the under listed Northern Corridor transit sections
 - Kisumu to Busia
 - Busia to Mpondwe/Kasindi via Kampala
 - Mbarara to Katuna/Gatuna via Kabale
10. The Key stakeholders met during the survey included:
 - Revenue/Customs Authorities
 - Highway Authorities/weighbridge operators
 - Port Authorities
 - Customs Clearing Agents
 - Transporters

- Police
- Immigration
- Standards Agencies
- Cross Border Traders
- Cargo handlers (ICD Operators)

11. The areas examined during the survey included:

- Infrastructure/facilities used in the transportation, handling and clearance of cargo
- Documentation
- Transaction Costs
- Cross cutting issues (safety, security etc)

12. Gave updates on the new developments along the Northern Corridor which included:

- Clearance processes and documentation at the Mombasa Port.
- Transport Observatory data feeding.
- International Commercial Terms (Inco-terms) and the electronic Single Window System sensitization.

PART II

OBSERVATIONS MADE DURING THE SURVEY

A. Kisumu Transit Node

Kisumu ICD:

13. The Kisumu ICD is a cargo terminal managed by KPA, it was established as one of the measures to decongest the Mombasa Port by the use of the railway to transport goods in transit destined to Uganda, DRC, Rwanda, Burundi, South Sudan, Northern Tanzania and Western Kenya from the Port.
14. The ICD at Kisumu was found to have a well paved container yard, a warehouse and is properly fenced. The yard has a verification shed, ample security and is fitted with flood lights which can enable 24/7 operations. The ICD has cargo handling equipment to facilitate loading and offloading of cargo. The yard is linked to the transport system by a rail siding, a tarmac road and wagon ferry services through the Kisumu Pier. Despite all these facilities in place, at the time of our visit there wasn't any business taking place in the yard.



The Kisumu ICD: Well equipped and strategically located for intermodal transport interchange (railway, road and water) but not being utilized.

15. The Kisumu ICD receives its cargo by railway, the railway link which supplies the ICD was cut off between Nakuru and Kisumu and no cargo is being received at the ICD by railway. In the month of October 2012 by the time of our visit, the ICD was reported to have received only two containers which arrived at the ICD by road. It was reported by RVR that it has been experiencing rampant vandalism of its railway line between Nakuru and Kisumu; RVR has registered theft of its viaducts which has disrupted its services between Nakuru and Kisumu.

Kisumu Port/Pier:

16. The Kisumu Pier was established in the early twentieth century to provide a railway link to Uganda and Tanzania by wagon ferry services. Over the years business through the Pier has been fluctuating. At the time of our visit, the Pier had not registered any wagon ferry service for a period of over two years. The pier is currently being used by vessels with a carrying capacity up to 600 tons. From the beginning of this year to the mid October 2012, the Pier handled only 86 voyages this is an average of only 9 voyages per month.

17. The vessels currently plying between Kisumu and other Ports on Lake Victoria such as Port Bell and Mwanza, transport goods produced within the East African region. The vessels docking at the Pier are loaded and offloaded using manual laborers. It takes two days to offload a vessel carrying 600 tons of cargo and another two days to load it. In comparison, a wagon ferry which transports 22 wagons weighing over 1,200 tons takes just a couple of minutes to load and offload.

18. At the time of our visit, the Port was covered by the water weed (water hyacinth); the weed was seen to extend more than a kilometer into the lake from the Port. The Port was reported to be silted there by reducing the berth working area from a length of 400m to less than 200m; furthermore the depth of the berths has reduced from 6m with the current deepest point of the berth being only 4m which limits the size of vessels that can be received at the Pier.

19. Due to the disruption of service along the railway line between Nakuru and Kisumu, much as MV Kaawa was commissioned for operations in September 2012 following the completion of its repairs, up to date there has not been any wagon ferry service between Kisumu and Port Bell.



The Kisumu Pier has been attacked by the water hyacinth, only the big vessels can make it across the hyacinth to the Pier. The small boats such as the ones at the front of this picture cannot sail across the hyacinth. Five years ago the Pier used to handle over 3,000 tons of cargo per day, it currently handles an average of only 300 tons per day.

Kisumu – Busia Road:

20. The road between Kisumu and Busia is still undergoing repairs. Due to the poor status of some sections of the Kericho - Kisumu - Busia road, most of the trucks carrying goods in transit are currently using the Nakuru – Eldoret – Malaba road. This has caused a lot of pressure in the clearance of cargo at Malaba, at the time of our survey; the situation was made worse by the network failure that was being experienced by Uganda Revenue Authority. On the other hand in regard to check points between Kisumu and Busia, during the survey there were six Police Checks between Kisumu and Busia and their focus was mainly on security issues.

B. Busia Transit Node

Kenya Revenue Authority (KRA):

21. Kenya Revenue Authority uses the SIMBA 2005 a web based automated system in the declaration and clearance of goods subject to customs control. The SIMBA 2005 can be accessed by customs, clearing agents and other authorized stakeholders via an internet link. KRA Busia is implementing the Simplified Trade Regime (STR) for clearance of goods involved in cross border trade. The threshold value for goods cleared under the STR is US \$2,000 and the STR Customs Declaration is processed manually at the station. For some of the goods produced in Kenya declared for export, KRA Busia issues the traders with the STR simplified certificate of origin.
22. On average about 100 transactions are declared per day through the Cross Border Traders Association (CBTA) at Busia Kenya. The CBTA information desk is supported by the COMESA Secretariat under a project which is about to come to an end. One of the objectives of the information desk was to capture data on cross border trade that was not originally captured by customs. Nevertheless, there is still a challenge of the porous borders which makes it difficult to capture data on all goods involved in cross border trade.
23. Management of goods in transit: Vehicles carrying goods in transit exiting Kenya are sighted by the customs officer who ascertains that the seals are intact and that the goods have not been tampered with before clearing the vehicle for exit to Uganda. The officer confirms exit by issuing a certificate of export which the agent uses to lodge the customs bond cancellation application. Cancellation of customs bond is done centrally at the Customs Bonds Section Nairobi after receipt of the export certificate from the border exit stations and the application to cancel the bond from the Customs Agents.
24. For vehicles carrying goods in transit through Kenya from Uganda, the Customs Agent executes a bond and a customs officer seals the vehicle/container using a tamper proof manual seal. The drivers of vehicles carrying goods in transit are required to call at Gilgil and Mariakani Customs check points. Use of the Electronic Cargo Tracking System (ECTS) is at the moment used on a voluntary basis; this follows a court case filed by the transporters against KRAs' requirement for vehicles that transport goods in transit to be installed with ECTS's.



Busia Border; Fuel tankers queue to cross into Uganda. Trucks entering Uganda pass through the UNRA weighbridge located a few meters from the border crossing point. The Weighbridge was reported as one of the key contributing factors to the congestion of trucks frequently experienced at the Busia border entry/exit gate. The congestion of trucks carrying fuel at the border crossing point raises safety concerns as well. On average 70 fuel tankers cross into Uganda through Busia each day.

25. The main challenge faced by the station is the inadequate infrastructure; the station lacks a verification bay and the storage facilities are inadequate, the Municipal Council parking yard for trucks in transit is in poor condition; it is not well paved, fenced nor lit thereby providing easy access for intruders who pilfer the goods in transit.

26. A good number of clearing agents at the station lack the knowledge and skills to perform their work properly and most of the clearing firms do not operate between 09:00pm and 06:00am. Other stakeholders such as the standards agencies and the banks also do not work 24/7.

Kenya International Freight and Warehousing Association (KIFWA):

27. The licensed clearing agents are given passwords to access the KRA SIMBA system to declare goods to customs. If the trader has all the required documents it takes on average about 2hrs to process his import documents. For the case of transit and exports from Kenya it takes on average about 30 minutes to process the

clearance through KRA. The charges levied by clearing agents for their work is negotiable but usually not more than 1% in case of consignments with big CIF value.

28. The problems highlighted by the KIFWA members included: the challenge of people masquerading as clearing agents conning traders and travelers at the Busia Border; KRA imposes heavy penalties for minor errors on customs declarations; Delays in issuing of export certificate to enable the clearing agents to retire their transit bonds; Unreliable network especially on the Uganda side of the border.



Kenya Standards Agencies Busia: Constrained by lack of verification and storage facilities, the traders offload their cargo for examination on the ground at the mercy of the vagaries of weather. The cargo is exposed to damage and contamination during its examination/inspection.

Immigration Kenya:

29. Travelers are required to have valid travel documents in order to be cleared by immigrations; the travel documents include a passport, a temporary permit or a travel pass. If the traveler has completed the immigration entry/declaration form and presented it to the immigration officer at the counter, it takes the officer about one minute to clear the traveler if his/her travel documents are not questionable.
30. It takes about 30 minutes for one to process temporary travel documents at the Busia immigration office. The temporary travel document costs Kshs 300 and one has to prove his/her Kenya citizenry, the applicant has to present two recent

passport size photographs to the immigration officer and his/her Identity Card. The single entry visa costs US \$50 for the non visa fee exempt passport holders.

Uganda Revenue Authority:

31. Uganda Revenue Authority uses the Automated System for Customs Data (ASYCUDA) in the declaration and clearance of goods involved in international trade. All customs processes are automated including the declarations made under the Simplified Trade Regime (STR). The STR threshold is US \$2,000, URA Busia issues the trader with a Simplified Certificate of Origin for goods produced in Uganda exported under the STR.
32. URA Busia uses the Raddex data for making pre-entries. Pre-entered cargo is released to proceed inwards on its transit journey through Uganda upon arrival at the border; cargo that is not pre-entered is forwarded to the ICD's where it is kept until the declaration process is finalized. The ICD's are privately owned and the trucks are charged Ushs 20,000 per day, the ICD's are big enough, well fenced with ample security but are not properly paved.



URA Busia: Verification facilities pose a big challenge. Non intrusive verification if implemented at this station will go a long way to reduce the time taken during the verification process and ease congestion at the URA Busia customs yard.

33. Management of goods in transit: Vehicles carrying goods in transit entering Uganda are secured using general insurance bonds and manual customs seals by URA. Depending on the risk profiles and sensitivity of the goods being cleared for transit, URA physically escorts the goods, at times it is the importers/clearing agents who request for a physical escort for their goods. The customs bonds are retired automatically upon exit of the goods from Uganda by the officer who processes their exit.
34. Challenges experienced by URA Busia include; the inadequate customs yard and verification bay. The yard is very small, not paved and poorly lit. The station has inadequate office space; experiences power fluctuations and unstable network. A good number of clearing agents lack adequate knowledge and skills to perform their work well which delays the clearance of goods at the station.

Immigration Uganda:

35. Travelers are required to have valid travel documents in order to be cleared by immigrations, the travel documents include; a passport, a temporary permit or a pass. If the traveler has completed the immigration entry/declaration form and presented it to the immigration officer at the counter it takes the officer about one minute to clear the traveler if his/her travel documents are not questionable.
36. It takes about 30 minutes for one to process temporary travel documents at the Busia Immigration Office. The temporary travel document costs Ushs 5,000 and one has to prove his/her Uganda citizenry, the applicant has to present two recent passport size photographs to the immigration officer and his/her Identity Card or letter from his area local administration. The temporary travel document is valid for 30 days.
37. The single entry visa costs US \$50; multiple entry visas are issued at the immigration Headquarter Office Kampala. Student passes are issued for free but one has to present a recommendation from the school where s(he) is admitted. For short term employment special passes are issued which are valid for three months renewable for another two months.

Busia Plenary Meeting:

38. During the plenary meeting the presentations made gave an update on the clearance procedures by KRA and KPA at the port of Mombasa other presentation made were on the electronic single window system and the proper use of Inco-terms.
39. The challenges highlighted by stakeholders during the plenary meeting included:

- Brokers and money changers operating within the customs yard who do not only interfere with the work of government agencies working at the border but were reported to frequently con traders and travelers.
- Some truck drivers cross the borders without clearance through immigration;
- Some bus conductors do not submit their passenger manifests to customs and immigration officials at the border, some do submit but with inadequate particulars of the passengers. Lack of employers' identification cards for people working on buses. These issues were reported to pose a security risk at the borders;
- The demand by KRA for hard copies of export certificates from the C/Agents for canceling their bonds, whereas KRA has the information in their SIMBA system;
- Lack of firefighting equipment to deal with big fires at the borders and poor sanitary facilities at the border.

40. The Joint Border Committees were formed but they are not active, the stakeholders expressed the need to reinforce the operations of the Joint Border Committees in order to timely address operational challenges at the border.



Busitema URA Check Point: Risk based verification is done here to check whether all the goods carried by the vehicle were duly cleared at the border entry points in order to curb smuggling and promote fair competition among the traders. The verification facilities require improvement to minimize damages to the goods and other incidental costs incurred by the traders during the verification exercise.

C. Kampala Transit Node

Transit Monitoring Unit (TMU):

41. The URA Transit Monitoring Unit is under the Customs Division of Enforcement. The role of TMU is to monitor the movement of cargo in transit through Uganda. TMU uses advance information obtained through the Raddex and other intelligence information to target cargo for close monitoring. Cargo in transit to Kampala is allowed 3 days from the border stations to reach Kampala, whereas through transit is allowed 5 days to exit Uganda after release at the border station. In case the cargo fails to comply with the allowed transit period, URA issues a demand note to the clearing agent who is given 14 days to account for the cargo. Failure to account for the cargo in transit, leads to the suspension of the operations of the clearing firm, after which URA calls for a penalty to the bond.
42. TMU operates both fixed and mobile check points; however, not all trucks are stopped for examination at the check points. On average out of the 5,000 trucks in transit handled in a month only 20 are stopped for examination and this is based on risk profiling. The Busitema Customs check point mainly targets Uganda home bound cargo whose taxes are paid at the borders. Due to the porous nature of the border, after vehicles are cleared by customs at the border station, along the way between the border stations and Busitema, it was reported that some drivers add uncustomed goods to the goods whose taxes are paid.

Multiple ICD Transit Hub:

43. Transit cargo that passes through the Multiple ICD transit hub is normally cargo that is to be transshipped. Transshipment of cargo follows a request from the owner of the goods. The main reason given is that some transporters/shipping lines do not allow their trucks/containers to go to destinations with infrastructure inadequacies and insecurity. On the other hand the grace period given by the shipping lines for the return of containers to Mombasa is not enough for cargo destined to the far ends of the Northern Corridor prompting the traders to request for transshipment to avoid the high container retention charges.
44. Transshipment of cargo is supervised by URA Custom's officers. At the multiple transit hub both direct and indirect transshipment of cargo is done. Cargo involved in indirect transshipment is first entered for warehousing before it is deposited in the bonded warehouse dedicated for cargo in transit. The cargo proceeds on its transit journey after a re-export entry is made. The warehouse where the cargo is deposited is privately owned, the storage charges levied by the warehouse keeper is Ushs 7,000 per day for a 20ft container load of goods deposited in the warehouse. Sugar

and rice deposited in the warehouse attracts storage charges of Ushs 450 per metric ton per day. The offloading and loading charges are met by the owner of the goods. On average 4 to 5 trucks are transshipped per day, most of the cargo transshipped is destined to DRC and South Sudan.



Multiple Bonded Warehouse: This facility on the one hand addresses the needs of traders with goods in transit who are constrained to transship their cargo by transporters and shipping lines that do not allow their trucks/containers to be taken to destinations experiencing infrastructure and security challenges.

45. The challenges encountered by the TMU include the numerous requests to transship cargo in transit, unclear documents presented by some traders to customs, and difficulty in obtaining data from the RADDeX.

Port Bell:

46. Port Bell is a Port in Uganda on the shores of Lake Victoria. The Port is used for receiving and dispatching cargo to Kisumu-Kenya and Mwanza-Tanzania. Port Bell was designed for handling cargo transported in wagon ferries. Currently the Port handles cargo imported in vessels that are loaded and offloaded using cranes or manual laborers.

47. Port Bell is undergoing renovations which commenced with the refurbishment of the floating dock used for the construction and repair of ships. The dock was used in the repair of MV Kaawa which was commissioned in September 2012 to resume operations by the Minister of Works and Transport of the Republic of Uganda Hon. Abraham Byandala. MV Kaawa has a capacity of 22 wagons and can carry a load of 1,232 tons of cargo.



Port Bell: The newly refurbished floating dock above was used in the repair of MV Kaawa; the dock can also be used for constructing new vessels. In the picture above, the Survey Team is being taken through the operations at the Port Bell Pier by officials from Uganda Revenue Authority and Uganda Railways Corporation.

48. Out of the five wagon ferries that used to provide a triangular transport service between Port Bell, Kisumu and Mwanza, currently only one vessel is operational (the recently repaired MV Kaawa). Even then, the vessel is currently only offering services between Mwanza and Port Bell, furthermore, the vessel is not transporting cargo using wagons hence it takes 2 to 3 days to offload the vessel and another 2 to 3 days to load it. When transporting cargo in wagons it takes less than one hour to load or offload the vessel. The vessel used to make 12 voyages per month when transporting cargo using wagons but currently it is making only 3 to 4 voyages per month. The reason for not using wagons is due to the breakdown of sections of the railway line linking the port of Kisumu to Mombasa and the port of Mwanza to Dar Es Salam.



After the repairs of MV Kaawa, the repairs of MV Pamba above are being awaited. The repairs of such wagon ferries will produce the targeted results if the railway lines linking the Port of Kisumu to Mombasa and the Port of Mwanza to Dar Es Salaam are functioning properly. Use of rail wagons to transport cargo on the ferries will greatly reduce the time and cost of loading/offloading cargo and will increase the number of voyages the ferries can make in a month.

49. During the time of the Survey, apart from fuel and wheat grain imported from Mwanza, it was reported that the rest of the imports and exports handled through Port Bell are goods produced within the East African region. Therefore improving transport on Lake Victoria will not only help to shift heavy cargo from the roads but will go a long way in enhancing inter-State trade.

Kampala Plenary Meeting:

50. During the plenary meeting the stakeholders were updated about the clearances processes by KRA and KPA at the Port of Mombasa. KPA further updated the stakeholders about the initiatives being undertaken to improve service delivery at the Mombasa Port. During the meeting the stakeholders were also sensitized about the electronic Single Window System by KENTRADE and Kenya Maritime Authority sensitized the stakeholders about the proper use and benefits of Inco-terms towards the reduction in the cost of doing business and minimization of trade risk.

51. The TTCA-NC Secretariat called upon the stakeholders to provide data to feed the transport observatory to enable generation of reports that will support informed decision making by the public operators and users of the Northern Corridor.

52. In addition to the issues raised during the plenary meeting at Busia, the highlights of the issues raised at Kampala included:

- The traders raised the question of why Customs only holds the owner of the cargo culpable for the liability of diversion of the goods and leaves the transporter even where the owner has lost his cargo in transit.
- The traders and clearing agent's representatives requested the Northern Corridor Secretariat to organize more sensitization workshops for the traders especially about the processes for clearance of cargo at the Mombasa Port and along the Northern Corridor in order to know what is required of them, the new initiatives for trade facilitation and how they fit in and the proper use of Inco-terms which is their starting point towards reducing the cost of doing business.
- The traders also were concerned about the proposed increment in tariff by KPA and the heavy penalties imposed by customs for minor infringement of the law especially in cases where it is just an error in data capture without any risk to revenue or risk of contravention of restrictions and prohibitions.

D. Mpondwe/Kasindi Transit Node

Uganda Revenue Authority:

53. The procedure for clearance of cargo at URA-Mpondwe is similar to that at Busia and other URA customs border stations. Mpondwe Customs station handles clearance of goods in transit imported through the Port of Mombasa and Dar Es Salam, the station also clears imports and goods in transit from DRC. On average per month, the stations handles 400 consignments of goods in transit and exports to DRC and about 200 consignments of imports and goods in transit from DRC.

54. The management of goods in transit at URA Mpondwe is similar to that at Busia however, in the case of URA Mpondwe; copies of the documents used to clear the goods in transit/exports to DRC Kasindi are forwarded by courier to DRC – Customs Kasindi. Transporters/Vehicles in transit that fail to report to the exit station within the designated transit period are penalized. Drivers are advised to report to the nearest customs office any difficult faced before the expiry of the transit period in order to extend their transit period to avoid the penalties.

55. Transit Goods License (TGL) can be obtained from URA Customs Mpondwe; the applicant for a TGL is required to produce the original logbook of the vehicle, a valid 3rd party insurance cover. The vehicle is inspected to certify whether it is in good mechanical condition and meets the requirements for licensing as spelt out in the East African Community Customs Management Regulations 2010. Successful applicants pay a license fee of US \$200 per vehicle; a pulling trailer pays US \$400. The TGL is issued every year and expires on the 31st day of December irrespective of the date when it is obtained. All customs stations in Uganda handling the clearance of internationally traded cargo are empowered to issue transit goods licenses.
56. The challenges faced at the station include lack of verification shed, inadequate storage facilities, frequent network failures and location of the public market which lies between the border crossing point and the Mpondwe URA customs office.



The buildings in the picture above are part of the market at Mpondwe which lies between the URA customs yard and the border crossing point. Imports entering Uganda from DRC traverse through the market before reaching the URA customs yard, furthermore, after URA has cleared goods for transit they pass through the same market area before crossing into DRC. With such border configuration there is a high risk of the customs controls being compromised.

DRC Customs Kasindi:

57. The customs business processes at Kasindi are automated. DRC uses ASYCUDA for the declaration and clearance of internationally traded cargo at the border. The stakeholders involved in the clearance of cargo are given access to the ASYCUDA. DRC customs uses a simplified declaration process to clear goods traded by the cross border traders.



Members of the Northern Corridor Stakeholders Survey Team pose for a photograph with some of the DRC border officials at Kasindi. In the background is the packing yard for trucks. DRC customs does not levy any charges for trucks under customs control parked in this yard.

58. The challenges faced by DRC customs include failure to reconcile the goods and documents received from URA Mpondwe with the advance information received from Mombasa for goods destined to DRC through Mpondwe/Kasindi. DRC Customs Kasindi also lacks information on goods transshipped along the Northern Corridor.

DRC Immigrations Kasindi:

59. Travelers are required to have valid travel documents in order to be cleared by immigrations, the travel documents include; a passport, a temporary travel permit or a pass. Immigrations Kasindi issues visitors visas which are valid for 8 days; truck drivers are issued visas which are valid for 15 days. Extension of visas is done at the provincial offices and other designated offices such as Beni, Goma and Butembo. The single entry visa is US \$50. There are no visa fees collected for Rwandese and Burundian passport holders.

60. Challenges highlighted at Mpondwe/Kasindi during the plenary meeting include;

- The period of stay of 15 days given to truck drivers is short considering the journey they are to make to Kisangani. Long stay visas are obtained from Goma, Beni, Butembo and Kisangani.
- The opening and closing time at the Mpondwe/Kasindi border is not harmonized. DRC Kasindi immigration office opens at 07:30am **(05:30GMT)** and closes at 06:00pm **(16:00 GMT)** whereas the immigration of Uganda opens at 08:00am **(05:00 GMT)** and closes at 07:00pm **(16:00 GMT)**.
- The JBC meetings which used to be held on quarterly basis to address various issues concerning the operations at the border are currently not being held.

E. Katuna/Gatuna Transit Node:

Customs One Stop Border Post (OSBP)

61. Uganda and Rwanda customs operate juxtaposed OSBP's at Gatuna/Katuna to clear cargo across the border. The customs declaration of goods is automated, Rwanda uses AsycudaWorld and Uganda uses Asycuda++ but is soon to migrate to AsycudaWorld. The good coordination among the border authorities has contributed to the efficient operations of the Customs OSBP which has greatly minimized the amount of time the trucks spend at this border.

62. **Simplified Trade Regime:** The revenue authorities use the Simplified Trade Regime, STR in the clearance of cross border traders. The threshold value for the STR is US \$2,000, customs officers at the border are empowered to issue a simplified certificate of origin for exports. For the goods declared under the STR, the trader is not required to engage the services of a clearing agent in order to clear his goods through customs. The average daily traffic through the border comprises of 200 heavy commercial trucks and 60 transactions cleared under the STR.



The Scanner at Gatuna is used for non intrusive verification of goods, its role is crucial in the expeditious clearance of containerized cargo at the border.



Uganda-Rwanda Border. Left: Trucks in transit parked along the road as you approach Katuna customs border station. **Right:** Trucks in transit parked while awaiting clearance at the Gatuna OSBP.

63. Challenges at the Katuna/Gatuna Border include:

- Lack of parking yards for trucks; the trucks park along the roads at times blocking passage for other road users.
- Absence of some key government agencies at the border (Uganda) e.g. Uganda National Bureau of Standards (UNBS). The offices for the agencies present at the border are distant from each other.
- Slow exchange of information among agencies; some agencies are not automated and there is no framework for sharing information across and among the agencies at the borders.
- Inadequate firefighting equipment in case of big fires such as those by fuel tankers. At the moment customs gives priority clearance to fuel tankers to reduce the risks posed by such cargoes.
- Lack of animal handling facilities for keeping animals/animal products pending clearance by the veterinary officials;



Farm Products: The bulk of the interstate trade is comprised of animal and agricultural products. The border stations lack animal handling facilities to keep the animals and animal products while awaiting inspection and authorization for importation/exportation done by headquarter or regional offices located hundreds of kilometers from the borders. About 60% of animal diseases can be transmitted to human beings; some of these diseases are contagious such as Tuberculosis.

- Variations in the speed of evolution of the different agencies curtailing the progress of implementation of the OSBP for all agencies at the border (legislations for other agencies are not harmonized);
- Network problems and difficulty in accessing information from RADDeX;
- Illegal immigrants and people with false or no travel documents; some truck drivers do not present their travel documents to receive the immigration entry stamp when entering Uganda from Kenya. *EAC nationals that frequently travel across the member States are encouraged to acquire and use the East African Community passports.*

F. Road Infrastructure:

64. The roads along the Northern Corridor transit sections surveyed were generally in good condition. The sections that were not in good condition were under reconstruction namely the section between Kisumu to Busia, the section between Mbarara to Katuna and the section between Gatuna to Kigali.



A road along the Northern Corridor section of Mbarara to Katuna being reconstructed, reconstruction works of this road is expected to be completed by 2014.

Vehicle overload controls:

65. Kenya uses Gross Vehicle Weight (GVW) controls; recently Uganda suspended the application of both the Axle Load and GVW controls to using only the GVW controls following the recurring truck driver's strikes at the Uganda weighbridge stations.
66. The fixed weighbridge stations along the Northern Corridor visited in Uganda weigh in motion and on average it takes about one minute to weigh a truck at these weighbridges. However, the total time the truck spends at the weighbridge station depends on the length of the queue of trucks waiting to be weighed at the station. At the time of the Survey there were 4 fixed weighbridge stations in operation between Busia and Mpondwe/Katuna i.e. at Busia, Busitema, Lukaya and Mbarara, an average of one weighbridge station for every 150km. The newly constructed weighbridge at Magamaga was not in operation.



A truck carrying fuel in transit being weighed at Busitema Weighbridge Station. Over 600 trucks are weighed daily at Busitema. The Survey Team observed that on average it takes one minute to weigh a truck using a weigh in motion weighbridge. However, the total time spent by a truck at the weighbridge station depends on the length of the queue of trucks waiting to be weighed.

67. The number of trucks found not to comply with vehicle overload limits dropped by about 90% when the Uganda National Roads Authority (UNRA) switched from axle load to GVW overload limits in its enforcement of the vehicle overload controls. At the Mbarara weighbridge, on average 4,500 to 5,000 vehicles are weighed per month. When the controls were based on axle overload limits, on average 300 vehicles were found to be non-compliant, when they switched to GVW controls, only 20 to 30 vehicles are found to be non-compliant per month. Whereas at Busitema when using GVW limit based controls out of an average of 18,000 trucks weighed per month only 60 to 100 are found to be non compliant.

68. A combination of GVW and axle load controls is enforced to prevent damage to the roads as well as bridges. Use of only GVW overloads limits to protect the roads may not be enough, since a truck may be compliant with the GVW overload limits but not compliant with the axle loads limits hence causing damage to the road.



A newly reconstructed road along the Northern Corridor. If vehicle axle load limits are not respected such a road may suffer premature damage.

69. It was observed that failure to pass the axle load control test by vehicles at a weighbridge station after passing the same test at another weighbridge was due to

the shifting of cargo within the container during the trucks' journey. The shifting of cargo in a container during its movement can be curtailed by bracing and blocking the cargo in the container at the time of loading the cargo.

70. Weighbridges in Uganda are calibrated every four months. It was observed that there are no stores for goods offloaded from overweight trucks; this was reported to be a deliberate measure to discourage overloading. It was reported during the survey that there is no automated exchange of information among the weighbridge stations in Uganda, data on the weighbridge operations is collected monthly from the weighbridge stations by the head office.

71. Management of Overload offences; the offences are settled through the magistrates' court nearest to the weighbridge station, the ticket for the overload offender is sent to the court through the prosecutor (Uganda Police), the court determines the punishment for the offender. It was reported that the vehicle key, driving permit and documents pertaining to the cargo carried by the vehicle are withdrawn by the UNRA officers from the driver until the offence is settled. Most of the drivers penalized at the weighbridges in Uganda are those driving vehicles carrying local cargo.



Photograph from archive: The Northern Corridor road above damaged due to vehicle axle overload. The tires exert pressure on the road depending on the axle load, if the axle load is above the recommended limit, the road gets damaged.



Photograph from archive: Accidents such as this can be averted by the drivers observing the Gross Vehicle Weight limits for the bridges along the road sections. This accident left many other road users stranded.

72. The Survey Team recognized the need to sensitize the transporters/drivers and the general public to appreciate the essence for observing the GVW overload limits as well as the axle overload limits if we are to protect our roads and bridges from premature damage.

Road Safety:

The Survey Team made some observations relating to road safety. The Team observed that bad driving is a major contributor to accidents on our roads. The pictures below show some of the moments depicting bad driving captured during the Survey.



Above: This truck had a breakdown in a dangerous corner as it was ascending a hill from Queen Elizabeth National Park towards Bunyaruguru along the Mpondwe-Mbarara road. Not minding the potential risk at hand, the turnman was seated comfortably below the containers without putting any signal to warn other road users about the breakdown of his truck.



Left: A truck carrying cargo to Goma overturns when the driver tries to give way for an oncoming truck that was being recklessly driven. The reckless driver gets away with it. **Right:** A dangerously loaded truck, *the sky is the limit for this driver.*

PART III

PROPOSED MEASURES TO ADDRESS THE IDENTIFIED CHALLENGES

	Observed Challenges	Recommendation	Responsibility Center
A. Inland Waterways:			
1.	Breakdown of the railway line linking Kisumu to Nakuru. The railway line supports ferry services across Lake Victoria and the operations of the Kisumu ICD. RVR reported theft of railway viaducts between Nakuru and Kisumu	Fast track the repair of the railway line linking Kisumu to Nakuru. Step up security to protect railway line from being vandalized.	Kenya Railways Corporation (KRC)/ Rift Valley Railways (RVR). Police/RVR
2.	The Water Hyacinth has engulfed the whole Port of Kisumu. The Kisumu Port docking area was reported to have reduced from 400m to 200m due to silting	Removal of the water weed and de-silting the Kisumu Pier.	EAC Lake Victoria Basin Commission, KRC/RVR
3.	Out of the five wagon ferries that used to operate a triangular service on Lake Victoria only one is in operation. Wagon ferries carry more cargo, take less time and are less costly to load and offload.	Fast track the repair of MV Pamba and MV Uhuru.	Uganda Railways Corporation, KRC, RVR
B. Border Stations:			
4.	Lack of customs parking yards at the border stations, the private parking yards available where found lacking. Lack of verification and storage facilities Risk of spread of contagious diseases from animals due to lack of facilities at border stations for	Set and enforce infrastructure and other standards for operating private parking yards at the borders. Develop facilities at the private parking yards for verification and storage of non containerized goods. Provision of quarantine posts /animal handling facilities at the	Customs Authorities/ICD/ Parking Yard Operators

	Observed Challenges	Recommendation	Responsibility Center
	keeping animals awaiting clearance	border stations.	Member States
5.	Risk of fire from fuel tankers amidst lack of firefighting equipment to deal with such fires.	Customs areas at border stations should be designated as non smoking zones to reduce the risk of fire arising from smoking. Fuel tankers should be accorded priority clearance at the border stations.	Member States/Customs Authorities
6.	Lack of adequate knowledge and skills by some clearing agents to enable them perform their work properly	Train the customs agents. Setting and enforcing minimum qualifications for licensing of customs agents.	Customs Authorities, Clearing/Freight Forwarders Associations.
7.	Failure to work 24/7 by OGA's and private sector agencies such as the clearing agents and the banks. Lack of harmonization of legislations of the OGA's at the border to enhance the OSBP operations.	The criteria for licensing customs agents and bond keepers at stations that work 24/7 should include the clearing firm demonstrating that it operates 24/7. Exploring the use of mobile money services in partnership with banks for payment of taxes. Harmonization of regulations for the Government Agencies operating at the common borders.	Customs Authorities Banks Member States
8.	Non-harmonized working hours at the Uganda – DRC border at Mpondwe/Kasindi. Uganda Immigration office opens at 08:00am (05:00GMT) and closes at 07:00pm (16:00 GMT) , whereas the DRC immigration office opens at 07:30am (05:30 GMT) and closes at 06:00pm (16:00 GMT) .	Harmonization of the working hours at the Uganda/DRC border post at Mpondwe/Kasindi.	Immigration Authorities of DRC and Uganda
9.	Truck drivers who cross the borders without clearing through the	Sensitization of drivers.	Transporters Associations

	Observed Challenges	Recommendation	Responsibility Center
	immigration offices.	Take corrective action against offenders.	Immigration
10.	Demand for hard copies of export certificates from the clearing agents in order to cancel their transit bonds, whereas the customs authorities have this information in their automated business systems.	Customs Authorities which are not cancelling transit bonds upon exit of goods from their countries are requested to put in place measures to enable cancellation of transit bonds once the goods exit the country.	Customs Authorities.
11.	<p>Unreliable network and internet services, some customs stations such as Mpondwe/Kasindi and Katuna reported very poor network coverage and frequent internet failures. This was partly attributed to the terrain and remoteness of the stations.</p> <p>Network and internet failures were reported virtually at all stations to be the major contributor to delays experienced at the border stations.</p>	<p>Consider deployment of VSAT dishes for satellite internet link as a probable option to improve network connectivity at stations located at places with unfavorable terrain.</p> <p>Regularly upgrade hosting environment - Application and Database servers, mission critical network equipment to accommodate growth in volume of data and Traffic.</p> <p>Stakeholders should consider deploying dual Internet connection - one for redundancy/backup, the dual internet should be from two different service providers.</p> <p>Contract Internet Service Providers that have redundancy links & Gateways (i.e. both Fiber & Satellite links) to increase the chances of internet uptime.</p>	Customs / Port Authorities
12.	Challenge of people who con traders and travelers at the border stations by masquerading as clearing agents.	<p>Stakeholders working at the border stations should wear identification tags.</p> <p>Government agencies requested to</p>	Government agencies operating at the borders.

	Observed Challenges	Recommendation	Responsibility Center
		only work with licensed agents.	
C. Weighbridge Stations:			
13.	Lack of interconnection among the weighbridge stations and across OGA's for real time exchange of data captured at weighbridges stations. The data collected at the weighbridges can facilitate customs to clear some types of goods whose assessment of taxes depends on weight.	Inter-agency collaboration to establish a framework for exchange of information on a real time basis. In the meantime Customs may make use of the weighbridge receipts issued at the weighbridge stations for cross checking the weight of the cargo declared by the traders.	Member States, TTCA-NC Secretariat Customs Authorities.
14.	Location of the weighbridge close to the Busia border entry/exit gate is one of the major contributors to the congestion of vehicles along the roads leading to the customs area.	Relocation of the Weighbridge from the entry/exit gate to a place at least 5km from the border. Access lanes for trucks at least 1km long should be created at weighbridges located along busy roads.	Uganda National Roads Authority (UNRA) National Road Authorities
15.	Some trucks pass the axle load control test at one weighbridge station but fail the test at another weighbridge due to the shifting of cargo in the container during the trucks journey.	The traders when loading their containers should instruct their suppliers to <i>brace and block</i> the cargo in the container to deter its shifting during the trucks journey.	Traders Associations/Clearing Agents/transporters.
16	Lack of appreciation of the need for vehicle overload controls by the transporters/drivers and the general trading community.	Sensitize the transporters and the truck drivers about the essence of axle load and gross vehicle weight controls.	Road Authorities, Transporters Associations.
D. Check Points:			
17.	Damages and loss of goods during the examination/inspection process at border stations and customs checkpoints.	Improve verification and storage facilities to minimize damages and loss of goods during the examination process.	Customs Authorities. Standards Agencies

	Observed Challenges	Recommendation	Responsibility Center
E. Information Sharing/Exchange:			
18.	Difficulty in accessing information from the RADDeX to enable making pre-entries, delays in uploading data on the RADDeX for use by other stakeholders and errors in the data captured.	Upgrading of the RADDeX System. Improvement in data capture by the C/Agents. Can be enforced through the rejection by customs of entries whose particulars are not properly captured by the agents/traders.	Customs Authorities. Customs/Clearing Agents Associations.
19.	Lack of automation by some Government agencies and poor exchange of information among and across Government agencies at the border stations.	Automation and putting in place a framework for exchange of information.	Member States
20.	The traders lack update information of new initiatives, procedures and requirements to clear their cargo by the agencies working at the Mombasa Port, border stations and other transit sections along the Northern Corridor.	Dissemination of information through the internet, printed material and sensitization workshops.	Member States, TTCA-NC Secretariat.
21.	Northern Corridor Transport Observatory should provide reports that help decision makers to timely address problems along the different sections of the Corridor.	Real time/regular transmission of data by the public and private sector stakeholders to the Northern Corridor Secretariat to feed the Transport Observatory. Regularly update the transport observatory.	Revenue/Customs/Port/Road/Police Authorities, Transporters and OGA's TTCA-NC Secretariat
F. Road Safety:			
22.	Bad driving and demonstration of lack of appreciation of the basic road precautions by some drivers.	Sensitization of drivers; road safety awareness campaigns. Use of wellness centers to promote road safety awareness campaigns Take corrective action against traffic offenders.	Transporters Associations TTCA-NC Police.

ANNEX:

Annex i: List of Checkpoints along the Transit Sections Surveyed

Country	Location	Number of Check Points	Distance NC Road (Km)	Type/Services
1. Kenya	Kisumu (ICD)	1	Kisumu - Busia Border 140 Km	Customs, ICD (KPA) & Standards Agencies
	Luanda	1		Police checkpoint
	Maseno	1		Police checkpoint
	Yala	1		Police checkpoint
	Busia/Lwero	1		Weighbridge
	Busia Border Post	1		Customs, Police, Immigration, OGA
Total		6		
2. Uganda			Busia to Kampala 222Km Kampala-Mbarara-Katuna 452Km Kampala to Mpondwe via Mbarara 472 Km	
	Busia Border Post	1		Customs, Police, Immigration & weighbridge, OGA
	Busitema	1		Weighbridge
	Iganga	1		Customs & Police
	Jinja	1		Customs & Police
	Kampala Multiple ICD	1		Customs Checkpoint (for home bound cargo & Transshipments)
	Port Bell	1		Customs, Immigration, Police, OGA
	Lukaya	1		Weighbridge, Customs
	Mbarara	1		Weighbridge, Customs
	Katuna Border Post	1		Customs, Police, Immigration, OGA
	Kasese	1		Mobile Weighbridge
	Mpondwe Border Post	1		Customs, Police, Immigration, OGA
Total	Busia - Katuna	7(4)	7 thru' Busia, thru' Port Bell there are 4 Checkpoints	
Total	Busia - Mpondwe	8(5)	8 thru' Busia, thru' Port Bell there are 5 Checkpoints	
3. DRC	Kasindi Border	1		Customs, Immigration, OGA
Total		1		
4. Rwanda	Gatuna Border Post	1	Kigali - Gatuna 80 Km	Customs, Police, Immigration, Weighbridge, OGA
	Gatsata	1		Police & Customs
Total		2		

Annex ii: Survey Team Members

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