



**EAST AFRICAN COMMUNITY SECRETARIAT**

**STATUS OF ELIMINATION ON NON TARIFF BARRIERS AS PER  
MARCH, 2013**

**EAC SECRETARIAT  
ARUSHA, TANZANIA  
MARCH, 2013**

The EAC Time Bound Programme on elimination of identified non tariff barriers was updated during the 10<sup>th</sup> EAC Regional Forum on elimination of NTBs which was held from 6<sup>th</sup> – 9<sup>th</sup> March, 2013, Bujumbura, Burundi. After the updating of the Time Bound programme, the following is status of elimination of NTBs in the region:

- (i) Thirty three remained unresolved;
- (ii) Seven new Non Tariff barriers were reported; and
- (iii) Forty six NTBs were recorded as resolved.

## EAC TIME BOUND PROGRAMME ON ELIMINATION OF IDENTIFIED NON TARIFF BARRIERS

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
1	<b>Delays in transit bonds cancellation</b>	Uganda, Rwanda and Burundi	Kenya Revenue Authority	Added costs (transit traffic incl. delays in cancellation of customs bonds and  <i>Delays in transit times</i> )	Prompt cancellation of transit bonds.	Likelihood of increase of dumping of goods in transit.  Goodwill from Partner States Revenue Authorities	<b>The Ministers decided that the Partner States implement the electronic cancellation of bonds within 24 hours.</b>  <i>Status:</i>  Kenya reported that she is cancelling the bonds manually within 24 hours. Kenya further reported that she is in the process of upgrading the Simba system to enable her to cancel the bonds within 24 hours.  URT Reported that they have complied with the 24 hour electronic cancelation.	<b>December, 2013.</b>
2	<b>Numerous</b>	All EAC	Statutory	Time wasted.	Need to invest	Insufficient financial	Testing Regulations for	By end of

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	<b>institutions involved in testing goods.</b>	Partner States	agencies.		<p>in One-Stop-Centres and electronic single window systems at border stations</p> <p>Develop and implement mutual recognition instruments</p>	<p>resources for investment in buildings, facilities and IT system/ equipment.</p> <p>Success Factor Collaboration of all institutions into fast-tracking the procedures under the same roof.</p>	<p>laboratories were adopted by the Council and referred to SCLJA for legal input and eventually approved.</p> <p><b>The Ministers decided that:</b></p> <p><b>collaboration among the regulatory agencies be enhanced; agencies operate under one stop post as is currently being done between Kenya and Uganda;</b></p> <p><b>agencies collaborate at the national borders with a view to fast tracking clearance of goods at border entry points; and Mutual recognition of certificates issued by agencies is implemented.</b></p> <p><b>Status:</b></p> <p><b>Tanzania</b></p> <p>Tanzania reported that Dar Es Salaam port had started implementing electronic single window system.</p>	December 2013

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							<p>Tanzania is currently working on her testing modalities to make sure that all tests are done at the port of entry instead of having to take samples to the headquarters.</p> <p>Malaba border between Kenya and Uganda is operating one stop border post; Taveta-Holili infrastructure has been completed and will soon be operational</p> <p>Rwanda has introduced an electronic single window through which most testing bodies share information through the system electronically</p> <p>UNBS is introducing an electronic single window through which information is shared electronically</p>	
3	<b>Existence of several</b>	Rwanda Uganda and	Kenya - Ministry of	Time lost at the	Reduction of weighbridges	Political goodwill from the Partner States	EAC Secretariat informed the meeting that Draft EAC	<b><i>Burundi, Kenya, Uganda</i></b>

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	<b>weighbridge stations in the Central and Northern Corridors.</b>	Burundi	Transport  Tanzania - TANROADS	weighbridges leads to loss of business as goods do not reach their destination in time	to two, one at the port of entry and the other at the port of exit		<p>Vehicle Load Control Bill, 2012 was adopted by a Multi-Sectoral Council in February 2012.</p> <p>The axle draft bill law was adopted by the Council and is awaiting enactment by <b><i>EALA in April, 2013</i></b></p> <p>The number of weigh bridges should reduce to three in Tanzania and Kenya. In case of Uganda, Burundi and Rwanda to be two.</p> <p><b>The Ministers decided:</b></p> <p><b>to reduce the weighing requirement for</b> transit traffic to two, one each at the entry and exit points; Tanzania to await the outcomes of the studies on the optimal number of weighbridges in the region's trunk road network.</p> <p><b>Kenya</b></p> <p>Has one mobile weighbridges in MaiMahiu, Eldoret has been removed</p>	<p><b><i>and Rwanda by June 2012,</i></b></p> <p>Rwanda has no weighbridge; Burundi, no weighbridges; Kenya has four weighbridges and is reducing to two for transit cargo by December 2012</p> <p>June 2013</p>

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							<p>Five fixed weighbridges in Mariakani, mlolongo, Gilgil, Malaba and Busia.</p> <p><b>Kenya</b></p> <p>Have only two weighbridges at the point of entry and exit.</p> <p><b>Tanzania</b></p> <p>Waiting for the outcome of the study</p> <p><b>Uganda</b></p> <p>Cargo is weighed at point of entry and exit;</p>	
4.	<b>Ugandan restriction of beef &amp; beef products from Kenya</b>	Kenya	Uganda Departments of Veterinary Services; Ministries of livestock development and Agriculture	Ban on market entry and loss of potential markets.	Political goodwill to mutually recognise inspection procedures, inspection reports and certificates	<p>Pressure from businesses not to recognize products from within EAC due to fear of loss of markets</p> <p>Success Factor Political goodwill to recognize EAC as a single market area</p>	A bilateral meeting between Kenya and Uganda was held on 11 <sup>th</sup> April, 2012. The Ministers directed that a verification of beef and beef products be undertaken in the two Partner States. The verification was carried out between 22 <sup>nd</sup> to 24 <sup>th</sup> April and the report of the verification exercise considered by the Ministers	<b>December, 2012.</b>

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							<p>in August, 2012.</p> <p><b>The Ministers urged Republic of Kenya to review the legal notice No. 169 to address the issues of the BSE disease by December 30<sup>th</sup>, 2012.</b></p> <p><i>Kenya is yet to revise the legal notice.</i></p>	
5	<p><b>Several Police road blocks along Northern and Central Corridors, estimated at 36 between Mombasa-Kigali and 30 between Dar Es Salaam to Rusumo border.</b></p>	<p>All EAC Partner States Rwanda Uganda Burundi</p>	<p>EAC Partner States Police Departments.</p>	<p>Delays in transport.</p> <p>Bribes, estimated at US\$ 0.55 per roadblock per truck on Ugandan side and US\$ 1.3 Kenyan side, or USD 25.70 on the Northern Corridor per truck. USD 7.5 per roadblock per truck</p>	<p>Issue clear guidelines on reasons for stopping commercial vehicles, a daily record of vehicles stopped, reasons and measures taken.</p>	<p>Resistance to remove roadblocks on argument they are mounted for security reasons.</p> <p>Success Factor Follow-up on political decision to remove roadblocks</p>	<p>Kenya reported that she has reduced the road blocks from 36 to 9.</p> <p>Rwanda removed all road blocks in November 2008.</p> <p>Uganda has 3 road blocks at Katanga, Nalufenya and Ntungamo</p> <p>Burundi has removed all road blocks. Kabanga border post works full day Tanzania has reduced roadblocks from Dar Es Salaam to Rusumo from 30 to 15. Tanzania has advertised tender for introduction of electronic cargo tracking.</p>	<p><b>June 2013</b></p>



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							<p>Also Tanzania has introduced:</p> <p>Fleet management system where transporters are required to stop/report at the identified centers. This done between Tanzania police force and investment climate facilities project that started last year.</p> <p>Identify check points along Dar es Salaam to Rusumo with all necessary communication facilities to ease the movement of goods.</p> <p><b>The Ministers decided that:</b></p> <p><b>EAC Partner States undertake to explore measures to exempt transit traffic from inspection at the police road blocks; and Harmonized electronic cargo tracking system should be adopted.</b></p> <p><b>STATUS</b></p>	

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							<p><b>Tanzania</b> Electronic Tracking System has been introduced since November, 2012</p> <p>Rwanda informed the meeting that the situation had not changed. URT to check and revert.</p> <p>Kenya has introduced highway patrol along the Northern Corridor.</p>	
6.	<b>Lengthy procedures for issuing of work permits vary among EAC Partner States.</b>	All EAC Partner States	Uganda, Tanzania and Kenya Immigration departments	<p>Lost business time while waiting for processing of work permits. As per BCI 2008 business take between 1-5 months to acquire work permits for workers sourced from another EAC country.</p> <p>Immediate</p>	Political goodwill to facilitate cross-border movement of people while waiting for finalization of relevant Protocol.	<p>Political resistance on need to safeguard national security</p> <p>Success Factor Political goodwill to accept EAC as a single market area</p>	<p>The procedure for issuing work permit has been simplified in Rwanda, Burundi, Kenya and Uganda.</p> <p>Tanzania is in the process of reviewing relevant laws on work/residence permit, in line with the EAC Common Market Protocol. EAC Secretariat to facilitate harmonization of classification of work/resident permits, fees, forms and procedures. These are among the</p>	<p>June 2013.</p> <p>June 2013</p>

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				Businesses are forced to employ locals who may lack required skills.			<p>outstanding schedules which were supposed to be negotiated by June 2013</p> <p>Tanzania informed that work is ongoing on the amendment of the law and major meetings scheduled in due course</p> <p>A number of EAC citizens are already working in Burundi even without work permits as they await harmonization of the laws.</p> <p>Burundi reported that URT is stamping in travel documents of EAC citizens that “allowed staying for 3 months. Employment with or without pay is strictly prohibited”.</p> <p>URP is currently issuing entry visas for 6 months</p> <p>URT to expedite the change of wording in the entry visa stamp which prohibits EAC citizens from working in Tanzania. URT further informed that the wordings are as per the law but is one</p>	

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							<p>of the agenda items to be addressed in the forthcoming meeting</p> <p>URT has suggested a bilateral with Burundi to shade more light on the issue of a Burundian Businessman having been fined \$5000 for not having a work permit while visiting the port of Dar es Salaam.</p> <p>Rwanda urged Tanzania to reconsider the issue of yellow fever vaccination cards</p> <p>URT informed that it is a WHO requirement and promised to submit the documentation before end of this meeting.</p> <p>URT requested that the matter be taken to the Sectoral Council for Health for further action.</p> <p>Rwanda requested the EAC Secretariat to fast track laws of issuing work permits</p> <p>Tanzania is in the</p>	

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							processing reviewing their immigration laws to cater for the work permits for EAC citizens by June 2013	
7.	<b>Charges of plant import permit (PIP) at Malaba for tea destined for auction at Mombasa.</b>	Uganda, Burundi	Kenya Plant Health Services (KEPHIS)	Adds to cost of doing business.	Abolish charges.	Resistance from issuing authority	Kenya informed the meeting that the charge is a legal requirement for tea destined for Mombasa Auction.  SPS protocol was approved by the Summit in November, 2012.  The Protocol is awaiting ratification by the Partner States.  <b>The Ministers decided that Partner States should recognize certificates issued by accredited institutions of other Partner States.</b>	<b>July, 2013.</b>
8.	<b>Non recognition by Kenya for SPS certificates issued by Uganda for tea destined for Mombasa auction.</b>	Uganda and Burundi	Ministry of Agriculture Kenya	Uganda to identify	Mutual recognition of SPS certificates	Resistance from issuing authority.	The meeting noted that the issue will be resolved once EAC protocol on SPS is in place.	<b>July, 2013</b>
9	<b>Lack of harmonized port procedures</b>	Partner States	TPA and KPA	Varying grace periods makes the importers	TPA and KPA to harmonize port	Investments by port authorities	The Ministers decided that port procedures manuals should be harmonized.	April, 2013

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	<b>manual.</b>			to pay demurrage charges which increases cost of doing business in the region	procedures manual grace periods.		<p>EAC Secretariat to facilitate the harmonization through the Sectoral Council of Transport, Communication and Metrology (TCM).</p> <p>The issue is under consideration of the TCM</p> <p>KRA is not properly facilitating trade in its operations. The two ports should be able to work efficiently through the Single Window</p>	
10	<b>Border management institutions' working hours are not harmonized.</b>	Tanzania, Uganda, Rwanda and Burundi	Revenue Authorities	<p>Business community to identify impact</p> <p>Delays and extra cost to doing business</p>	Harmonization of working hours	Security issues and awareness by Business community	<p>The Ministers decided that:</p> <p>border entry points along the main transport corridors should operate 24 hrs for purposes of clearance of goods; and</p> <p>Partner States submit the names of the border entry points to start with by end of March 2012</p> <p>The following Partner States have submitted their border posts to operate 24hrs</p>	By December 2012.

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							UGANDA Malaba; Busia; Katuna Mutukula  KENYA: Mombasa Port Malaba Busia, Namanga, Lungalunga and Isebania  URT: Dar Es Salaam Port Namanga Rusumo Horohoro Sirari  BURUNDI Kobero Kanyaru Gasenyi  RWANDA: Cyanika 16 hrs Kagitumba 12 hrs Rusumo 16hrs Nemba Kanyaru	

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							<p>Rwanda to consult and report by during the next EAC Regional Forum</p> <p>Upon Burundis request for URT to open the Kabanga border Post, URT suggested that the Two Partner States initiate a bilateral meeting</p>	
11.	<b>Inadequate Police Escort mechanism.</b>	Partner States	Police	Loss of business	Provide escorts for trucks	Lack of adequate infrastructure for Police escort	<p>The Ministers decided that Partner States should:</p> <p>expedite the implementation of cargo tracking system; and increase the road patrols along the highways.</p> <p>URT is now providing police escort for more than 10 trucks but request can be placed for special trucks with sensitive goods. High valued goods are allowed to make special request at a cost.</p> <p>Kenya informed that implementation of the electronic cargo tracking system is currently in court and ruling is due on 26<sup>th</sup></p>	June 2013.



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							April, 2013	
12.	<b>Inadequate quality of infrastructural services.</b>	Partner States	Governments	Loss of business and increased cost of doing business.	Fix the infrastructure	Inadequate financial resources  Inefficient railway system	<p>The Ministers decided that:</p> <p>Partner States should continue jointly mobilizing resources for development of regional infrastructure;</p> <p>Sectoral Council on TCM develops a policy paper on areas to fast track in the development of railways network in EAC.</p> <p>the Council to request the Summit to consider holding an Extra-Ordinary meeting dedicated to infrastructure development.</p> <p>The meeting recommended that EAC Secretariat provides details of deliberations of the summit of Heads Retreat on infrastructure during the next meeting of the Regional Forum.</p>	Long-term
13.	<b>Corruption along</b>	Partner States	Police,	Increased cost	Implementatio	Lack of goodwill from	The Ministers decided that	Ongoing

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	<p><b>the Northern and Central Corridors (police roadblocks, weighbridge and border gates).</b></p>		<p>Customs, Anti-corruption agencies and Private Sector.</p>	<p>of doing business</p>	<p>n of policies, regulations and actions that will combat corruption</p>	<p>all parties</p>	<p>Partner States should:</p> <p>Sensitize their stakeholders; Enforce sanctions for offenders; Expedite the introduction of electronic tracking of cargo; and Increase highway patrol's as preference over road blocks. Status</p> <p>Kenya: Deployed 10 vehicles doing highway patrol's to ensure security; ethics and anti corruption commission. KRA has implemented corruption regulation policies, hotline to report corruption + 254 20 2603814 manned by deputy police commissioner; KPA established code of ethics and conduct Tanzania: Prevention for Combating Corruption Bureau (PCCB) <a href="http://www.pccb.go.tz">www.pccb.go.tz</a> to sensitize all government department against corruption; Each institution has a budget line for Sensitization of corruption in Ministries;</p>	

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							<p>Cargo tracking system URT Launched an NTB sms monitoring system on 15539 as follows: NTB spacewrite your complain and send the 15539</p> <p>Uganda: dealing with issues of corruption by fitting cameras to monitor activities at the borders, weighbridges etc; police officers have been arraigned in court with cases of corruptions; hotlines to report corruption cases by the public.</p> <p>RWANDA: hotline; cameras; anti corruption commission; police anti corruption campaign; print media against corruption</p> <p>BURUNDI: Anti corruption bureau and a hotline</p>	

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14.	<b>Lack of Verification sheds and parking yards at border posts.</b>	Partner States	Partner States Revenue Authorities and Ministries of Works	Loss of business and spillages of cargo	Provision of sheds and parking yards	Inadequate financial resources	<p>The Ministers urged Partner States to hasten construction of one stop border post.</p> <p>Kobero/kabanga ; kagitumba/mirama hills; taveta/holily; tunduma; kobero/kabanga funded by TMEA; Rusumo/Rusumo; Malaba/Malaba; Lungalunga/horohoro funded by AfDB.</p> <p>Burundi reported that Ruhwa on stop border post with Rwanda is already finalized;</p> <p>URT reported that Kabanga is operational while Kobero and Rusumo construction is on-going</p> <p>Kenya reported that Taveta, Malaba, LungaLunga, Busia and Isebania the work is ongoing and due for completion by October 2013</p>	24 months  Uganda to provide evidence on KPA charges
15.	<b>Charges by Container Freight Stations vary from port charges</b>	Uganda, Rwanda and Burundi.	Kenya Ports Authority	Increased cost of doing business	Kenya reported that the port charges by ICDs and CFS		<b><i>The Ministers decided that port charges include the charges of the CFS so that the one charge fee cuts across all aspects.(AVAIL</i></b>	<b>Immediately</b>

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					should be the one approved by port authorities		<i><b>THE SERVICE LEVEL AGREEMENT)</b></i>  Kenya Ports Authority signed a service level agreement to guide charges by CFS.	
16.	<b>Controlled movements of Cargo Trucks between Isaka/Rusumo and Isaka/Kabanga beyond 6:00 pm within Tanzania</b>	Rwanda, Burundi & Uganda	Ministry of Infrastructure, Tanzania	Time lost	Removal of the requirement		<b>The Ministers decided that Partner States should:</b>  <b>Expedite implementation of cargo tracking system; Invest more in railway network; and Increase highway patrols</b>  URT working on the issue and some trucks are already moving after midnight; to report in details by December  URT is now providing police escort for more than 10 trucks but request can be placed for special trucks with sensitive goods.  Efforts are underway to make Rusumo border work	<b>December 2013</b>

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							24 hours like and Namanga border and Dar Es Salaam.	
17.	<b>TRA has introduced check points in the Central Corridor with timeframes and imposed charges for the delays to reach the destinations</b>	Rwanda Burundi, Uganda.	Ministry of infrastructure, Tanzania and TRA	Time lost	Removal of check points	Delays goods for the market.	<p>Removal of the check points.</p> <p><b>The Ministers took note of the Tanzania report that she had reduced most of the check points and no fee is charged for the existing ones.</b></p> <p>The NMCs to continue engaging each other in pursuit of solving the NTBs.</p> <p>Introduction of tracking systems.</p> <p>Rwanda proposed that the customs check points be reduced to two.</p>	<b>June, 2012</b>
19	<b>Congestion at the Port of DAR</b>	Rwanda, Uganda and Burundi	TPA	Delays in cargo clearance	Increase the capacity of ports	Lack of financial resources	<p>The port to acquire in the short run new equipment to offload and load goods</p> <p>Decongestion of KPA will be redressed by end of June and Tanzania by end of 2012</p> <p>Kenya constituted a cabinet sub- committee which has</p>	<b>June and December 2012</b>

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							<p>addressed the matter</p> <p>URT expanding the port of Dar Es Salaam and is in the process of constructing a new port at bagamoyo to decongest the port of Dar es Salaam.</p> <p>URT reported that TPA has improved yard density from 62% to 52% Several new equipments are under procurement to improve the services. Constructed ICDs to reduce congestion. The process of constructing a new port in Bagamoyo is underway.</p> <p>Kenya's reported the following progress on improvement of congestion:</p>	

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							(i) Rapid Result Initiative; -Completion of drenching to 15 meters; Construction of berth 19; (ii) Second container terminal construction and; (iii) Lamu Port Construction	
20	<b>Non-harmonized road user charges / road tolls</b>	All Partner States	Ministries of Transport and Infrastructure	Additional cost to doing business	Harmonize the road user charges / road toll		Harmonize the road user charges /road toll  The NTBs is being handled by SCTCM.  <b>Secretariat to report during the next Forum.</b>	<b>June, 2013.</b>
21	<b>Weighing of empty trucks in Tanzania</b>	Rwanda and Burundi	TANROADS	Unnecessary delays for trucks going to load in ports	Reverse the weighing of empty trucks	Resistance of TANROADS to amend the Road on Safety regulations	Consider reversing the process of weighing of empty trucks  URT still considering the way forward on how to handle the issue  URT awaiting for the outcome of the study Introduced	<b>June, 2013</b>



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							URT has introduced weighing in motion and also checking physically	
22	<b>Requirement by KRA for transporters to have introductory letters from URA on certain products / consignments, e.g. tyres and spirits</b>	Uganda	KRA		Abolish the requirements	Fear of dumping	<p>Abolish the Kenya requires a letter for importation of tyres; letter for methanol because it is diverted into the country.</p> <p>Kenya:</p> <p>Sugar because of high risk of it being dumped into the country. This is in accordance with customs management</p> <p>In accordance with section 204 and 247 of the customs management act.</p> <p>Uganda and Kenya to take it up bilaterally by January, 2013.</p>	<b>Mid January, 2013</b>
23	<b>Lack of recognition of CTH criteria in the EAC ROO for motor vehicles</b>	Kenya	Tanzania, Uganda and Rwanda	Loss of business	Recognition of CTH Criteria in the EAC Roles of Origin		<p>TRA, URA, and RRA requested to recognize the CTH criteria and allow vehicles manufactured in Kenya to their market</p> <p>EAC Secretariat to provide a status report on the subject in conformity with the</p>	<b>June, 2013</b>

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							<p>Council decision.</p> <p>EAC Secretariat informed the meeting that the issue is being handled by the Committee on Customs. The proposal is to remove CKDs from chapter 87 so that they can apply for duty remission or exemption.</p> <p>Kenya has requested that the issue be discussed at the Council level.</p>	
24	<b>Cigarettes manufactured in Kenya exported to Tanzania required to have a local 75% tobacco content</b>	Kenya	Tanzania	Loss of business	Abolition of the requirement	Resistance from the private sector.	<p>The NTB was considered during the Bilateral meeting between Kenya and United Republic of Tanzania on 7<sup>th</sup> September, 2012. Kenya provided on the NTB and URT undertook to study it report back at end of September, 2012.</p> <p>Kenya urges URT to define local content as tobacco grown within East Africa</p> <p>URT to consult and report to the next meeting</p> <p>URT informed that domestic produced cigarette must have 70% local</p>	December, 2012

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							tobacco content there any similar product coming into the country must have the same percentage	
25	<b>Payment of double handling charges at the ICDs and at the Dar Es Salaam port</b>	Burundi	Dar Es Salaam	Adds to cost of doing business.	Abolition of the double handling charges		<p>The meeting recommended that Burundi provides more information on the NTB to enable URT to investigate it before the next Regional Forum.</p> <p>Burundi informed the meeting that she had forwarded the documents and information to the Secretariat</p> <p>URT informed the meeting the ICD charges are part of port charges and are therefore not additional charges. The only additional charges are on demurrage.</p> <p><i>Burundi requested to re-submit documentation supporting their submission through the EAC Secretariat.</i></p> <p>URT to investigate further and revert at the next EAC Regional Forum on NTBs.</p>	June, 2013

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							URT requested to investigate and report back during the next NTBs forum in June, 2013	
26	<b>TRA imposes a duty of 25% of EABL products exported to its subsidiary Serengeti breweries limited in Tanzania.</b>	Kenya	TRA	Adds to cost of doing business.	Abolition of the 25% duty charge		Tanzania undertook to consult and report back during the next Regional Forum.  URT to further consult and revert in the next regional forum  Kenya to consult KBL and revert in the next Forum	
27	<b>Re -introduction of cash bond by Kenya.</b>	Uganda, Burundi and Rwanda	KRA	Adds to cost of doing business.			Kenya reported during the meeting of Sectoral Council on Trade, Industry, Finance and Investment that the cash bond requirements had been withdrawn and replaced with particular bonds.  <b>The Sectoral Council on Trade, Industry, Finance and Investment</b> <b>(I) Took note of the withdraw of the cash bond requirement and its replacement by particular bond;</b> <b>(II) Requested the</b>	<b>Immediate</b>

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							<p>Republic of Kenya to revert to the use of general bond for ease of doing business;</p> <p>(III) Directed that Revenue Authority and Kenya Revenue Authority jointly develop a monitoring mechanism for the application of the general bond in order to ensure that the facility is not abused by unscrupulous business persons;</p> <p>(iv) Urged The Republic of Kenya to waive all port charges and customs warehouse rent accrued as a result of application of the cash bond; and</p> <p>(IV) Directed Secretariat to develop operational rules for the application of</p>	

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							<p>(V) <b>all types of bonds.</b></p> <p>Uganda reported that the cash bond was removed and replaced with a particular bond on sugar.</p> <p>Uganda requesting that the particular bond be replaced with a general bond</p> <p>Kenya requested that the two revenue authorities convene a meeting to resolve the divergent issues as directed by SCTIFI of 2<sup>nd</sup> November, 2012.</p> <p>Uganda informed that the whole issue is now a particular bond. The two Partner States to convene a Bilateral meeting to discuss the same</p>	31st January, 2013
28	Tanzania food and Drugs Authority requires companies exporting to URT to register the products	Kenya	TFDA	Loss of market	Abolition of the requirement		East African Standards Committees to handle the NTB The Standards Committee is to meet next year in February, 2013 to solve the issues related to standards	June, 2013

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	<b>before exporting</b>							
29	<b>Requirement by the Kenya Revenue Authority that tea from Uganda destined for Mombasa auction market should be stored at the Customs Bonded warehouses in Mombasa.</b>	Uganda	Kenya	Increase in cost of doing business	Abolition of the requirement		<p>Kenya to abolish the requirement</p> <p>Kenya to revert after consulting with KRA</p> <p>Kenya informed that the tea must be stored in any customs godown that is under customs control.</p> <p><b>Kenya to check and report back during the next NTBs forum</b></p> <p><b>Uganda and Rwanda Requested that tea traders be allowed to store their tea at warehouses of their choice.</b></p>	<b>Immediate</b>
30	<b>Tanzania had re-introduced requirement for yellow fever card to EAC nationals entering the country</b>	EAC Partner States	Tanzania's Ministry of Immigration.	Restricts movement of persons in the Community.	Abolition of the requirement.		<p>Abolition of the requirement.</p> <p>Tanzania reported that it's a WHO requirement and for the sake of EAC Nationals.</p> <p>The meeting recommended that the issue be forwarded Sectoral Council for Health resolution.</p>	June, 2013.

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<b>NEW NON TARIFF BARRIERS</b>								
1	<b>Rice and Wheat flour originating from URT and exported through Lunga Lunga Border being treated as not wholly produced in URT.</b>	Tanzania	Kenya Revenue Authority.	Loss of Business.	Adherence to EAC RoO.		The meeting recommended that the products be offered preferential treatment as per EAC RoO.  Kenya undertook to investigate and report back during the next Regional Forum	June, 2013.
2	<b>Harassment of informal businessmen from URT by Kenyan Immigration Officials at Namanga Border.</b>	URT	Department of Immigration, Kenya.	Loss of business.	Kenya immigration Officials to stop the harassment		Kenya to adhere to the MOU signed on February, 2012 between the EAC Ministers from the two partner States.	Immediately
3	<b>Theft of Minerals (Tin and Tantalite) at Dar Es Salaam Port</b>	Rwanda	TPA.				The meeting noted that the matter is under police investigation.	
4	<b>Prohibitions of imports of food products from Burundi</b>	Rwanda	Burundi.	Loss of business.	Lifting of the prohibitions.		The meeting recommended that the issue be considered through a bilateral meeting.	June, 2013.
5	<b>Charging of full duty on aluminum products on EAC duty remission scheme.</b>	Kenya	Uganda.	Loss of Business.	EAC to fast tract the study on how to treat products which not enjoy duty remission		The meeting noted that EAC is currently under a study on treat products which do not enjoy remission scheme.	June, 2013.



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					under companies in the EAC duty remission scheme.			
6	<b>Lack of clearance of trunks at the border of Sirare between Kenya and URT by Tanzania Revenue Authority by declining to accept copies of bill of landing, clearing of part shipment, clearance of trunks without containers and not working on Saturdays and Sundays</b>	Kenya	Tanzania Revenue Authority.	Loss of business.	Recognition of bill of landing and need to work on Saturdays and Sunday.		The meeting recommended that TRA facilitates clearance of trunks.	Immediate.
7	<b>Rwanda has published in their website the list of companies and products which qualify for preferential treatment</b>	Kenya.	Rwanda.	Affects negatively companies as some of the big companies are missing from the list.	Revision of the list.		The meeting noted that the list is dynamic and the list will revised to include all the companies.	Immediate

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<b>RESOLVED NON TARIFF BARRIERS</b>								
1	<b>Tanzania requires cash bonds for transportation of sugar to Rwanda.</b>	Rwanda	TRA	Adds to cost of doing business	Abolition of the requirement	Resistance from TRA because of possible dumping of sugar.	Tanzania has abolished the bond.	<b>Resolved.</b>
2	<b>Burundi charges entry fee for vehicles from other Partner States</b>	Kenya, Uganda, Tanzania & Rwanda	Burundi Customs	Adds to cost of doing business	Abolition of the charge		Burundi has abolished the charge.	<b>Resolved</b>
3	<b>Varying application of axle load specifications</b>	All Partner States	Kenya Ministry of transport  TANROADS Uganda Ministry of transport	Unnecessary time loss at the weighbridges  Corruption	Introduce weigh-in motion systems and harmonization of axle load limits and gross vehicle mass (GVM) in the region	Insufficient financial resources  Political disagreements on whether to adopt COMESA or SADC specifications	The EAC Axle load bill is now before EALA for legislation	<b>Resolved</b>
4	<b>Imposition Visa to Burundians entering Tanzania</b>	Burundi	Immigration Department of Tanzania	Restriction of entering.	Removal of visa		Tanzania has abolished the visa charge	<b>Resolved.</b>
5	<b>Delays at the Ports of Mombasa &amp; Dar Es Salaam, which affect imports and exports through the ports.</b>	All EAC countries through use of Northern & Central corridors	Kenya Ports Authority, Tanzania Ports Authority Kenya Revenue Authority, Tanzania Revenue	3-4 days lost at Dar Es Salaam port, 7-10 Extra charges for exports and imports.	Implement Community based systems Implementations of one-stop documentation centers to speed up	Insufficient financial resources for investment in modern cargo handling equipment at the ports, rail wagons and communication technology.	The ports of Mombasa and Dar Es salaam are implementing National single window system to redress delays at the ports	<b>Resolved</b>

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			Authority, Kenya Railway Corporation, Tanzania Railways Corporation and Uganda Railways Corporation		clearance of containerized cargo.  Continue ports modernization including computerization of procedures to ensure faster clearance.	Success Factor Sufficient budgetary Allocation.		
6	<b>Restriction of Konyagi exports into Kenya Market</b>	Tanzania	Kenya Revenue Authority/Kenya Bureau of Standards	Loss of business	Removal of the restriction		KRA is now issuing import license and stamp duty and konyagi products are now exported to Kenya.	<b>Resolved.</b>
7	<b>Lack of preferential treatment on galvanized sheets</b>	Kenya	Rwanda Revenue Authority	Loss of Business	Application of EAC Rules of Origin	Resistance from RRA	The issue is resolved	<b>Resolved</b>
8	<b>Requirement for certificates of analysis for goods destined for export to Rwanda and Burundi</b>	Tanzania, Uganda and Kenya	Burundi and Rwanda Bureaux of Standards	An extra cost of doing business	Mutual recognition of quality marks issued by Partner States National Standard Bureaux	Resistance from Rwanda Bureau of Standards	The NTB has resolved.	<b>Resolved</b>
9	<b>Levying of extra charges on Kenya pharmaceutical firms exporting</b>	Kenya	Tanzania Revenue Authority	Tanzania charges on sales vans- US\$20 for each entry and	Abolition of extra charges	Resistance from TRA	The levied have been abolished.	<b>Resolved</b>

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	to Tanzania			charges on sales persons- US\$200 per each entry.				
10	Requirement of TISCAN inspection procedure that requires documents to be transmitted to SA and cleared there for each lot.	Kenya	Tanzania Revenue Authority	Loss of business	Abolition of the requirement	Resistance from TRA	Tanzania has abolished the procedure except for the traders who do not avail the bill of landing.	Resolved.
11	Requirement of road consignment note from transporters even before the goods have been packed.	Kenya	Tanzania Revenue Authority	An extra cost of doing business	Abolition of requirement of road consignment noted	Resistance from TRA	Requirement of road consignment has been abolished.	Resolved.
12	Requirement for executing a bond for import taxes before being issued with stamps for excise duty purposes in Tanzania.	Kenya	Tanzania Revenue Authority	An extra cost to doing business	Abolition of the requirement	Resistance from the Revenue Authority	Tanzania no longer demands execution of bonds.	Resolved.
13	Requirement for executing a bond for import taxes before being	Kenya	Tanzania Revenue Authority	An extra cost to doing business	Abolition of the requirement	Resistance from the Revenue Authority	Tanzania no longer demands execution of bonds.	Resolved.

No	NTB summary description	Affected countries	NTB source & Ministry/Department/ Agency for action	Impact to businesses	Prioritized Action	Bottlenecks or Success Factor	Status / Recommendations	Time-frame
	issued with stamps for excise duty purposes in Tanzania.							
14	<b>Holding, retesting milk and milk products bearing Uganda National Bureau of Standards quality marks and imposition of import quotas.</b>	Uganda and Tanzania	Kenya's Ministry of Fisheries and Livestock Development, Kenya Dairy Board and Kenya Bureau of Standards.	Denial of market entry and loss of potential markets.	Political goodwill to mutually recognize inspection procedures.	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets	The NTB has been resolved	<b>Resolved</b>
15	<b>Kenyan ban on Ugandan day old chicks</b>	Uganda	Ministries of Livestock Development and Agriculture	Ban on market entry and loss of potential markets.	Political goodwill to mutually recognize inspection procedures, inspection reports and certificates.	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets	The issue has been resolved.	<b>Resolved</b>
16	<b>Cumbersome testing procedures for food exports and imports into Tanzania</b>	Kenya	Tanzania Food and Drug Authority (TFDA)	Cost & time incurred in testing & certification procedures	Need to harmonize national export/ import procedures under one technical body	Resistance from authorities currently in charge of exports/imports inspection (TFDA)	The issue has been resolved. TBS is the sole body for quality assurance and standards	<b>Resolved</b>
17	<b>Verification &amp; classification goods(green,</b>	EAC Partner States	Partner States Revenue Authorities	Corruption during verification.	Joint verification of goods at	Lack of verification sheds.	Partner States Revenue Authorities are implementing Risk	<b>Resolved.</b>

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	yellow, red )				border posts.	Goodwill from Partner States Revenue Authorities.	Management Systems.	
18	<b>EAC Standards Bureaus have varying procedures for issuance of certification marks, inspection and testing.</b>	All EAC Partner States	National Bureaux of Standards  EAC Ministries of industry.	Time and cost of complying with testing and certification procedures in the target export country	Mutual recognition of standards marks.  Continued harmonization of EAC standards	Lack of financial resources to set up facilities for certification  Success Factor Sufficient funding to develop capacity in testing and certification at national and regional level	Mutual recognition of quality marks issued by Bureaux of Standards in accordance with the decision of the Council at its 7th meeting (EAC/CM7/2004)  EAC Secretariat is in the process of finalizing procedures and regulations of testing in order to speed up implementation of SQMT Act 2006.	<b>Resolved.</b>
19	<b>Non-recognition of EAC Rules &amp; Certificates of Origin</b>	Kenya Uganda Tanzania	Partner States Revenue Authorities	Cost of organizing verification missions.	Adherence to EAC Rules of Origin Criteria of 30% local value added.	Pressure from domestic businesses due to fear they will lose domestic markets.	Partner States are now recognizing certificate of origins and verification missions undertaken where origin criteria is doubted.	<b>Resolved</b>
20	<b>Charging 6% withholding tax by URA</b>	Kenya	Uganda dairy Board	Increased cost of doing business	Harmonization of internal withholding tax in the regional		Uganda informed the meeting this was a domestic tax. Resolved	<b>Resolved</b>
21	<b>Charge of 1.5% dairy levy</b>	Kenya	Uganda dairy Board	Increased cost of doing business	Abolition of the levy	Resistance from Uganda dairy board.	Uganda reported that it was a domestic tax.	<b>Resolved</b>

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22	Uganda's certification procedures on exports of milk from Kenya		Uganda dairy board	Denial of market entry and loss of potential markets.	Political goodwill to mutually recognise inspection procedures and certification.	Pressure from businesses not to recognize products from within EAC due to fear of loss of markets	The milk is allowed as long as it has certification.	<b>Resolved</b>
23	Release of cargo manifest	All Partner States	Shipping lines	Increased cost of doing business	To release the manifest 72 hours before the ships dock.	Resistance from the shipping lines	CMA 2004 has been amended to allow submission of cargo manifest electronically by shipping lines within 72 hours.	<b>Resolved.</b>
24	Requirement that to export Herbal products to Tanzania you either be a member of Tanzania herbalists or to declare their formulas.	Uganda	Tanzania Herbalists organization	Ban of products	Abolition of the requirement		These are regulations which apply to all Herbalist organizations.	<b>Resolved</b>
25	Reduction of grace period for transit cargo at Dar Es Salaam Port from 30 to 14 days	All Partner States	TRA	More cost			This is in conformity with the EAC Management Act 2004 section 34.	<b>Resolved</b>
26	Delays at Malaba border for trucks driving to Uganda	Rwanda	KRA	Delays in clearance of goods	Decongest the border	Lack of facilities at the border	The delays have been eliminated	<b>Resolved</b>

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27	Kenya has introduced Cash Bond on used clothes and shoes / other items considered of high value	Uganda	KRA	Restricts business transaction	Abolish the cash bonds	Fear of loss of revenue	The cash bonds were abolished d in April, 2012	<b>Resolved</b>
28	Kenyan Trucks entering into Tanzania are charged a levy of US\$ 200 each	Kenya	Tanzania Border Authorities	Loss of business	Removal of the levy		URT has removed the charge	<b>Resolved.</b>
29	Lack of availability of simplified certificate of origin issued by Tanzania	Kenya	Tanzania Border Authorities	Loss of business	Avail simplified certificates of origin.	Implementation of EAC customs union.	Tanzania reported that certificates of origin had been dispatched to all border posts.	<b>Resolved</b>
30	Non-implementation of EAC harmonized documents.	All Partner states.	Revenue Authorities	Delays in using the harmonized documents	Implement the EAC harmonized documents	Resistance from Revenue Authorities and Business Community in the Partner States.	The NTB is resolved since the EAC harmonized procedures manual has been adopted.	<b>Resolved.</b>
31	Lack of harmonized procedures manual.	EAC Partner States	EAC Secretariat Partner States Revenue Authorities	Delays in of clearing imports  Varied application of tariff duties	Harmonize export/ import documentation	Revenue authorities may feel the procedures are sufficient.  Success Factor Political goodwill at Council of Ministers	The EAC harmonized procedures manual was adopted during the meeting of SCTIFI on 30thMay, 2012.	<b>Resolved</b>



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						level to apply harmonized procedures.		
32	Visa charges of US\$ 250 for businessmen.	Uganda, Kenya, Rwanda, and Burundi	TRA	Cost to business	Abolition of the Visa.		URT Government has dispatched a gazette notice abolishing the fee to all border posts.	Resolved
33	Re-introduction by Kenya of a cash bond on vehicles above 2000 cc and sugar transiting from Mombasa to Uganda.	Kenya	Uganda, Burundi and Rwanda	Cost of doing business	Abolition of the requirement		Kenya reported that she has abolished the requirement.	Resolved
34	Delays in issuing bonds at Kenya border with Uganda for tea meant for auction in Mombasa	Rwanda	IRA	Increase in the cost of doing business	To allow more companies to issue the bonds	Fear of loss of revenue	Kenya has authorized all insurance companies to clear tea apart from the 3 which had outstanding issues with KRA.	Resolved
35	Non recognition of EAC certificate of origin by TRA for furniture products manufactured in Kenya	Kenya	TRA	Adds to cost of doing business.	Recognition of EAC CoO.		The NTB was considered during the Bilateral meeting between Kenya and United Republic of Tanzania and the Ministers agreed that Kenya provides further information on the NTB by 30 <sup>th</sup> September, 2012 enable URT to investigate it.	Resolved
36	Tanzania has re-	Uganda and	Tanzania	Increase in	Abolition of		Regarding the issue of re-	Resolved

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	imposed a visa charge of between U.S\$ 200-250 on Ugandan business persons travelling to Tanzania;	Kenya		cost of doing business	Visa requirement		imposing a fee of US\$ 200 – 250/300 as reported by Uganda and Kenya, Tanzania clarified that the fee charged was not for visa or business visa as reported but for a pass issued to persons entering the country on temporary assignment and short term business activities. Tanzania further reported that the said fee has been abolished for EAC Partner States citizens entering the country for short term business activities.	
37	Requirement for original documentation at the port of Mombasa and Dar Es Salaam for clearance of goods;	Burundi	Kenya and URT	Increase in cost of doing business	Abolish the requirement		The requirement has been abolished at the ports.	<b>Resolved.</b>
38	Kenya Import levy of Kshs 2 per Kg on Agricultural Products from Tanzania	Tanzania	Kenya	Loss of business.	Abolition of the import levy.		The gazette notice on the levy was revoked.	<b>Resolved</b>
39.	Exports of plastic products from	Kenya	Tanzania Revenue	Increased cost of doing	The exports to be charged 0%		Following the verification mission June 2012 which	<b>Resolved</b>

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	Kenya are subjected to 10% and 25% CET rate.		Authority.	business	as per the EAC schedule on the elimination of internal tariffs.		found that plastics qualify for preferential treatment in the region, The EAC Secretariat wrote t letters to Partner States revenue authorities informing them that plastic products are supposed to benefit from preferential treatment pending the decision of the Council in June, 2013.	
40	Tourist vans not allowed entry to URT	Kenya	Tanzania	Loss of business	Allow Kenyan tourist vehicles to enter Tanzania	Abolition of the requirement	Kenya reported that this was a onetime incidence and it has not been encountered again.	<b>Resolved</b>
41	Lack of interface within the customs' systems in the Revenue Authorities in Partner States.	Partner States	Burundi Revenue Authority	Partner States to identify impact  Delays in clearance of goods under customs control which increases cost of doing business.	Interfacing of the systems	RADDEX system has interfaced Rwanda, Uganda and Kenya.  Rwanda is using ASYCUDA world and is interfacing with systems in Kenya, Uganda and Burundi, except Tanzania	The system has been rolled out in Burundi and staff is undergoing training on Asycuda world. The RADDEX 2.0 system in the five Partners States was rolled out in November, 2012 by the Heads of State.	<b>Resolved</b>
42	Requirement for OTS (Open Tender System) for bulk Fuel Procurement System	Burundi	Bulk Fuel Procurement System.	Stock out of Fuel	Abolition of the requirement		URT has abolished the requirement.	<b>Resolved</b>

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43	Imposition of 75% CET duty or \$200 per metric ton on rice wholly produced in Kenya by Uganda	Kenya	URA	Loss of market to Kenyan Farmers and Traders	Uganda to respond	Consignment recalled back to the country	Kenya is still enjoying stay of stay of application for rice until June, 2013 and as such her rice attracts full EAC CET rates until the stay expires.	Resolved
44	Cut-flower from Tanzania for re-exports to Europe and Russia blocked by Kenya	Tanzania	KEPHIS	Loss of market to Europe and Russia	To harmonize the protocol on SPS	Delays act section Partner States to harmonize SPS protocol	During the bilateral meeting between the two Partner, Ministers urged URT to forward her comments in pursuit of finalizing the draft by December, 2012.  <b>URT is in the process of finalizing her comments on the draft agreement.</b>	Resolved
45	Requirements for cash bonds by the Kenya Revenue Authority prior to clearance of certain goods.	Uganda	Kenya	Increased cost of doing business	To abolish the requirement.		Kenya has abolished the requirement.	Resolved
46	Uganda Government has restricted the employment by NGOs to Ugandan's only.	Tanzania	Department of Immigration, Uganda	Restriction on employment	Removal of the restriction on employment.		Uganda has abolished the restriction.	Resolved

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