



JAPAN INTERNATIONAL COOPERATION AGENCY

Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region

Rusumo OSBP 4th Joint Training Workshops for Rwanda and Tanzania

Workshop Report

18 May 2016

PADECO Co., Ltd.

Report Prepared by:

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1. Introduction

In December 2013, the Governments of the Republic of Kenya, the United Republic of Tanzania, the Republic of Rwanda and the Japan International Cooperation Agency (JICA) entered into an agreement to operationalize the Namanga (Kenya/Tanzania) and Rusumo (Rwanda/Tanzania) One-Stop Border Posts (OSBPs) under the project on Capacity Development for International Trade Facilitation in the Eastern African Region. As part of these agreements, the component for operationalizing the OSBPs at the Namanga and Rusumo border crossing points included developing manuals of guidelines and procedures and providing training for officials of border control agencies and private sector operators at the two border crossing points.

2. Objectives of the Workshops

In 2015, prior to the official launch of OSBP operations at Rusumo, the project held three joint training workshops for both public and private sector officials at the border. The workshops were held in January, February, and March 2015. However, due to frequent staff relocations of border officials of public sector agencies, the Rusumo Joint Border Coordinating Committee (JBCC) requested the JICA OSBP Project Team to conduct another round of training workshops for both public and private sector officials on the OSBP concept, procedures, and operations. The JBCC considered the 4th round of training workshops to be critical for the successful transition to OSBP operations as it would come soon after the pilot operations for the OSBP that commenced on 1 March 2016 and the official launch of Rusumo OSBP that followed on 6 April 2016 by the Presidents of Rwanda and Tanzania.

This report, therefore, covers the proceedings of the joint training workshops that were conducted by the JICA OSBP Team at Rusumo in May 2016.

3. Date and Venue

The 4th round of joint training workshops under the project for the operationalization of Rusumo OSBP under Phase I of the Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region was held from 17–18 May 2016. The workshop participants were divided into two groups, i.e., public and private sector, with day 1 dedicated to public sector officials and day 2 to private sector officials. The workshops were held in the conference room of the OSBP facility on the Rwandan side and were conducted jointly, bringing together officials from Rwanda and Tanzania.

4. Training Team

The JICA OSBP Team was comprised of Mr. Bruce Winston, the Team Leader; Mr. Sydney Chibbabbuka, OSBP Training and Monitoring Specialist; Mr. Koichiro Tamura, Border Management Specialist; Ms. Penina Simba, OSBP Regional Consultant; Ms. Akie Tanaka, OSBP Consultant; Ms. Kyoko Yoshikawa, OSBP Video Specialist; and Mr. Emmanuel Zoe

Maturu, Assistant Customs Officer from Tanzania Revenue Authority (TRA) headquarters in Dar es Salaam, Tanzania, who also participated in the workshops as a co-trainer.

5. Programme and Agenda of the Workshops

The programme of the training workshops focused on providing information on the concept, key operational principles, procedures, and complementary trade facilitation measures critical for the successful implementation of OSBP operations. The workshops also provided an opportunity to share experiences and challenges experienced in the two months that the border has been operating as an OSBP. For purposes of assessing the knowledge acquired by the trainees after the workshops, the programme included a quiz on the OSBP topics that were covered in the workshop.

The programme of the workshops is attached as **Annex I** and the quiz as **Annex II**.

6. Participants

A total of 88 border officials drawn from public and private sector agencies at the Rusumo border from both Rwanda and Tanzania participated in the workshops. It was observed that although the workshops were principally targeted at officials that had not been trained before, there were a few participants that attended for purposes of receiving “refresher” training. For the private sector workshop, most of the proceedings were conducted in Kiswahili for better communication and participation by the trainees.

The lists of participants are attached as **Annex III**.

7. Proceedings

a) Public Sector Workshop

A total of 30 participants from government agencies in Rwanda and Tanzania attended the public sector workshop. With the exception of two officers, all the other participants were attending the OSBP training workshop for the first time. The manager for Customs in Tanzania and the manager for Immigration in Rwanda also attended the workshop as they had recently been relocated to Rusumo.

Although it had been anticipated that there would be two groups of public sector officials that would require training, it turned out that most other officers actually participated in the workshops that were held in 2015. The workshop was conducted in English with the help of a PowerPoint presentation. Reference materials for the training included the Rusumo OSBP procedures manual prepared in the first phase (2014-15) of the OSBP technical cooperation project component.

b) Private Sector Workshop

A total of 58 participants from private sector organizations in Rwanda and Tanzania operating from the Rusumo border attended the workshop. The workshop for the private sector was conducted in Kiswahili to allow for more interactive participation considering that most of the participants were more comfortable using the local language.

During the workshop, participants asked questions on operational issues that they had encountered since the commencement of OSBP operations at Rusumo. The participants also informed the workshop that the clearance time had improved tremendously from the time OSBP operations commenced. They also indicated that they would like to have more training workshops as well as study visits to other OSBPs in the region.

c) Quiz

To assess the knowledge levels of the participants on OSBP operations after undergoing the training, the training workshop included a quiz on the material that had been covered during the workshop. All participants from both private and public sector were given the same quiz comprised of questions that required a true or false answer on the OSBP concept, procedures, and operations. The quiz is attached as **Annex IV**.

The participants from the public sector performed well during the quiz with the minimum score being 70%. Of the 20 participants that attempted the quiz, 30% answered all the answers correctly. For the private sector, out of the 41 that attempted the quiz, only one answered all the questions correctly while the lowest score was from one participant that scored 50%. The rest of the participants had scores ranging from 60% to 90%. The average score for the public sector was 80% while that for the private sector was 70%.

The question answered incorrectly most frequently was on the exclusive use area, extraterritorial application of national laws, and hosting arrangements. The performance by the private sector could be attributed to language challenges since the questions were set in English while the workshop was conducted in Kiswahili.

8. Observations

The OSBP Team has the following observations regarding the training:

- a. The interactive and participatory approach of the workshops enabled the trainees to participate actively in the workshops.
- b. Discussions of practical examples during the workshop of incidents at Rusumo to illustrate the challenges faced in operationalizing the OSBP effectively highlighted the need for more sensitization and technical understanding among border officials of the OSBP concept, procedures, and the application of other complementary trade facilitation measures.

- c. Attendance for the private sector workshop was higher in comparison to the public sector workshop. During the workshop, participants were enthusiastic about learning more on OSBP procedures and participated actively during the interactive sessions.
- d. The high turnout and consultative approach by private sector participants during the workshop could be an indication that perhaps the public sector officials at the border had not sufficiently disseminated basic information about OSBP operations prior, during, and after piloting. For instance, many of the operational issues that were raised during the workshop could have been addressed by the JBCC.
- e. Mechanisms for coordinating and conducting joint inspections at the Rusumo OSBP have not been fully developed. Perhaps the lack of a clearly coordinated system for joint verification could be attributed to the frequent change of Tanzanian Customs managers at Rusumo. Although an OSBP operational procedures manual for Rusumo has been developed during the first phase of the technical cooperation project component, these managers and some officers who are new at the border had not been trained in OSBP operations since they came from areas where there are no OSBP operations. Verifications of goods are conducted separately.
- f. Managers and most other officials of government border agencies expressed ignorance about the use and existence of areas for exclusive use by the adjoining state under the OSBP arrangement and therefore have not been using these facilities at Rusumo. Currently, officers performing exit controls take back to their country their moveable office equipment and security documents at the close of business every day. This lack of knowledge on exclusive use areas was particularly evident for Tanzania.
- g. In general, private sector participants were not aware of the mandate of the JBCC and this knowledge gap could be one of the reasons for the poor participation of the private sector in JBCC meetings.
- h. It is also worth noting that Rwanda and Tanzania agreed to issue border passes to border residents at Rusumo for exit purposes from the country of exit and not the from the adjoining state as is the case for all other procedures. The officers consider that the system works better this way.

9. Recommendations

The OSBP Team offers the following observations:

- a. The private sector should be urged to actively participate in JBCC meetings in order to find immediate solutions to some of the challenges associated with OSBP operations that include the following:
 - o There is a lack of internet services in the common control zone (CCZ) on the Tanzanian side considering that the Tanzania Customs Integrated System (TANCIS) is web-based. Clearing agents rely on the use of modems from

mobile phone service operators that apparently are not reliable. Unreliable access to the internet tends to cause delays in the flow of traffic at the OSBP.

- The direct trader input (DTI) facility on the Tanzanian side has not been used as intended. Although the facility is physically there, this space has been allocated to government departments such as agriculture and standards and not clearing agents as is the case on the Rwandan side.
 - There are unexplained charges in the CCZ: While some charges could be legitimate, users require information on what they are paying for, especially when operating outside their territory, i.e., clearing agents from Tanzania require information on the charges levied in Rwanda in order to minimize misconceptions about OSBP operations.
 - There is a failure to clearly distinguish between users and officers in the CCZ because some officers do not display identity cards or do not wear uniforms, especially those from Tanzania who now work alongside the Rwandans on the Rwandan side, e.g., the staff who are responsible for discharging cargo tracking devices do not have any form of identification.
 - Public transport motorcycles (boda boda) generally use the entry lane into Rwanda for exit back to Tanzania as well, thereby compromising controls and the smooth flow of traffic.
 - The exit gate into Tanzania is not staffed causing inconvenience for Rwandans especially.
- b. Clearing and forwarding agents on the Tanzanian side should establish an association with a chairperson that will present their concerns and views to the JBCC.
 - c. The lead agencies at the Rusumo OSBP should expedite the establishment of a help desk and a joint information center (as agreed at the 6th Rusumo JBCC meeting) to assist users on operational requirements.
 - d. The lead agencies should improve government-to-business cooperation between the public and private sectors at Rusumo to improve OSBP operations.
 - e. Considering the total number of border officials that have participated in all four training workshops that have been conducted to date, subsequent training workshops on OSBP operations should be designed to address specific training needs to be identified over an agreed period and as may be observed from the project monitoring and evaluation exercises.
 - f. In order to relate theory to operations, subsequent training activities should involve field visits, walk-throughs, and case studies of occurrences at the OSBP.
 - g. The Rusumo JBCC should immediately ensure that each adjoining state at the OSBP has full access to their areas for exclusive use in the CCZs.

10. Conclusion

Convening a training workshop for border officials soon after commencement of OSBP operations at Rusumo was a timely intervention because participants were able to relate theoretical explanations with real-life experiences that they had encountered in their operations. This approach provided a deeper appreciation of the OSBP concept, procedures, and operational requirements.

Annex I – Programmes of the Workshops

OPERATIONALIZATION OF THE RUSUMO OSBP UNDER THE JICA PROJECT ON CAPACITY DEVELOPMENT FOR INTERNATIONAL TRADE FACILITATION IN THE EASTERN AFRICAN REGION

Rusumo OSBP 4th Joint Training Workshops for Rwanda and Tanzania Tuesday 17th May 2016

DRAFT PROGRAM OF ACTIVITIES

Day 1, Tuesday 17 May 2016: Public Sector Training - Rwanda

08:30 – 09:00	Registration
09:00 – 10:00	Session 1 – Opening
09:00 – 09:10	Welcome and Opening Remarks: DGIE, Rwanda
09:10 – 09:20	Introductions
09:20 – 09:30	Objectives of the Training Workshop and Adoption of the Programme: OSBP Training Team
09:30 – 12:30	Session 2 – Module 1
09:30 – 11:00	The OSBP Concept - OSBP Training Team
11:30 – 12:30	Plenary Session - All Participants
12:30 – 14:00	Lunch Break
14:00 – 17:30	Session 3 – Module 2
14:00 – 15:00	OSBP Border Crossing Procedures - OSBP Training Team
15:00 – 15:30	Complementary Trade Facilitation Measures - OSBP Team
15:30 – 16:00	Tea/Coffee Break
16:00 – 17:00	Case Studies/ Quiz – All Participants
17:00 – 17:05	Closing Remarks – DGIE, Rwanda

**OPERATIONALIZATION OF THE RUSUMO OSBP UNDER THE JICA PROJECT
ON CAPACITY DEVELOPMENT FOR INTERNATIONAL TRADE FACILITATION
IN THE EASTERN AFRICAN REGION**

**Rusumo OSBP
4th Joint Training Workshops for Rwanda and Tanzania
Wednesday 18th May 2016**

DRAFT PROGRAM OF ACTIVITIES

Day 2, Wednesday 18 May 2016: Private Sector Training - Tanzania

08:30 – 09:00	Registration
09:00 – 10:00	Session 1 – Opening
09:00 – 09:10	Welcome and Opening Remarks: Customs, Tanzania
09:10 – 09:20	Introductions
09:20 – 09:30	Objectives of the Training Workshop and Adoption of the Programme: OSBP Training Team
09:30 – 12:30	Session 2 – Module 1
09:30 – 11:00	The OSBP Concept - OSBP Training Team
11:30 – 12:30	Plenary Session - All Participants
12:30 – 14:00	Lunch Break
14:00 – 17:30	Session 3 – Module 2
14:00 – 15:00	OSBP Border Crossing Procedures - OSBP Training Team
15:00 – 15:30	Complementary Trade Facilitation Measures - OSBP Team
15:30 – 16:00	Tea/Coffee Break
16:00 – 17:00	Case Studies/ Quiz – All Participants
17:00 – 17:05	Closing Remarks – Customs, Tanzania

<p>a) True</p> <p>b) False</p>
<p>6. The security agencies of the host country in an OSBP arrangement are responsible for maintaining peace, law, and order.</p> <p>a) True</p> <p>b) False</p>
<p>7. International travelers crossing the border at an OSBP are required to have valid travel documents.</p> <p>a) True</p> <p>b) False</p>
<p>8. Staff in the host country can only enter the exclusive zone in their OSBP facility with express permission from the lead agency of the adjoining state.</p> <p>a) True</p> <p>b) False</p>
<p>9. Joint inspections carried out in OSBPs are to be done by the staff of the relevant agencies of both Partner States</p> <p>a) True</p> <p>b) False</p>
<p>10. The bridge over the Kagera River at the Rusumo border is part of the common control zone.</p> <p>a) True</p> <p>b) False</p>

Annex III – List of Participants

Annex V – Pictures from the Training Workshop



Above: Private sector training



Above: Public sector training

Results of User Interviews at the Rusumo OSBP

1. Outline of the Survey

Objective: In order to provide information for the detailed plan for the sensitization campaign, an interview survey was conducted to identify:

- the challenges that users are facing after the operationalization of OSBP; and
- which media outlets are reaching users of the OSBP.

Date: 24 May 2016 (Rwandan side), 31 May and 7 June 2016 (Tanzanian side)

Place: OSBP Rusumo

Surveyors: Mr. Moses Kalisa, Border Manager, Rusumo OSBP, Rwanda

Mr. Christopher Benjamin Soj, Tanzania Revenue Authority, Rusumo OSBP, Tanzania

Ms. Berthine Gikundiro, National Consultant (Public Relations), JICA OSBP Project Component

2. Profile of Interviewees

A total of 85 users were interviewed. Table 1 shows the number of users in each category.

Table 1: Profile of Interviewees

User category	Tanzanian side					Rwandan side			Total
	Tanzanian	Rwandan	Congolese	NA	Subtotal	Tanzanian	Rwandan	Subtotal	
Truck driver	11	3	4	2	20	11	4	15	35
Traveller in public transportation	7	0	0	0	7	1	2	3	10
Traveller in private vehicle	3	0	0	0	3	3	4	7	10
"Walking traveller"	3	2	0	0	5	4	6	10	15
Border community residents	13	2	0	0	15	0	0	0	15
Total	0	0	0	50	50	19	16	35	85

Note: Most of the "walking travellers" were using public transport, walking towards the Tanzanian side to take another bus.

All the Rwandan interviewees spoke Kinyarwanda and all the Tanzanian interviewees spoke Kiswahili. No Rwandan interviewees spoke Kiswahili and no Tanzanian interviewees spoke Kinyarwanda. Congolese (Democratic Republic of Congo) drivers only spoke French. No interviewee spoke English.

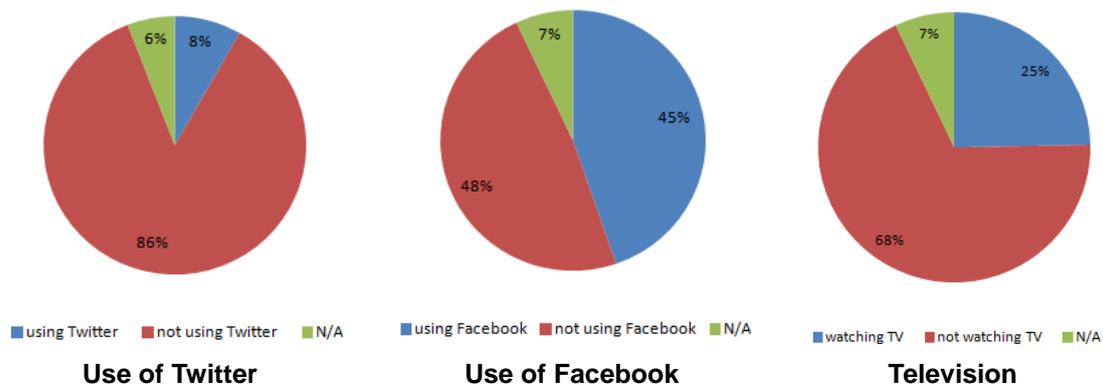
3. General Impressions of the Rusumo OSBP

All except four interviewees had used the Rusumo border crossing before the OSBP. Therefore, the interviewees were in a good position to compare differences between the former traditional two-stop

border post and the OSBP. Their impressions of the OSBP were generally good – most appreciated faster service delivery on both sides. However, **on the Rwandan side**, some truck drivers stated that they were confused about the new procedures, and others stated that clearance was not as fast as they had expected it would be. **On the Tanzanian side**, there were some users who complained about stricter clearance procedures to export goods from Tanzania to Rwanda and there seemed to be confusion over the value of the goods that requires duty payment. Some truck drivers pointed out that sometimes they had to wait to pay the road toll or pay duties at the customs counter, because sometimes there was only one officer attending many users. Border community residents who conduct business around the OSBP (e.g., hostels/hotels, restaurants, money exchange services), especially on the Tanzanian side, were not happy because their business was adversely affected by the introduction of the OSBP since drivers spent less time at the border.

4. Popular Media Outlets among Users

The results of the survey suggest that radio is the most common way for users to obtain information about the OSBP. Regarding social media, Facebook was more widely used than Twitter. Less than one-quarter of the interviewees watched television. Only a few respondents read a newspaper. These results are presented in the following pie charts.



Generally, Rwandan and Tanzanian users listen to different radio stations because of the different language they speak. The most popular radio stations on the Rwandan and Tanzanian sides respectively are shown in Tables 2 and 3.

Table 2: Popular Radio Stations among Rwandan Users

Radio Station	Number of Respondents Listening to the Station
Radio Rwanda	20
Radio Izuba	10

Radio Station	Number of Respondents Listening to the Station
KFM	5
Kiss FM	5
KFM	5
Flash FM	5

Note: Only stations listened to by more than five survey respondents are listed.

Table 3: Popular Radio Stations among Tanzanian Users

Radio Station	Number of Respondents Listening to the Station
Radio Kwizera	47
Free Africa	15
Radio 1	5

5. Conclusions and Recommendations

- ✓ The survey provided useful information for planning the sensitization campaign. It found that some of the challenges that users are facing in using OSBP would be mitigated through enhanced communication, for example, on the procedure inside the clearance hall or the rules on customs clearance.
- ✓ No interviewee spoke English, which means that all sensitization materials directed to users should be translated into Kinyarwanda and Kiswahili. However, these materials should also include English unless they are specifically intended for the border communities.
- ✓ The radio programme for the Rusumo OSBP sensitization campaign should be aired on the more popular radio stations. Television and newspaper advertising may not be effective, although these media may be useful for communicating with the wider public.



JAPAN INTERNATIONAL COOPERATION AGENCY

Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region

Rusumo OSBP

Sensitization Forums for Border Communities Rusumo

Forum Report

21-22 November 2016

PADECO Co., Ltd.

Report compiled by:

Penina Simba – Regional Consultant, JICA OSBP Team

Akie Tanaka – Multilateral Coordination / Training and Sensitization Specialist, JICA OSBP Team

Berthine Gikundiro – National Public Relations Consultant, JICA OSBP Team

1. Background

The Rusumo OSBP sensitization program includes (i) a training video, (ii) a radio program, (iii) community forum(s), (iv) signage, and (v) installation of light-emitting diode (LED) screens (monitors). The sensitization forums targeted local leaders, opinion leaders, and border community residents.

The border communities on the Rwandan side live in three different sectors: Nyamugari, Kigarama, and Mahama. The border agencies engaged local opinion leaders in these communities to mobilize the residents by conducting interactive sensitization forums. All residents may cross the border on Wednesday to Sunday, while only Nyamugari residents may cross on Monday, and only Kigarama and Mahama residents may cross on Tuesday.

Sensitization was provided for eight local leaders on the Tanzanian side.

This report presents details of the sensitization forums for the border communities and local leaders at Rusumo that took place on 21 November 2016 for the Rwandan side and 22 November 2016 for the Tanzanian side.

2. Proceedings

Nyamugari, 21 November 2016, 0600-0730

The border community of Nyamugari including its local leaders, opinion leaders, and sector leaders in charge of information and in charge of security, and women cooperatives, met the Rusumo OSBP border agencies on Monday, 21 November 2016, from 0600 to 0730. The meeting was attended by over 200 people, mainly women. Since Monday is a market day on the Tanzanian side and many women were on their way to the market, it was strategic to hold the forum on Monday, which is a day dedicated to clearing border community residents from the Nyamugari sector.

The Border Manager, Mr. Moses Kalisa, Directorate General of Immigration and Emigration (DGIE), Rwanda, introduced the topics for discussion, gave a brief on the operations of the OSBP, and detailed the role of the various agencies and the rights and obligations of border community residents. He explained the role of the control zone and the laws that govern areas outside the control zone on the Rwandan side and on the Tanzanian side. He briefed the forum on the OSBP procedures and the process of using a border pass. Mr. Kalisa further informed the forum that measures had been put in place to combat human trafficking especially in children, drug trafficking, and illegal crossing. The forum was informed that children under 16 were not entitled to border passes and could only access the borders if accompanied by an elder who had proof of their birth. He urged the community to work closely with the border agencies in maintaining the facilities at the border because it belonged to all of them. There had been incidents of the fences being cut, and some of the facilities being misused. He urged the border residents to keep the yard clean and ensure that it is a place of which the community can be proud of .

Mr. Fidele Gatete, Revenue Investigation and Enforcement Officer, Rwanda Revenue Authority (RRA), explained the clearance procedure for goods being carried by border community residents. The forum was informed that foodstuffs can be taken across the border in reasonable quantities apart from rice, which is limited to ten kilograms. Mr. Eugene Makabuza, Revenue Protection Unit, Rwanda, underscored the importance of security and the sharing of information. He stated that the border agency officers all had numbers assigned to them that were visible to the public and were all available to receive information, which would be held in confidence.



Kigarama and Mahama, 22 November 2016, 0600-0700

The border community forum for the Kigarama and Mahama sectors was well attended with over 400 in attendance, mainly women. Mr. Kalisa briefed them about the operations at the border, the role of the border agencies, and he underscored their rights and obligations. He informed the forum that they should endeavor to benefit from and claim their rights and avoid trying to use “panya” (rat) routes – since they are neither safe nor secure, it is far better to

pass through a designated route. He informed the residents that the border agency officers are ready to listen to their concerns, e.g., if they want to bring in more than the permissible ten kilograms of rice, they may present their case to the responsible border agency officer. He underscored the need to maintain the facilities at the border and keep the yard clean to ensure that lines for border passes are orderly. A monthly clean-up exercise will soon be introduced in which both the border community residents and border agencies will participate. Mr. Kalisa informed the residents that all the officers at the border are accessible and encouraged them to share information. Border passes have a limit of one day and he appealed to the residents to respect the one-day limit. However, in case of an emergency immigration officers are readily available to assist. He also urged the residents to comply with the ten kilogram limit on rice. Mr. Kalisa cautioned the residents about carrying packages the contents of which they do not know. Mr. Emmanuel Mpayimana, the Rwanda Revenue Authority Border Manager, explained the simplified customs procedures to the forum. He explained the rights of border community residents in clearing their goods. He urged the border community residents not to abuse their rights by trying to smuggle goods and he informed them of the benefits derived from abiding by the law. The forum was concluded with Mr. Kalisa expressing JICA's appreciation of the cooperation of the border communities with the border agencies and informed the residents that the border agency offices were accessible, with the officers available for any further required information; in addition, there is an EAC information stand with pamphlets describing EAC regional initiatives in Kinyarwanda, Kiswahili, and English.



Rusumo (Tanzanian side), 22 November 2016, 1100-1230

Eight local administration leaders attended the session on the Tanzanian side, which was moderated by the Mr. Ally Lyana, Acting Border Manager, Tanzania Revenue Authority (TRA). He explained to the participants the OSBP concept, the benefits to be derived from

the OSBP, and the rights and obligations of border community residents. He underscored their community leaders' role in disseminating information about operations of the OSBP to their respective communities. He explained the issuance of border passes and the simplified border clearance procedures for goods. He informed them that the officers at the border were accessible and available to provide any information that they may require. Mr. Lyana urged the local leaders to cooperate with border agency officers in order to ensure the smooth running of the OSBP. The participants expressed concerns that the local community residents were not aware of the new procedures and they were therefore worried about the impact on their cross-border movement and trade. Mr. Lyana allayed their concerns by reiterating that the OSBP is an improvement on the old two-stop system. The participants expressed satisfaction at the sensitization they had received and requested further information to enable them to disseminate it to the local community. They pledged to conduct sensitization sessions among their respective communities and requested the border manager to attend.



Interactive Sessions

The forum participants informed the border agencies of their understanding that the OSBP was an improved version of the previous two-stop border post and they expressed satisfaction at the services provided. They noted the reduction in the time required to cross the border and requested more information to understand the operations of the OSBP more clearly.

Below are some of the questions raised by the forum participants followed by answers given:

1. How can someone who does not have a national ID that indicates they are from Rusumo but lives in the area and wants to trade across the border obtain a border pass?
A letter of introduction can be obtained from a local "mudugudu" administration officer and presented to immigration for a border pass

2. Where can security issues be reported without the informer having to reveal his/her identity?
There should not be any concern since all border agency officers will take and hold information in confidence.
3. Why was the one-stop border post not include in one building? Why are two buildings necessary?
Mr. Kalisa explained the concept of an OSBP and the different configurations, some of which combine the two countries' authorities in one building, as at Nemba and Ruhwa.
4. Where can more information about the operations of the OSBP for border communities be accessed?
All the border agency officers are available and accessible. The EAC information stand in the clearance hall also provides information.
5. Why are casual laborers from Rwanda required to produce work permits on the Tanzanian side
This is in accordance with the Tanzanian law under whose jurisdiction the Rwandese labourer would fall under once outside the OSBP control zone .

3. Conclusion

The local leaders on the Rwandan side of the OSBP at the “mudugudu” level are elected as local administrators by the people at the village level and provide an effective channel for disseminating information to border community residents. However, the most effective way to disseminate information is through the opinion leaders, whose information is respected and considered credible. Another avenue is the local leaders in charge of information, whose mandate is to ensure that all local community residents are kept updated with regard to all affairs relating to the community. All these avenues have been ably used by the border agencies. Cooperation between the border communities and the border agencies was evident in the way they interacted with each other. Such interaction will be further strengthened with the regular, upcoming joint clean-up exercises in the control zone.

The border managers on the Tanzanian side should work closely with the local administration leaders that attended the sensitization sessions to ensure that each of them commits to their pledge to disseminate information regarding the OSBP procedures to their respective communities.



TRAINING WORKSHOP FOR RUSUMO ON THE OSBP CONCEPT

UNDER

THE PROJECT FOR CAPACITY DEVELOPMENT FOR INTERNATIONAL TRADE

FACILITATION IN THE EASTERN AFRICAN REGION

24 March 2017
Rusumo, Tanzania

I. Background

1. Responding to requests from the governments of the Partner States of the East African Community (EAC), in December 2013 the Japan International Cooperation Agency (JICA) exchanged signatures on records of discussions (with each participating country) for the Project on Capacity Development for International Trade Facilitation in the Eastern African Region (JICA Trade Facilitation Project), covering Phase 3 components of the preceding Project on Capacity Building for the Customs Administrations of the Eastern African Region (Phases 1 and 2), including a technical cooperation project component for operationalization of the Namanga and Rusumo One-Stop Border Posts (OSBPs). The first phase of this technical cooperation component for OSBP operationalization was conducted from April 2014 to March 2015, while the second phase commenced in June 2015 and is scheduled to continue to August 2017. Among other activities, during the first phase of the OSBP project component, three joint technical committee (JTC) meetings and cross-border meetings were held for the operationalization of the Rusumo OSBP (in July, October, and November 2014). A major achievement during the first phase was agreement between Rwanda and Tanzania on an operational procedures manual for the Rusumo OSBP. Joint Border Coordination Committee (JBCC) meetings for the operationalization of the Rusumo OSBP were established under Part F of the Rusumo OSBP Operational Manual. Three sets of training workshops were conducted at Rusumo in January, February, March 2015 and one in May of 2016).

II. Objectives of the Training Workshop

2. The objectives of the 5th training workshop were to explain the OSBP concept to new border officials at Rusumo and those that had not attended any of the previous workshops and to provide an opportunity to all other officials to seek clarification on technical matters arising from their observations and experiences working under the OSBP system from the time the Rusumo OSBP was launched in April 2017.

III. Date and Venue

3. The 5th round of the joint training workshop for Tanzania and Rwanda at Rusumo was held from 23 to 24 March, 2017. Day 1 of the workshop was held on the Tanzanian side and was dedicated to public sector officials while Day 2 was held on the Rwandan side and was dedicated to private sector operators. Both sessions were held in the conference rooms of the new OSBP facilities.

IV. Training Team

4. The JICA OSBP team comprised Mr. Sydney Chibbabbuka, Border Management Specialist and Ms. Eri Nagai, the OSBP Coordination Expert.

V. Agenda and Programme of Activities

5. The main agenda of the workshop was to introduce and explain the OSBP concept to both public and private sector officials working at the Rusumo OSBP. The topics that were covered during the workshop included (i) the definition and objectives of OSBPs (ii) OSBP models (iii) Key OSBP Pillars (iv) OSBP Principles and Features (iv) Border Crossing Procedures and (v) Economic Impact of OSBPs. The programme also included group exercises on case studies. The programme of activities of the workshops is attached as **Annex I** of this report.

VI. Participants

6. A total of 74 participants attended the workshop of which 24 were from public sector agencies and 50 from private sector operators. Among the participants from the public sector agencies, 10 were from Tanzania and 14 from Rwanda while 4 of the private sector participants were from Tanzania and 46 from Rwanda. Public sector participants from Rwanda included border managers from La Corniche Border Post located between Rwanda and the Democratic Republic of Congo and Gatuna Border Post located at the border between Rwanda and Uganda and Rwanda Revenue Authority (RRA) head office in Kigali. The participant from RRA is one of the trainer of trainers for Rwanda. For Tanzania, the public sector participants were a mix of officers from different agencies at Kabanga-Kobero OSBP at the border between Tanzania and Burundi, Mutukula OSBP at the border between Tanzania and Uganda, TRA head office and Immigration head office in Dar es Salaam. The participants from Dar es Salaam have been nominated to be the new trainers of trainers on OSBP operations. The list of participants is attached as **Annex II**.

VII. Proceedings

a) Day 1 - Public Sector Session

7. The majority of the participants that attended the workshop on Day 1 were attending this series of training workshops by the JICA OSBP Project Team on the OSBP concept for the first time. The border managers from Rwanda at La Corniche and Gatuna border posts informed the workshop that the two border crossings were in the process of establishing OSBPs. At La Corniche, construction of new border facilities on the Rwandan side has been completed while on Congo side, construction of new facilities is yet to commence. The participants added that OSBP operations at La Corniche are planned to commence before the end of 2017 although they could not confirm whether Rwanda and Congo have already signed a bilateral agreement or equivalent to establish OSBP operations. As for Gatuna, the workshop was informed that construction of new border facilities is underway with support from the World Bank. Construction works are scheduled to be completed by end of 2017.

8. The TRA manager at Rusumo together with other officers from Kabanga and Mutukula border posts in Tanzania were also attending the OSBP training workshop for the first time. It was noted that although Mutukula and Kabanga were now operating as OSBPs, these officers had not received training on OSBP operations and were, therefore, keen to learn about the OSBP concept.

9. The main talking points during the workshop for the public sector centred on the current challenges affecting OSBP operations at Ruhwa, a single country OSBP wholly located in Burundi and shared by Rwanda and Burundi. Relations between Rwanda and Burundi are reported to be at an all-time low. Due to the foregoing, the officers from Rwanda informed the workshop that they were increasingly finding it difficult to sustain OSBP operations at Ruhwa and wanted to know the provisions in the OSBP legal instruments to address such issues. The workshop facilitator advised the officers to familiarise themselves with the provisions in the bilateral agreements that was signed by the two countries for the establishment of Ruhwa OSBP and drew their attention to Section 54 (1) of the EAC OSBP Act of 2016 that says, “ *where a Partner State fails to meet its obligations under this Act, any of the other Partner States may appeal to the Council in writing to have the matter resolved*” and Sub-Section (2) that says, “ *where the Council fails to resolve a matter referred to it, the matter may be referred to the East African Court of Justice.*”

10. The other discussion point was a concern from Rwanda on whether their officers working at the exit desk on the Tanzanian side at Rusumo OSBP can also be involved in making final checks

at the exit gate from the control zone on the Tanzanian side? This concern arose from the observation that in instances where there was suspected collusion between travellers and officers, under the current set up, Rwanda border officials have no mechanism to confirm that everyone leaving Rwanda would have been duly processed. In response, the workshop facilitator advised the participants that in line with the principle on the sequence of controls at OSBPs and in accordance with Section 12 of the EAC OSBP Act which in Sub-Section (1) states that, “*the exit formalities of the Partner State of exit shall be carried out before the entry formalities of the Partner State of entry and such formalities shall, to the extent possible, be carried out jointly and shall be sequenced as may be mutually agreed upon by both Partner States depending on practical considerations*” and in Sub-Section (2) further provides that, “*the officers of the Partner State of entry shall not carry out border controls before the officers of the Partner State of exit have completed their border controls and, without prejudice to the approach adopted under subsection (1), such handover shall be by way of a final official stamp to that effect or electronic release received by the Partner State of entry*” and Sub-Section (3) that states that, “*the officers of the Partner State of exit shall not carry out border controls after the officers of the Partner State of entry have begun their own border controls, except with the consent of the officers of the Partner State of entry, duly authorized to take such decisions, which consent shall not be unreasonably withheld*”. The facilitator also advised the officers to bring such concerns on operational matters to the attention of the Joint Border Coordinating Committee (JBCC) for a resolution or for escalation to higher organs.

11. The public sector participants further observed that they found the group work on case studies very useful because the session accorded them an opportunity to apply their theoretical lessons on OSBP operations on addressing practical challenges.

b) Day 2 - Private Sector Session

12. As was the case in previous OSBP training workshops held at Rusumo OSBP, there was a high turnout of private sector participants from Rwanda. The majority of the participants were attending the OSBP training workshop under the JICA OSBP Project for the first time. The other few that had attended previous workshops explained that they wanted to enhance their technical competence. The workshop was conducted in English language due to the absence of trainers of trainers that are fluent in Kinyarwanda and Kiswahili, during the workshop. Although the participants were enthusiastic, the proceedings of the workshop were deliberately slowed down in order to allow the participants to assimilate the presentations.

13. The key discussion points during the session for private sector operators centred on determining jurisdiction in OSBP operations, maintenance of peace, security, law and order at OSBPs and the merits and challenges of single country facilities in reference to the situation at Ruhwa OSBP. Further, a considerable number of private sector participants also informed the workshop that they were not aware of the existence of the JBCC at Rusumo.

VIII. Observations and Recommendations

a) The decision by Rwanda to invite border managers from border crossings that will soon commence OSBP operations to the OSBP training workshop at Rusumo is commendable because the lessons from the workshop and reference materials received will tremendously enhance their preparations;

- b) Noting that Tanzania has nominated new trainers of trainers for TRA and Immigration, it is hoped that the new trainers will consistently attend subsequent workshops in order to enhance local capacity on OSBP operations;
- c) There is need for the JBCC to improve the flow of information on operational matters to the private sector operators at Rusumo;
- d) The JBCC at Rusumo OSBP should review the border crossing procedures for travellers in light of the concerns expressed by Rwanda; and
- e) Subsequent OSBP training workshops for private sector operators at Rusumo should involve local trainers of trainers that are fluent in local languages to enhance the effectiveness of the workshops. In the initial stages, such trainers may have to facilitate the workshops alongside the JICA OSBP experts for technical guidance.

IX. Closing

14. The 5th round of JICA OSBP training workshops at Rusumo OSBP was closed by Mr. Ismael Mukiza, Rusumo Acting Border Manager, Directorate General of Immigration and Emigration (DGIE), Rwanda. He thanked JICA for facilitating the workshop, noting that the participants had gained valuable information on the OSBP concept. He also thanked all the participants for actively participating in the workshop and advised them to apply the knowledge they had acquired on their operations.



OSBP TRAINING WORKSHOP AT RUSUMO, TANZANIA

UNDER

THE PROJECT FOR CAPACITY DEVELOPMENT FOR INTERNATIONAL TRADE

FACILITATION IN THE EASTERN AFRICAN REGION

17-18 July 2017
Rusumo, Tanzania

I. Background

1. Responding to requests from the governments of the Partner States of the East African Community (EAC), in December 2013 the Japan International Cooperation Agency (JICA) exchanged signatures on records of discussions (with each participating country) for the Project on Capacity Development for International Trade Facilitation in the Eastern African Region (JICA Trade Facilitation Project), covering Phase 3 components of the preceding Project on Capacity Building for the Customs Administrations of the Eastern African Region (Phases 1 and 2), including a technical cooperation project component for operationalization of the Namanga and Rusumo One-Stop Border Posts (OSBPs). The first phase of this technical cooperation component for OSBP operationalization was conducted from April 2014 to March 2015, while the second phase commenced in June 2015 and is scheduled to continue to August 2017. Training workshops were conducted previously at Rusumo in January, February, and March 2015, May 2016, and in March 2017.

II. Date and Venue

2. The 6th round¹ of the training at Rusumo was held on 17 to 18 July 2017. The workshop was held on the Tanzanian side and was provided for Tanzanian public sector officials, private sector operators, and students. Since previous training sessions at Rusumo had been attended more widely on the Rwandan side, this 6th round of training provided Tanzanian participants a chance to “catch up”. The workshop was held in the conference room of the new OSBP facility, Tanzania side.

III. Training Team

3. The JICA OSBP team comprised of Mr. Bruce Winston, Team Leader; Mr. Sydney Chibbabbuka, Border Management Specialist; Ms. Penina Simba, Border Management Specialist; and Ms. Eri Nagai, OSBP Coordination Specialist.

IV. Opening Remarks

4. The Tanzania Revenue Authority (TRA) Rusumo Border Manager Mr. Ally Lyana welcomed the participants and the JICA OSBP Team to Rusumo. He urged the participants to participate actively.

5. Mr. Winston welcomed the participants. He informed the participants that since this national training will be for two days, it will be more detailed than the previous training workshops held at Rusumo. He informed the participants that the 2nd day of the training will include group discussions to address interesting and informative case studies. The workshops will conclude with a brief assessment test aimed at evaluating the participants’ understanding of the topics covered during the training. He urged the participants participate actively in the discussions and help in identifying the key issues that need to be addressed.

V. The Participants

6. The participants introduced themselves. A total of **16** participants attended the training on Day 1, of which **1** was from the private sector, **4** were students from the Tax Institute and Universities in Dar es Salaam attending the training as part of their field work, **11** were from public sector agencies including **2** trainers (1 from TRA headquarters and 1 from Tanzania Immigration). Day 2 had a large number of new participants, with a total of **29** participants attending. The new

¹ In addition, sensitization of eight village chiefs on the Tanzanian side was undertaken in November 2016.

participants included **17** from the private sector and **2** from the public sector .The list of participants is attached as **Annex 1**.

VI. Objectives and Activities of the Workshop

7. Mr. Sydney Chibbabbuka, Border Management Specialist, set out the objectives and programme of activities of the workshop. He explained that the objectives of the 6th training workshop were to highlight and share basic knowledge on the OSBP concept, explain key OSBP operating principles, and discuss border crossing procedures to enable participants to competently execute their functions or provide services under the OSBP framework. Mr. Chibbabbuka delivered the training using PowerPoint presentations and participatory discussions. On the 2nd day of the workshop, participants were given group exercises on case studies and undertook a brief assessment test to evaluate their understanding of the topics covered during the workshop. Each participant was provided with a copy of the EAC OSBP Act and Regulations as reference materials. The programme of activities of the workshops is attached as **Annex 2** of this report.

VII. Proceedings

A. Day 1

8. The first session covered the following topics:

- i. Definition and objectives of OSBPs;
- ii. Configuration of OSBP facilities;
- iii. The Control Zone and Exclusive Use Areas;
- iv. Principles of OSBPs;
- v. Border Clearance Procedures;
- vi. Activities of facilitation agents and other service providers.

9. The ensuing discussions stressed that the core of the OSBP concept is not the building(s) but the procedures whereby travellers, goods, and the means of transport stop once for exit controls from one country and entry controls into the other. He highlighted the need to limit detailed searches that are not informed by risk management systems at border posts and underscored the importance of using reliable intelligence/information for to achieve efficient border operations. With regard to private sector operators, it was explained that the responsibility of licensing facilitation agents lies with the Partner States where the agents originate. He added that it is imperative that lead agencies share the lists of names of licensed agencies for administrative purposes. Similarly, adjoining Partner States at OSBPs should design, produce, and issue identification badges to officers and facilitation agents operating in the control zones as required by OSBP laws and regulations. Also, visitors to OSBPs should be issued badges for control and administrative purposes.

10. The participants requested clarity on the following issues:

- i. The authority of officers of the adjoining Partner State in the host Partner State.

This authority is provided for in Part IV of the EAC OSBP Act. Section 19 gives the officer of the adjoining state authority based on the adjoining state's law while performing his duties in the control area of the host state. The officer's authority is therefore only in the control zone where the clearance formalities of the adjoining state are conducted.

- ii. Procedures for clearing tourists that wish to visit the OSBP control zone

All the applicable controls should be enforced as there is no exemption from the procedures except as stipulated by law.

iii. Treatment of luggage for VIPs

VIP luggage is entitled to preferential treatment under fast track clearance. However officers should be cautious because sometimes this privilege is abused. Officers should use intelligence information and the risk management system to inform their actions.

iv. Treatment of fugitives and refugees at OSBPs

Fugitives and refugees should be treated according to the provisions of national laws of the host Partner State.

v. Clearance of goods belonging to returning residents

Goods of returning residents should be cleared in accordance with the provisions in the EAC Customs Management Act and in line with the each Partner State's specific returning residents' entitlements.

vi. Legislation governing the conduct of facilitation agents

Part VIII of the EAC OSBP Act covers this topic.

Section 41 provides for requirements for access to the control zone.

Section 42 provides for Partner States and facilitation agents' associations to agree on criteria used to vet, register, and determine the number of facilitation agents allowed in the control zone.

Sections 43 provides that all facilitation agents should have identification provided by the adjoining Partner State.

Section 44 provides that all facilitation agents shall be under the jurisdiction of the host Partner State where they are performing their duties

Section 45 provides that the Partner States in consultation with the facilitation agent determine the necessary facilities, applicable terms and conditions of their use to be provided by the Partner State for use if the facilitation agent in the control zone .

Section 46 provides that all equipment transferred from the adjoining state to the host state use shall be freely transferable

Section 47 provides that communication to national offices of adjoining Partner States of facilitation agents is authorised whilst in the performance of their duties in the host Partner States control zone.

Section 48 provides that the exchange control laws and regulations the adjoining Partner States for transfer of money apply when a facilitation agent from the adjoining Partner States is transferring money from the host Partner State

Section 49 provides that the Partner States shall give access to facilitation agents of electronic control devices.

11. The participants were urged to study the EAC OSBP Act and Regulations (which were distributed) and seek clarification on any issues of concern during the 2nd day of the workshop.



Training Session at Rusumo OSBP, Tanzania

B. Day 2

12. The training workshop was attended by **19** new participants, including **17** from the private sector and **2** from the public sector. For the benefit of the new participants, Mr. Chibbabbuka presented brief highlights of Day 1. The two trainers in the workshop assisted in explaining the contents of the topics covered on Day 1 in Kiswahili for better understanding of the technical concepts.

13. The 1st session of Day 2 covered the following topics:

- i. Cooperation and Coordination of Border Agencies
 - Interagency and Bilateral Levels
 - Joint Controls
 - Synchronization of Operating Hours
 - Exchange of Information
 - Limit on Exchange of Information
 - Communication
- ii. Management of OSBP Facilities
- iii. Traffic Management

14. The role and appointment of the lead agencies was discussed. The importance of cooperation and coordination as the foundation of an effective OSBP was stressed. It was noted that joint border coordination committee (JBCC) or equivalent structures have a major role to play in achieving smooth coordinated operations at OSBPs. He further explained that management of technical operations (the border clearance and control activities) including traffic management is the responsibility of the host Partner State; also, facility management (maintenance, repair, and provision of utilities for the OSBP facility) in juxtaposed and straddled OSBPs is also the responsibility of the host Partner States and could be shared in single country facilities. The maintenance of law, peace, and order is the responsibility of the host Partner State. Participants were cautioned against negligence in the use of OSBP facilities; if an officer from the adjoining Partner State negligently damages facilities in the host country, the adjoining state might be held liable.

15. On concerns by the private sector about the lack of effective representation on the JBCC, the training experts advised the facilitation agents to choose representatives to attend JBCC forums. Such representatives should ensure that they receive updated information related to their operations in the control zones from border agencies.

16. In the 2nd session of Day 2 of the workshop, participants split into three groups to discuss case studies on OSBP operations. The groups were assisted by the trainers and the Rusumo border manager. A copy of the case studies is attached as **Annex 3**.

17. After the breakout sessions the participants reported that they faced challenges understanding the case studies because of the (English) language. It was suggested that for future training workshops the case studies could be translated into Kiswahili for better comprehension of the issues. It was also noted that some of the participants that had not attended the sessions on the 1st day found the case studies difficult, while others found them “too technical”.

18. The case studies were discussed in a plenary session, highlighting the technical issues that had been explained during the training sessions.

19. In the 3rd session of Day 2 of the workshop, the participants were given an assessment test. On completion of the test, Mr. Chibbabbuka discussed all the questions with the participants. This marked the end of the training session. The results of the evaluation test are attached as **Annex 4**. It should be noted that although there were **27** participants only **14** participants took the test; the rest of the participants had left the workshop by the time the 3rd session began. The average score for the **government participants** was **10.7 or 71%**, while that for the **private sector participants** was **9.4 or 63%**. Considering that the workshop was held during office hours, some participants could not remain in the workshop for the entire duration as they had to attend to their routine duties while others.



Breakout Session for Discussion of Case Studies

VIII. Recommendations

20. The following recommendations are based on the training at Rusumo:
- i. The training material should be translated into Kiswahili.
 - ii. The Institute of Tax Administration, Dar es Salaam, should incorporate a module on OSBPs in its Customs training curriculum.
 - iii. Follow-up training sessions should be supported by Kiswahili-speaking trainers.
 - iv. Lead agencies should be encouraged to communicate widely the dates of the training workshops. During the training sessions, many participants reported that they had not received timely information on the workshops and therefore they had not attended the Day 1 of the workshop.

IX. Closing

21. Mr. Chibbabuka thanked the participants and urged them to share what they had learned with their colleagues. He urged them to continually pursue improvements in their operations because “in the quest for excellence there is no finishing line”. He advised the participants to contact the JICA OSBP Team for any further information or clarifications they might require.

22. Mr. Winston noted the active participation during the training sessions. He thanked Mr. Chibbabuka, who he described as a widely experienced and knowledgeable Border Management and Trade Facilitation Expert who has worked on OSBPs all over Africa. He observed that the participants had gained valuable knowledge in their quest for improvement of their knowledge of OSBP procedures, which will enable them to operate effectively and efficiently.

23. The TRA Rusumo Border Manager Mr. Ally Lyana, thanked the JICA OSBP Team for the training workshop and the participants for their active participation. He was optimistic that given the in-depth training of the participants, operations at the OSBP would become more efficient, benefitting all concerned.

ANNEX 4
RESULTS OF THE ASSESSMENT TEST ADMINISTERED AT THE RUSUMO
TRAINING WORKSHOP, 18 JULY 2017

Participants' Sector	Correct Answers Out of 15 Questions	Percentage Score
Private Sector	7	47%
Government	8	53%
Private Sector	9	60%
Private Sector	9	60%
Private Sector	9	60%
Government	9	60%
Government	10	67%
Government	10	67%
Government	11	73%
Government	11	73%
Government	12	80%
Government	12	80%
Private Sector	13	87%
Government	13	87%

Notes: (i) Although there were **27** participants only **14** participants took the test; the rest of the participants had left the workshop by the time the 3rd session began. (ii) The average score for the **government participants** was **10.7 or 71%**, while that for the **private sector participants** was **9.4 or 63%**.

**Operationalization of the Namanga One-Stop Border Post
Meeting on Capacity Building and Local OSBP Management Committees
13-14 August 2015
Namanga, Tanzania**

Summary

I. Introduction

1. On 13-14 August 2015 in Namanga, Tanzania, a Meeting on Capacity Building and Local OSBP [one-stop border post] Management Committees for the operationalization of the Namanga OSBP was held. A total of 221 attended from border agencies, the private sector, and the border community, from both Kenya and Tanzania. Two capacity building sessions were held on the first day (for border agency officers), and one (for the private sector and border community) was held on the second day. The meeting program is attached as Annex 1, and the list of participants is attached as Annex 2.

II. Morning Session, 13 August 2015, 1000-1430

2. After adoption of the program, self-introduction of the participants, and constitution of the meeting bureau, Mr. Alfred Kitolo, Director, State Department for East African Affairs (SDEAA), presented the opening address explaining the role of SDEAA in operationalizing one-stop border posts (OSBPs). He stressed the need for a seamless transition to the new border post operational procedures. He noted the need for training to keep new staff working at the border informed of the new procedures. He stressed that what is done must be supported by both policy and regulation. He noted that the funds for construction of the Namanga OSBP on the Kenyan side were provided under the African Development Bank (AfDB) Namanga-Athi River Road Construction Project. He then read to the meeting a presentation of Mr. John O. Konchellah, Principal Secretary, SDEAA, stating that the completion of the OSBP will act as a catalyst to promote trade and investment between the two adjoining Partner States. The statement clarified the objectives of the workshop: (i) to share the new working procedures for the OSBP, and (ii) to inform the participants what has been done to actualize OSBP operations. For the OSBPs to be successful, it is essential to ensure buy-in from all stakeholders. The Taveta-Holili border crossing between the two countries has already begun pilot operations as an OSBP, resulting in reduction in clearance time for traders and travellers, with the same result expected at Namanga; specifically, a 30-40% improvement in the efficiency of border crossing is expected. He noted the need to put in place coordinated border management structures, for which Kenya has committed to establishing trade facilitation committees at each border. It is expected that the construction of the Namanga OSBP on the Kenyan side will soon be completed, at a cost of KES 825 million (not including land acquisition costs), half of which has been contributed by the Government of Kenya and half by AfDB. He observed that he and his team visited the Lunga Lunga border post in June 2015. Generally, from this visit and others, they have found that the officials at border posts without support from the Japan International Cooperation Agency (JICA) or TradeMark East Africa (TMEA) are largely unfamiliar with the OSBP concept and principles. Finally, he expressed appreciation for the support to Kenya, Tanzania, and the region provided by JICA.

3. Mr. Masolwa Pima, Economist, Ministry of East African Cooperation (MEAC) Tanzania, then made his opening remarks. He set out the rationale for OSBPs, i.e., to facilitate trade by bringing all agencies together, which will result in significant time savings in border crossing for traders and travellers. He wished the meeting great success.

4. Mr. Hosea Nyangweso, Principal Engineer, Infrastructure Directorate, East African Community (EAC) Secretariat, started by recalling the history of OSBP development in East Africa, including the development of a railway OSBP at Malaba and a study visit to Southeast Asia funded by JICA. He noted that the EAC is currently coordinating 15 OSBP projects, many of which are nearing completion. Most are juxtaposed, although Nemba-Gasenye I between Rwanda and Burundi is straddling and Ruhwa between Rwanda and Burundi is wholly located in Burundi. Since many of the border crossings are nearing completion, official opening dates are now being agreed (e.g., 25 September 2015 has been set as the official opening date for the Taveta-Holili OSBP). The EAC OSBP Bill is nearing enactment; since the President of Tanzania has signed the bill, only the presidential assent of Rwanda remains. The EAC OSBP Regulations will be sent to the EAC Council of Ministers in September 2015. Training and sensitization is critical, although funding is often a constraint. Also, institutional memory is important. He expressed his hope that the outcome of the meeting will be useful for the Partner States.

5. Ms. Yoko Konishi, Project Coordinator, JICA Trade Facilitation Project Team, stated that JICA was delighted to support this event. She provided an overview of various relevant initiatives supported by JICA, including the Namanga-Arusha Road and the Namanga OSBP on the Tanzanian side. The JICA project has also been providing support for OSBP construction, OSBP operationalization, the capacity building of officers and clearing agents, and joint border surveillance. She observed that coordinated efforts and the understanding of customs and border procedures have been increasing over the last few years. However, a clear structure to address OSBP issues on the ground is necessary, and this two-day meeting will contribute to this achieving this aim. She encouraged the participants to actively participate in the discussion.

6. The Assistant Commissioner, Kajiado County, observed that JICA has supported comprehensive OSBP training at Namanga. She requested that measures be taken to support local border communities. She stated her wish that the project would be successful since “we are pioneers”. A local government official from Longido District, Tanzania, concurred.

7. The Assistant Resident Engineer for construction of the OSBP on the Kenyan side reported that construction progress is 88% on the Namanga OSBP, with 30 September 2015 now the expected completion date. The project is behind the (rescheduled) completion date of 14 May 2015 and the contractor is paying liquidated damages for each day of delay.

8. Challenges on the Tanzanian side were reported to include office furniture and the supply of water. AfDB/EAC is expected to supply furniture soon. The structure is complete.

9. Mr. James Kivuva, Senior Assistant Director, SDEAA Kenya, presented an overview of the OSBP legal framework and provided an update on the status of the EAC OSBP Act. He set out key provisions of the Kenya-Tanzania OSBP bilateral agreement in some detail. Also, he described the agreed OSBP procedures between the two countries.

10. Mr. Pima, MEAC Tanzania, further elucidated the OSBP concept, set out key principles, and expected benefits. Mr. Emmanuel Maturu, Customs Officer, Tanzania Revenue Authority (TRA), provided more details on key principles and key procedures for OSBP operations. He observed that one procedures manual covers all OSBPs between the two countries.

11. Mr. Wakhungu Juma, Senior Assistant Director, SDEAA Kenya, discussed diplomacy as a tool for managing OSBP relations. He stated that the implementation of OSBPs will be a “game changer”. Because officers of the two countries will be working together, diplomatic tactics must be pursued to project each country’s respective interests and for each side to work together seamlessly. He urged border

officers to be “diplomats in uniform”. Finally, he observed that diplomacy can be a tool for regional integration.

12. Mr. Sydney Chibbabbuka, Regional Consultant, JICA OSBP Team, then provided an overview of local OSBP management committees. He noted that the management of OSBPs takes place at the regional, national, and border levels. Upward and downward coordination, as well as coordination at the local level, is critical. A lead agency is required for better coordination.

13. Mr. Kitolo, SDEAA Kenya, discussed local OSBP management committees from Kenya’s national perspective. In September 2014, the Kenya Revenue Authority was appointed as manager of the OSBPs on the country’s East African borders. On 20 May 2015, the Kenyan national policy steering committee, consisting of stakeholders concerned with OSBPs, called for the establishment of OSBP Facility Management and Trade Facilitation Committees, with members to represent all agencies at each border crossing and one private sector stakeholder. At Namanga (and all other OSBPs), the Kenya Revenue Authority (KRA) has been asked to chair the committee. He then detailed the functions of the OSBP Facility Management and Trade Facilitation Committees (e.g., manage the affairs of the property by protecting and promoting the interests of the government, prepare and submit to OSBP stakeholders an annual budget to run the facility). Next, he discussed the settlement of utility expenses (total running costs are estimated to be KES 1.5 million per month), with payments per agency based on the square feet occupied by each agency. The TRA representative then observed that on the Tanzanian side the contractor will cover the utility expenses in a transition period, after which TRA will take responsibility (for an estimated TZS 30 million per month); budget has been prepared.

14. Open discussion followed. Mr. Nyangweso, EAC Secretariat, asked about actions being taken by Tanzania to address water supply constraints, perhaps by drawing water from the town supply, or pursuing a cross-border supply solution. He noted that the process for procurement of OSBP furniture, including a needs assessment, is still ongoing; funds for the activity including the supply of fiber optic cable, are limited to USD 750,000. The agencies should perhaps consider counterpart funding, as is provided by Rwanda and Tanzania at Rusumo. In response, the TRA representative observed that the OSBP facility is large and requires a reliable supply of water, which cannot be provided by the local authority or from the Kenyan side. At first a temporary solution will be sought.

15. The importance of staff welfare was stressed. Mr. Nyangweso, EAC Secretariat, noted that staff housing was designed, but funding was not available. There was also a query whether the furniture would be sufficient for all staff working at the facility.

16. Mr. Chibbabbuka, JICA OSBP Team, asked about the availability of ICT and internet connectivity to the new facility on the Tanzanian side. It was explained that connectivity has been extended, but each agency will need to bring its own equipment for access.

17. Mr. Kitolo, SDEAA Kenya, observed that many agencies now want to be present in the OSBP, but it should be on a needs basis. Some agencies do not deal with exit formalities and therefore do not need to move to other side. It is not automatic that the staff of every regulatory agency will increase.

18. Mr. Chibbabbuka, JICA OSBP Team, asked the participants to suggest specific areas on which more training may be required, to be channeled through managers.

19. The need to assure that the local traders are accommodated was stressed.

20. Mr. Bruce Winston, Team Leader, JICA OSBP Team, made some closing remarks for the first session. He observed that the number of participants was large and the quality of the lectures and discussion was high.

III. Afternoon Session, 13 August 2015 (1545-1745)

21. Mr. Kitolo, SDEAA Kenya, began by acknowledging JICA support for the soft components required for operationalizing OSBPs. He confirmed that most attendees had participated in previous OSBP training. He observed that an objective of the workshop is to share what should be done at the regional, national, and border levels for operationalization of the Namanga OSBP. He informed the meeting that only one country has not yet assented to the OSBP Act.

22. Mr. Maturu, TRA, reviewed key OSBP principles and procedures. He observed that the bilateral agreement between Kenya and Tanzania is the legal platform for OSBP implementation. He then discussed a number of jurisdictional issues and the flow of OSBP procedures (referring to pp. 5 and 8 of the procedures manual). During follow-on discussion, the term “exclusive use area” was defined.

23. Mr. Juma, then presented on diplomacy as a tool for managing OSBP relations. Specifically, he examined the role of diplomacy in promoting interpersonal relations between and among officers of adjoining partner states working in OSBPs. He discussed the role of signals in diplomacy. He informed the participants that they would “leave the session as diplomats”. (Also refer to paragraph 11 above).

24. Mr. Kitolo, SDEAA, then discussed local OSBP management committees from Kenya’s national perspective, reviewing new OSBP structures in the country (e.g., OSBP Border Facility Management and Trade Facilitation Committee). At the end of his presentation, he addressed the issue of the sharing of utility expenses among border agencies, with payments per agency based on the square feet occupied by each agency. (Also refer to paragraph 13).

25. It was noted that a critical question is how the two national local committees, in Kenya and Tanzania, will come together as a joint border coordination committee (JBCC). The JBCC is to have its inaugural meeting on 25 August 2015.

26. Mr. Winston, JICA OSBP Team, made some closing remarks for the afternoon session. Again, he observed that the quality of the lectures and discussion was high, and that the review of OSBP policies and principles as well the introduction of new local OSBP management institutions in Kenya was useful and informative for all meeting participants.

IV. Public Session, 14 August 2015, 1030-1515

27. The second day commenced with singing of the regional EAC anthem, *Wimbo wa Jumuiya Afrika Mashariki*, followed by self-introduction of the participants. The meeting proceeded mainly in Kiswahili, but with some English.

28. Mr. Kitolo, SDEAA Kenya, then presented the opening address, warmly welcoming the participants to the workshop. He reported the remarks of Mr. John O. Konchellah, Principal Secretary, SDEAA. He observed that the OSBP to be implemented will change the way the public crosses the border. It will no longer be necessary to stop in the country of exit; clearance will be done in the country of entry. This workshop represents a joint initiative by the two Partner States to explain the new procedures. Considering that the operation of the OSBP will significantly change the way of doing business at the border, it is necessary to take into account the hopes and aspirations of all who work and live in the border community. He informed the meeting that the two countries are already piloting an OSBP at

Taveta-Holili, where significant reductions in border crossing times have already been observed; ultimately, time reductions of 30-40% are envisaged, while also improving enforcement efficiency. Excluding compensation, the cost of construction will be KES 825 million (the OSBP at Taveta cost KES 500 million). Finally, he expressed his appreciation to JICA, for its support for OSBP facilities (on the Tanzanian side) and for operationalization (for both countries) including the preparation of a manual of operational procedures for the OSBPs between the two countries.

29. Mr. Pima, MEAC Tanzania, then made his opening remarks. Further to his remarks the previous day (refer to paragraph 3), he explained the rationale for OSBPs, i.e., to facilitate trade by bringing all agencies together. He reported the experience of Tanzania with OSBPs at various of its border crossings. He stated that OSBPs will result in significant time savings in border crossing for traders and travellers. He later presented on key OSBP policies and principles in more detail.

30. Representatives from Kajiado County (Chamber of Commerce), Longido District (Chief Malei, Local Administrator, Office of the President), and a local non-government organization then expressed local aspirations and expectations for implementation of the OSBP. In particular, it will be important that the benefits of OSBP implementation extend to local residents and businesses including small-scale traders through increased cross-border trade. They thanked JICA for organizing this meeting and requested more border sensitization meetings.

31. Ms. Konishi, JICA Trade Facilitation Project Team, stated that JICA, in conjunction with other development partners such as AfDB, was committed to supporting regional integration and economic development. OSBPs are an important part of this commitment. In particular, she stated the expectation that the Namanga OSBP will begin operation before the end of 2015, resulting in increased trade and the smoother movement of people across the border. For this purpose, JICA has been supporting OSBP procedures, the training of customs agents, and other related activities. She noted that this forum is being held at an appropriate time. Finally, she called for active discussion to raise any issues or concerns so that they may be taken to higher levels.

32. Open, interactive discussion followed:

- (i) Concern was expressed concerning the effect of the OSBP on hawkers who sell wares such as beads and blankets to travelers – where can they be located so that they can continue to sell Masai goods, for example? A solution is required.
- (ii) It was asked whether businesspersons besides customs agents could trade within the OSBP buildings; if the answer is yes, according to what procedures, and if not, how can they acquire space in the building to trade?
- (iii) A farmer with cattle asked whether the OSBP would have an effect on his regular relocation of livestock to Tanzania in the dry season to provide grazing land.
- (iv) It was asked whether documents are required for border community residents to cross the border. It was stated that the OSBP should make it easier for the local community rather than harder.
- (v) At present, a larger proportion of livestock is moving from Tanzania to Kenya than vice versa because there is a market at Kajiado. It has been decided that that a committee of village elders should be formed to control the movement of livestock. It was stated that community livestock officers have been trained.
- (vi) An immigration officer confirmed that the immigration authorities are not at the border to separate cultures. Controls are not strict within 20 km. However, it was explained that some control of the entry of persons into the OSBP is required for security reasons.
- (vii) It was explained that the movement of people and animals are separate issues, the former controlled by immigration and the later by livestock department officers.

- (viii) It was confirmed that banks, travel agents, hotels, and cyber cafes must be located within or near the OSBP.
- (ix) It was again asked where the Namanga hawkers will go if they are not allowed within the OSBP.
- (x) A priority for employing local residents in OSBP facilities was requested.
- (xi) It was asked how the local private sector can be represented on decision making bodies and how they can benefit directly from the OSBP?
- (xii) It was suggested that Kenya identification be recognized in Tanzania and vice versa. It was explained that an East African identification card is now under consideration under the EAC Common Market Protocol.
- (xiii) It was stated that tenders and other business opportunities should be publicized to the local community.
- (xiv) The cross border traders' association requested an office in the OSBP.
- (xv) Without cooperation with the local villagers, the OSBP cannot be successful. JICA should consider this issue. Fairness is critical.
- (xvi) Issues of ICT network and connectivity were discussed. For example, there is a proposal to supply Wi-Fi service in the area.
- (xvii) It was explained that space in the OSBP is not free – rent should be paid for retail space.
- (xviii) The importance of the OSBP was explained, e.g., for time savings and revenue increases.

33. Mr. Kitolo, SDEAA, thanked all participants and observed that the concerns expressed at Namanga were also expressed at Lunga Lunga. He observed that some benefit and some do not as a result of change. The mitigation of adverse impacts is therefore important. He advised the local community residents to build parking, hotel, and restaurant facilities, where travelers can stop and purchase local goods and services. He informed the meeting that a single identification card is in process; it has already been implemented by Kenya, Uganda, and Rwanda, although it should be machine readable. He explained that the EAC Treaty adopted the principle of variable geometry, i.e., it allows some countries to proceed before others. He informed the meeting that OSBP Facility Management and Trade Facilitation Committees will include members to represent all agencies at each border crossing and one private sector stakeholder. Finally, he pointed out that the OSBP building is a facility of the government, which is responsible for allocating space within it.

34. Mr. Juma, SDEAA, then thanked the JICA Team, and closed the meeting.



JAPAN INTERNATIONAL COOPERATION AGENCY

Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region

Namanga OSBP Stakeholders Validation Workshop on Simplified Border Crossing Procedures for Namanga Residents

Workshop Report

14 June 2016

PADECO Co.Ltd.

Report compiled by:

Juma Wakhungu- Workshop Facilitator (Regional Integration Officer-MEACL&SP Kenya)
Aminiel Malisa – TRA Namanga Border Manager
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Festus Selele- Head Namanga OSBP joint Secretariat
Alice Kananu – JICA Trade Facilitation Project Officer
Penina Simba – OSBP Regional Consultant

1. Background

The governments of the United Republic of Tanzania and the Republic of Kenya signed a bilateral agreement concerning the Establishment and Implementation of One Stop Border Posts (the “**Agreement**”) on 1st September 2014. Subsequently they adopted the Kenya and Tanzania One Stop Border (OSBP) Procedures Manual (the “**Manual**”) that laid down the procedures governing the operations of one stop border posts between the two Partner States. Part C, Section 1.2 of the Manual provides for the establishment of Joint Border Coordination Committees (**JBCCs**) whose responsibility is to ensure effective and spot-on operationalisation and implementation of the OSBP procedures in all OSBPs established on their common border. The Namanga JBCC was established on the 25th August 2015. The JBCC draws membership from government border agencies and representatives of private sector associations that operate at the border. The initial responsibility of the Namanga JBCC is implementing a work plan that is embedded in the road map geared toward operationalising the facility.

One of the activities in the JBCC Work plan was reviewing the simplified cross border clearance procedures to ensure they are aligned to the national, bilateral and regional agreements and legislations. These include but are not limited to the East African Community (**EAC**) Customs Management Act 2004, the EAC OSBP Act 2015 and the Agreement. The JBCC established a Task Force of several of its members and tasked them to draft the procedures and agreed to conduct a stakeholder Workshop to acquire buy-in and create awareness among the Namanga residents with regard to OSBP Simplified Border Procedures. The draft procedures were reviewed the 3rd and 4th JBCC meetings held on 28th October 2015 and 30th November 2015 respectively. The Task Force developed the final version in their meeting held on 10th March 2016. Minutes attached as **Annex I**. These procedures were approved during the 6th JBCC Workshop held on the 20th April 2016 and the JBCC proceeded to prepare for this validation workshop whose report is captured here below:

2. Objectives and Expectations of the Workshop

The main objective of the workshop was to validate the Draft procedures developed by the JBCC, by acquiring buy-in through participation of Namanga residents in the development of the Simplified Border Crossing Procedures. Furthermore the workshop aimed at creating awareness with regard to the operationalization of the Namanga OSBP. It was expected that by the end of the workshop, participants would have reviewed the draft Simplified Cross border clearance procedures and made contributions that would be incorporated in the the Namanga OSBP Simplified Border Crossing procedures.

3. Date and Venue

The Namanga Stakeholder Validation Workshop on Simplified Border Crossing Procedures under the project for the operationalization of Namanga OSBP under Phase I of the Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region was held on 14th June 2016. The workshop participants were representatives from business groups operating at the border, district and local government administrations from the two adjoining Partner States, opinion leaders, women lobby groups, youth and civic leaders among others. These included the Longido District Commissioner, Tanzania who was the Chief Guest. The Workshop was held at the Catholic Convent Conference Hall, Namanga, Tanzania.

4. Workshop Participants

The Workshop facilitation Team comprised of Mr. Juma Wakhungu- Workshop Facilitator (Regional Integration Officer-MEACL&SP Kenya), Ms. Edna Chuku (Senior Officer, Ministry of Foreign Affairs and EAC Cooperation, Tanzania), Mr. Aminiel Malisa – TRA Namanga Border Manager, Mr. Dishon Njuguna- KRA Namanga Border Manager, Mr. Festus Selele-Head Namanga OSBP Joint Secretariat (Tanzania Immigration), Dr. Japheth Nzioki, Senior Veterinary Officer, Kenya, Ms. Alice Kananu – JICA Trade Facilitation Project Officer , and Ms Penina Simba – OSBP Team Regional Consultant.

Mr. George John, Senior Customs Officer and Derrick Simfukwe Manager HR from Tanzania Revenue Authority (TRA) headquarters in Dar es Salaam also participated in the Workshop.

A total of **130** stakeholders from the Namanga community including border officials from both Kenya and Tanzania participated in the Workshop. Stakeholders actively participated in the Workshop through contribution of opinions, asking questions and advising on key areas to be addressed. To this end it was observed that the active participation was in a clear testimony of the border community's enthusiasm to embrace the OSBP concept.

The list of the participants is attached as **Annex II**

5. Programme and Agenda of the Workshop

The workshop was conducted in Swahili for effective dissemination of information and participatory discussions. The workshop programme attached as **Annex III**, focused on explaining the contents of the Draft procedures). This was presented by members of the JBCC Task Force on the development of Simplified Cross Border Procedures. Specific presentations and explanations were made by the officer of the relevant border agency. This was preceded by a presentation by Mr. Aminiel Malisa, the TRA Border Manager on general information on the expected operations of an OSBP. The workshop programme provided time for individual discussions during the plenary session that were recorded by the workshop facilitation team.

6. Proceedings

i) Opening:

The workshop began at 9.30 am. There was a brief session on introduction of participants. Participants were then taken through the objectives and the purpose of the workshop by the workshop facilitator Mr Juma Wakhungu .

ii) Presentation on OSBPs in EAC- Objectives, Progress and overall expected benefits-

This presentation was ably made by Mr. Aminiel Malisa, TRA Station Manager, Namanga. Stakeholders were taken through critical issues including building blocks that constitute OSBPs. They were informed that the main objectives of implementing OSBPs project in EAC is to improve on border crossing efficiency by reducing time spent to clear cargo and persons. He assured the workshop that successful implementation of the project will boost the economies of EAC Partner States and border residents will benefit in terms of expanded business opportunities, improved infrastructure and social amenities. His presentation is attached as **Annex IV**

iii) Presentation of Draft Border Crossing Procedures

This presentation was divided into four parts-crossing of persons, bodaboda and persons driving taxis, cargo (low value of \$2,000 and below and high value above \$2,000) and livestock.

- a) **Crossing of Persons:** The workshop was informed that persons wishing to cross the border shall be cleared in the shortest time possible by immigration official subject to possessing a valid identification document. It was further reiterated that local residents were free to cross the border to a distance not exceeding 15km on both sides of the border as per the MOU between Kenya and Tanzania of 22nd September 2012.

- b) **Crossing of Persons riding boda boda and driving taxis:** It was revealed that such persons shall be required to wear reflector jackets within the CCZ. Tanzanian bodaboda drivers shall wear orange reflector jackets and the Kenyan drivers shall wear yellow reflector jackets.
- c) **Crossing of Cargo:** The workshop was taken through proposed procedures for cargo and generally it was noted that there are two categories of cargo interms of value. Participants were taken through the procedures and simplified arrangements that were being made to ensure residents with cargo are served at the shortest the possible.
- d) **Crossing of Livestock:** Participants were informed that laws governing movement of animals shall be used but with preferential treatment of the locals. Requirements for export of livestock and livestock products were explained to residents and they were assured that every effort shall be made to cater for their needs including easing movement of livestock to look for pastures in adjoining Partner States.

iv) Plenary Session

Participants were lively and active during the workshop. They utilized the plenary session to critique, support, seek clarification and make counter-proposals on draft procedures. The following were issues that arose during the plenary:

- a) Several questions were asked regarding the efficacy of the draft procedures;
- b) Participants wanted to know whether the draft procedures were meant to destroy their business as it was deemed that some procedures were cumbersome and demanding;
- c) The issue that every time a person who desires to cross the border has to be cleared by immigration was regarded as unworkable and would contribute to delays and other bureaucracies.
- d) A proposal was made that once the procedures have been finalized and adopted, structured sensitization of residents of Longido District and Kajiado county should be carried out to appreciate and understand how to cross the border under OSBP arrangement
- e) Residents proposed that procedures for livestock crossing the border should be reviewed A proposal was made that the radius of 15km of free movement should be expanded to 30km
- f) A request was made by one of the participants that persons carrying small cargo that are of personal use should be allowed free pass by KRA and TRA
- g) Participants argued that small scale traders be recognized as persons who contribute to the economies of the two Partner States and sought assurance that the draft procedures shall be reviewed to take into consideration their fears, views and concerns.

7. Observations

The Workshop facilitation Team made the following observations:

- i. The proposed procedures are geared to help border residents cross the border seamlessly and with much ease;
- ii. The proposed procedures if adopted shall be implemented gradually;
- iii. The proposed procedures were necessary to promote legitimate trade and combat terrorism, organized crimes and other unlawful acts that pose a threat to the National security of the two Partner State; and
- iv. If adopted the border crossing procedures shall be reviewed from time to time taking into consideration emerging issues and challenges experienced by residents.

The residents observed: implementing the procedures shall be a challenge as the border is porous. Similarly there is no market for residents at Namanga hence the no man's land was serving the purpose

8. Recommendations

The Workshop recommended that:

- i. The Taskforce should finalize the proposed border crossing procedures taking into consideration observations, comments and resolution of the workshop;
- ii. Another forum of the local community stakeholders be convened to look at the finalized draft before adopting it for onward submission to JTC. PADECO to consider facilitating it; and
- iii. PADECO, TRA and KRA to prioritize sensitization of members the general public living in Kajiado and Longido administrative areas prior to the launch of OSBP operations at Namanga.

9. Conclusion

The active involvement and the number of the participants was a clear indication that the border community were aware that new procedures for crossing the border were to be put in place but lacked sufficient information and knowledge on how this was going to operate. There is need to underscore the benefits that will accrue due to the operationalisation the OSBP procedures vis-a-vis the existing procedures to enable the border community to appreciate the OSBP concept. Sensitization and awareness campaigns should take cognisance of the need to clearly explain that the OSBP concept is a regional initiative aimed at facilitating trade and strengthening community integration.

10. Way Forward

The Task Force for developing the Simplified Border Crossing Procedures will incorporate proposals of the stakeholder's workshop in the draft Simplified Border Crossing Procedures for presentation to the next JBCC meeting scheduled at the end of this month for review and shall thereafter be and despatched to the Joint Technical Committee for approval.



Participants listening attentively



Guest of honour giving opening remarks



Task Force presentations



Local Community leader contributing to discussions



**TRAINING AND SENSITISATION WORKSHOP FOR NAMANGA BORDER
CROSSING ON THE OSBP CONCEPT
UNDER
THE PROJECT FOR CAPACITY DEVELOPMENT FOR INTERNATIONAL TRADE
FACILITATION IN THE EASTERN AFRICAN REGION**

29 March 2017
Namanga, Tanzania

I. Background

1. Responding to requests from the governments of the Partner States of the East African Community (EAC), in December 2013 the Japan International Cooperation Agency (JICA) exchanged signatures on records of discussions (with each participating country) for the Project on Capacity Development for International Trade Facilitation in the Eastern African Region (JICA Trade Facilitation Project), covering Phase 3 components of the preceding Project on Capacity Building for the Customs Administrations of the Eastern African Region (Phases 1 and 2), including a technical cooperation project component for operationalization of the Namanga and Rusumo One-Stop Border Posts (OSBPs). The first phase of this technical cooperation component for OSBP operationalization was conducted from April 2014 to March 2015, while the second phase commenced in June 2015 and is scheduled to continue to August 2017. Among other activities, during the first and second phases of the OSBP project component, six (6) joint technical committee (JTC) meetings and thirteen (13) joint border coordinating committee (JBCC) meetings were held for the operationalization of the Namanga OSBP. A major achievement during the first phase was agreement between Kenya and Tanzania on an operational procedures manual for the OSBPs between Kenya and Tanzania. A Joint Border Coordination Committee (JBCC) for the operationalization of the Namanga OSBP was established under Part F of the Namanga OSBP Operational Manual. Three sets of OSBP training workshops were conducted at Namanga in January, February and March 2015.

II. Objectives of the Training and Sensitisation Workshop

2. The objectives of the 4th OSBP training workshop were to explain the technical aspects of the OSBP concept to new officers at Namanga border crossing and to those that had not participated in any of the previous workshops. The workshop also served as a forum for sensitising and raising awareness among private sector operators and community residents about the planned operationalisation of the OSBP at Namanga.

III. Date and Venue

3. The 4th round of the joint OSBP training workshop for Tanzania and Kenya at Namanga was held from 27 to 28 March, 2017. Day 1 of the workshop was dedicated to public sector officers while Day 2 was a sensitisation forum for private sector operators and community residents. Both events were held at St. Teresia of the Child Jesus Secondary School on the Tanzanian side of Namanga.

IV. Training Team

4. The JICA OSBP team was led by Mr. Bruce Winston and comprised Mr. Koichiro Tamura, Border Management Expert, Mr. Sydney Chibbabbuka, OSBP Operations Specialist and Ms. Eri Nagai, the Multilateral Coordination/Training and Sensitisation Specialist. The team was assisted by Dr. Patrick Wakhungu, Senior Assistant Director, State Department of EAC Integration of the Ministry of East African Community, Labour and Social Protection.

V. Agenda and Programme of Activities

5. The main agenda of the training and sensitisation workshop was to introduce and explain the OSBP concept to both public and private sector officials working at Namanga border crossing and residents of the surrounding communities. The topics that were covered during the training workshop included (i) The Definition and Objectives of OSBPs (ii) OSBP Models (iii) Key OSBP

Pillars (iv) OSBP Principles and Features (iv) Border Crossing Procedures (v) Economic Impact of OSBPs, (vi) Management of OSBP Facilities and (vii) Diplomacy in the Context of OSBPs. For the private sector and community residents, the topics were (i) Update on the Status of the Namanga OSBP Facilities (ii) Plans for Addressing the Outstanding Issues at OSBP Facilities (iii) Brief on the Existence and Roles of the JBCC and Lead Agencies (iv) Experiences from other OSBPs and Border Crossings (v) Economic Benefits of OSBPs (vi) Diplomacy in the Context of OSBPs and (vii) Question and Answer session. The programme of activities for the training workshop is attached as **Annex I** of this report.

VI. Participants

6. A total of 181 participants attended the workshop of which 95 were from public sector agencies and 86 from private sector operators and community residents. Among the participants from the public sector agencies, 51 were from Tanzania and 44 from Kenya while 57 of the private sector participants were from Tanzania and 29 from Kenya. Public sector participants included officers from other border crossing between Tanzania and Kenya such as Holili-Taveta, Horohoro-Lungalunga and Sirari-Isebania. The officers from the other border crossings, together with officers from the capitals in Dar es Salaam and Nairobi, also attended the session for the private sector and community residents that was held on Day 2 of the workshop. The full list of participants is attached as **Annex II**.

VII. Proceedings

a) Day 1 - Public Sector Session

7. The majority of the participants that attended the workshop on Day 1 were attending this series of training workshops by the JICA OSBP Project Team on the OSBP concept for the first time. The group comprised new officers at Namanga border crossing and a few that did not attend the earlier rounds of workshops conducted in 2015. The workshop participants from public sector agencies were divided two groups with one attending in the morning and the other in the afternoon. This approach was meant to allow as many officers to attend the workshop with minimum disruption to border operations.

8. The workshop was informed that the Taveta-Holili OSBP was officially launched in February 2016 and is still the only fully operational OSBP between Kenya and Tanzania. The Taveta-Holili OSBP facility was built at a cost of approximately US\$12 million with support from TradeMark East Africa (TMEA). Some officers at the border have received partial training on the OSBP concept and operations. The workshop was also informed that although construction of new border facilities at Isebania-Serari border crossing has been completed, OSBP operations have not yet commenced because the new facility does not yet have internet connection and that border agencies from Tanzania are yet to move into the new facility. At Lungalunga- Horohoro border crossing, the workshop learned that the new border facilities do not have ICT connectivity and that the buildings do not yet have reliable supply of water on both sides. The border post has a backup electricity generator and officers at the border have had one round of training on the OSBP concept. The training was organised with the support of JICA.

9. During the follow up discussions on the OSBP concept, participants enthusiastically deliberated the principles on the exclusive use areas, determining jurisdiction in the common control zone and the maintenance of peace, security law and order. In particular, some officers wanted clarity on how to deal with wanted persons when working in the host state. To help the participants, the workshop facilitators made reference to the relevant provisions in the EAC OSBP

Act and benefited from the experiences of officers working at the Taveta-Holili OSBP. With regards to understanding jurisdiction and application of national laws, the JICA OSBP Team also advised the participants that in addition to the physical parameters of the common control zones, the officers should endeavour to know and document the official coordinates of the common control zones at their OSBPs because it is a requirement under the OSBP Act to include such details in the OSBP bilateral agreements.

10. The session on economic benefits of OSBPs highlighted the potential savings and overall economic gains associated with the implementation of OSBPs. Using the findings of the end line survey that was conducted at Rusumo after one year of OSBP operations, the presentation highlighted the reduction in border crossing time, costs and increase in traffic volumes that have been achieved at Rusumo OSBP. This session also included a discussion on options for managing and maintaining OSBP facilities.

11. The presentation on diplomacy in the context of OSBPs examined the role of diplomacy in promoting interpersonal relations among officers of adjoining Partner States at OSBPs. Officers were reminded to embrace diplomatic tactics when serving in OSBPs in order to promote the images of their countries. Some of the values and qualities that participants were encouraged to adopt included truthfulness, decorum, respect, calmness, patience and perseverance, sympathy, humbleness, use of appropriate language, hospitality and prudence.

12. To complement the presentations on the OSBP concept and operations, the JICA OSBP Team handed out copies of the EAC OSBP Act 2016, the Kenya-Tanzania OSBP Procedures Manual, the Swahili versions of the brochures on the Namanga OSBP and case studies on OSBP operations. It is hoped that the material will assist the officers in understanding OSBP procedures considering that most of them indicated that they wanted more guidance on procedures.

b) Day 2 - Private Sector Session

13. Day 2 of the workshop which was dedicated to private sector operators and community residents was also well attended. In order to enhance the effectiveness of the workshop, the presentations were largely conducted in Kiswahili with the help of local officers at the border and from the capitals in Nairobi and Dar es Salaam. Further, the workshop focussed more on providing information on the status of the OSBP projects between Kenya and Tanzania rather than delivering training on technical aspects of the OSBP concept and operations. The workshop also briefly deliberated the economic benefits of OSBPs. Nonetheless, participants had an opportunity to watch the Rusumo OSBP Training Video, which was essentially produced for public sector agencies. As part of the update on the status of the Namanga OSBP to the private sector operators and community residents, TRA border manager for Namanga Mr. Zaho Makame informed the participants that a borehole to supply water to the new OSBP facility on the Tanzanian side had been drilled and has a sufficient amount of water. The water, however, is yet to be tested to ascertain the level of nitrate content. He estimated that the water works will be completed by end of April 2017. He also informed the workshop that 95 percent of the ICT points in the new building had failed and that TRA and TANROADS were arranging for a complete inspection of the whole building to determine the timeframe and resources required to address the faults and requirements. He also added that there was need to link the two Namanga OSBP facilities for Kenya and Tanzania in order to facilitate exit operations on both sides. As for Kenya, the workshop was informed that the OSBP facility is ready and that all border agencies had now moved into the new building which is being used for border operations under the two stop system awaiting ICT connection with Tanzania.

14. During the question and answer session, the participants made submissions that:
- a) women are usually not invited to participate in cross border meetings and yet they are significant stakeholders;
 - b) under the EAC Single Customs Territory (SCT), Partner States have posted Customs officers to Kenya and yet officers from Kenya have not been posted to the other Partner States;
 - c) the SCT has had an adverse impact on the welfare of youths at internal borders in the EAC because jobs for clearing and forwarding agents had reduced drastically;
 - d) there is need to enhance sensitisation activities about OSBP procedures and related matters among border communities to enhance their appreciation of the concept;
 - e) they wondered how hawkers at Namanga border crossing would benefit from operationalisation of the OSBP;
 - f) they would like to know the benefits of the OSBP to youths, women and other stakeholders;
 - g) they wanted explanations on why Tanzanian authorities were arresting Kenyans living on the Kenyan side without serving them with sufficient notices;
 - h) the proposed border crossing procedures are punitive and in bad taste and that they must be withdrawn;
 - i) there is need to improve interpersonal and public relations skills of officers at the borders;
 - j) they wanted to know whether the Namanga OSBP will accommodate women traders of beads;
 - k) that to improve relations at the border, the border agencies should consider holding joint social activities such as sports;
 - l) they required clarity on the period that EAC citizens could temporarily stay in other Partner States without permits; and that
 - m) the requirement for Yellow Fever cards had become a nuisance because authorities at the border had taken advantage of this measure to harass travellers.

VIII. Observations and Recommendations

- a) Inviting officers from other border posts is beneficial to workshop participants because it provides an opportunity to learn from each other;
- b) OSBP legal instruments and other reference materials should be made available to officers at OSBPs as soon as possible;

- c) There is need to clearly establish the coordinates of the common control zones at OSBPs in order to inform the design of border procedures and for clearly determining jurisdiction;
- d) Private sector operators and community residents still require more sensitisation and awareness activities on the OSBP concept, procedures and benefits;
- e) SCT matters are often muddled with OSBP issues, particularly by private sector operators.

IX. Closing

14. The 4th round of the JICA OSBP training and sensitisation workshop for Namanga OSBP was closed by Mr. Zahor Makame, TRA manager for Namanga Rusumo. He thanked JICA for facilitating the workshop and all the participants for turning up in large numbers. He implored the trainees to implement the OSBP procedures correctly once the OSBP is operationalised.



JAPAN INTERNATIONAL COOPERATION AGENCY

Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region

Namanga OSBP 5th Joint Training Workshops for Kenya and Tanzania

Workshop Report

9-10 November 2017

PADECO Co., Ltd.

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1. Introduction

In December 2013, the Governments of the Republic of Kenya, the United Republic of Tanzania, the Republic of Rwanda and the Japan International Cooperation Agency (JICA) entered into an agreement to operationalize the Namanga (Kenya/Tanzania) and Rusumo (Rwanda/Tanzania) One-Stop Border Posts (OSBPs) under the project on Capacity Development for International Trade Facilitation in the Eastern African Region. As part of these agreements, the component for operationalizing the OSBPs at the Namanga and Rusumo border crossing points included developing manuals of guidelines and procedures and providing training for officials of border control agencies and private sector operators at the two border crossing points.

2. Objectives of the Workshops

In 2015, prior to the official launch of OSBP operations at Namanga, the project held four joint training workshops for both public and private sector officials at the border. Three rounds of training workshops were held in January, February, and March 2015. On 13-14 August 2015 in Namanga, Tanzania, a meeting on Capacity Building and Local OSBP [one-stop border post] Management Committees was held for the operationalization of the Namanga OSBP. The meeting was attended by border agencies, the private sector, and the border community, from both Kenya and Tanzania. OSBP operations at Namanga commenced on 2 October 2017. Thereafter the Joint Border Coordinating Committee (JBCC) requested the JICA OSBP Project Team to conduct another round of training workshops for both public and private sector officials on the OSBP concept, procedures, and operations. The JBCC considered the 5th round of training workshops to be critical for the successful transition to OSBP operations.

This report covers the proceedings of the joint training workshops that were conducted by the JICA OSBP Team and Mr. Moses Malisa, Assistant Superintendent Immigration; Mr. George Ngoso, Senior Customs Officer, Tanzania Revenue Authority; and Mr. Beautus Kalumuna, Legal Officer, Ministry of Foreign Affairs and East African Cooperation, from the United Republic of Tanzania (hereinafter “Tanzania”), at Namanga in November 2017.

3. Dates and Venue

The 5th round of training workshops under the project for the operationalization of Namanga OSBP under Phase II of the Component for OSBP Operationalization of the Project on Capacity Development for International Trade Facilitation in the Eastern African Region was held from 9-10 November 2017. The workshops were conducted jointly, bringing together participants from Kenya and Tanzania.

The workshop participants were divided into two groups, i.e., public and private sector, with the first day dedicated to public sector officials and the second day to the private sector and border community residents. The private sector participants from both Kenya and Tanzania included representatives of clearing agents’ associations; individual clearing freight forwarding, transport, and insurance firms; representatives of tourism boards; individual

traders and representatives of the Maasai women's curios association. The workshops were held in the conference room of St. Theresa of the Child Jesus Secondary School (often referred to as "the Catholic Church") on the Tanzanian side.

4. Training Team

The JICA OSBP Training Team was comprised of Mr. Kenji Suzuki, Border Management Expert; Ms. Penina Simba, OSBP Regional Consultant; Ms. Eri Nagai, Multilateral Coordination/Training and Sensitization Expert; Ms. Lucy Muondo, Public Relations Officer; Mr. Moses Malisa, Assistant Superintendent, Tanzania Immigration; Mr. George Ngoso, Senior Customs Officer, Tanzania Revenue Authority; and Mr. Beautus Kalumuna, Legal Officer, Ministry of Foreign Affairs and East African Cooperation, Tanzania. These team members participated in the workshops as co-trainers.

5. Program and Agenda of the Workshops

The program of the training workshops focused on providing information on the concept, key operational principles, procedures, and complementary trade facilitation measures critical for the successful implementation of OSBP operations. The workshops also provided an opportunity to share experiences and challenges experienced in the one month that the border had been operating as an OSBP. For purposes of assessing the knowledge acquired by the trainees during the workshops, the program included a quiz on the OSBP topics that were covered in the workshop.

The program of the workshops is attached as **Annex I**.

6. Participants

A total of 91 border persons drawn from public and private sector agencies operating at the Namanga border, from both Kenya and Tanzania, participated in the training workshops. It was observed that although the workshops were principally individuals that had not been trained before, there were a few participants that attended for "refresher" training. For the private sector sensitization workshop, all the proceedings were conducted in Kiswahili for better communication and participation by the trainees.

7. Proceedings

a) Public Sector Workshop – Day 1

A total of 32 participants from government agencies in Kenya and Tanzania attended the public sector workshop. Of this total, 19 were from Tanzania and 13 from Kenya. With the exception of four officers, the participants were attending an OSBP training workshop for the first time.

The workshop was conducted in English using a PowerPoint presentation (originally prepared by Sydney Chibbabbuka, OSBP Regional Consultant) that outlined the operational principles and procedures of an OSBP, and which was based in part on the 2nd edition of the OSBP Sourcebook published in May 2016. The Day 1 presentation was conducted by Ms. Simba.

The topics covered were:

- i. Definition and objectives of OSBPs;
- ii. Configuration of OSBP facilities;
- iii. The Control Zone and Exclusive Use Areas;
- iv. Principles of OSBPs;
- v. Border Clearance Procedures;
 - i. Activities of Facilitation Agents and Other Service Providers;
 - ii. Cooperation and Coordination of Border Agencies;
 - iii. Management of OSBP Facilities; and
 - iv. Traffic Management.

The presentation is attached as **Annex II**. Reference materials for the training sessions included the EAC OSBP Act 2016 and the EAC OSBP Regulations 2017.

During the interactive sessions of the workshop, the participants showed keen interest in learning more about the operational procedures of the OSBP. They noted that there was need to have operational procedural manuals in their offices to help them in their day-to-day work.

The list of participants from the public sector is attached as **Annex III**.



Figure 1: Public Sector Training

b) Private Sector Workshop – Day 2

A total of 59 participants from the private sector and the border community in Kenya and Tanzania attended the workshop. Of this total, 41 were from Tanzania and 18 were from Kenya. The workshop for the private sector was conducted in Kiswahili to allow for more interactive participation considering that most of the participants were more comfortable using the local language.

During the workshop, participants asked questions on operational challenges that they had encountered since the commencement of OSBP operations at Namanga. They requested the establishment of a help desk and information center, to enable them to clearly understand their rights and obligations under the OSBP concept. The participants also informed the workshop of their perception that clearance times had been reduced since commencement of time OSBP operations.

The list of participants from the private sector is attached as **Annex IV**.



Figure 2: Private Sector Training

c) Quiz

To assess the knowledge levels of the participants on OSBP operations after undergoing the training, the training workshop included a quiz on the material that had been covered during the workshop. The quiz was comprised of questions on the OSBP concept, procedures, and operations. The quiz for the public sector participants is attached as **Annex V**.

Due to the delay in beginning the private sector workshop, the participants did not do the quiz. The quiz for the private sector in Kiswahili is attached as **Annex VI**. This quiz can be used in subsequent workshops.

The participants from the public sector performed well during the quiz with the minimum score being 60% and the highest being 87%. Of the 20 participants that attempted the quiz,

60% scored above 70%. The average score was 74%. The results are attached as **Annex VII**. The private sector participants did not take the quiz.

The questions answered incorrectly most frequently were on: the features of an OSBP, trade facilitation measures related to OSBPs, and the agency responsible for dissemination of information to OSBP users. Some participants thought that 24/7 operations was a typical feature of an OSBP and that the JICA OSBP Team was responsible for the dissemination of information.

8. Observations

The OSBP Team has the following observations regarding the training:

- a. The use of local trainers for the private sector and border community was effective.¹ They could easily relate with the trainees and their environment. Government agencies should build a team of local trainers. This team can also be used at other OSBPs that later become operational. The envisaged EAC OSBP training curriculum will ensure that all trainers are equipped with standardized modules.
- b. The interactive approach used during the workshops enabled the trainees to actively participate in the workshops
- c. Discussions of practical examples during the workshop of incidents at Namanga to illustrate the challenges faced in operationalizing the OSBP effectively highlighted the need for more sensitization and technical understanding among border officials of the OSBP concept, procedures, and the application of other complementary trade facilitation measures.
- d. Attendance at the private sector workshop was higher in comparison to the public sector workshop. Participants in the private sector workshop were enthusiastic about learning more on OSBP procedures and took part actively during the interactive sessions.
- e. The high turnout and consultative approach by private sector workshop participants could indicate that the public sector officials at the border had not sufficiently disseminated basic information about OSBP operations prior, during, and after piloting. For instance, many of the operational issues that were raised during the workshop could have been addressed by the JBCC. The Namanga OSBP brochure in Kiswahili should be able to address some of these issues
- f. There was an evident lack of knowledge of the role of the lead agency by most government border officials.

¹ These local trainers did not have the opportunity to participate in the EAC train-the-trainers program held in August 2017.

- g. Most officials of government border agencies expressed ignorance about the use and existence of areas for exclusive use by the adjoining state under the OSBP arrangement and therefore have not been using these facilities at Namanga
- h. Many of the participants required more detailed explanation on the principle of extraterritoriality.
- i. The border community participants were unaware of simplified procedures for the movement of the border community and sought clarification on why they should report to the OSBP offices, why their livestock is not allowed to cross beyond a 15 km radius of the border, and why their milk less than liters is required to be certified by the respective Food and Drugs Authorities.

9. Recommendations

The OSBP Team offers the following observations:

- a. The border agencies should develop a pool of local trainers once the envisaged EAC OSBP Training Curriculum is finalized. In the interim the current local trainers could conduct training-of-trainers (TOT) courses through their respective training institutes.
- b. The lead agencies at the Namanga OSBP should expedite the establishment of a help desk and a joint information center to explain OSBP procedures (as agreed at a previous JBCC meeting) to assist users on operational requirements.
- c. With the operationalization of Namanga, it is imperative that the private sector and the border community participate actively in JBCC meetings. This will make it easier for the border agencies to effectively perform their duties, once the users are aware of their rights and obligations and have a forum where they can express their concern.
- d. All border agencies should provide procedural manuals for their staff.
- e. The relevant Ministries should expedite the signing of a Bilateral Agreement to facilitate the movement of border community residents as recommended by the 8th Namanga JTC meeting in November 2017. In the interim it is imperative that the JBCC sensitize border community residents on the Simplified Procedures for the Movement of the Border Community. This could be done through Local Authorities and local opinion leaders.
- f. The lead agency on the Tanzanian side should expedite the establishment of an internet center.
- g. The lead agency on the Tanzanian side should in collaboration with the Longido District Local Authority expedite the establishment of a parking area for trucks, which currently park along the roadside and present a health and safety hazard.

10. Conclusion

The participants have experienced “teething” challenges with the operationalization of Namanga as an OSBP and the training made it possible for them to clearly understand how these challenges can be addressed through better understanding the OSBP concept, procedures, and processes. The presentations, interactive discussions with practical experiences, and materials provided during the training enabled the participants to comprehend their mandate in the new OSBP environment.

ANNEX VII

RESULTS OF THE ASSESSMENT TEST ADMINISTERED AT THE NAMANGA TRAINING WORKSHOP, 9 NOVEMBER 2017

Participants' Sector	Correct Answers Out of 15 Questions	Percentage Score
Government	9	60%
Government	9	60%
Government	10	67%
Government	11	74%
Government	12	80%
Government	12	80%
Government	12	80%
Government	13	87%

Notes: (i) Although there were **32** participants, only **20** participants took the test; the rest of the participants had left the workshop by the time the 3rd session began. (ii) The average score for the **participants** was **11.05 or 74%**.