REPUBLIC OF KENYA







TWELFTH PARLIAMENT

(SECOND SESSION)

REPORT OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION

ON

INSPECTION VISIT OF TO THE ISEBANIA BORDER POST, MIGORI COUNTY FROM 22^{ND} TO 25^{TH} MARCH, 2018

Directorate of Committee Services

National Assembly

Parliament Buildings

NAIROBI

JUNE, 2018

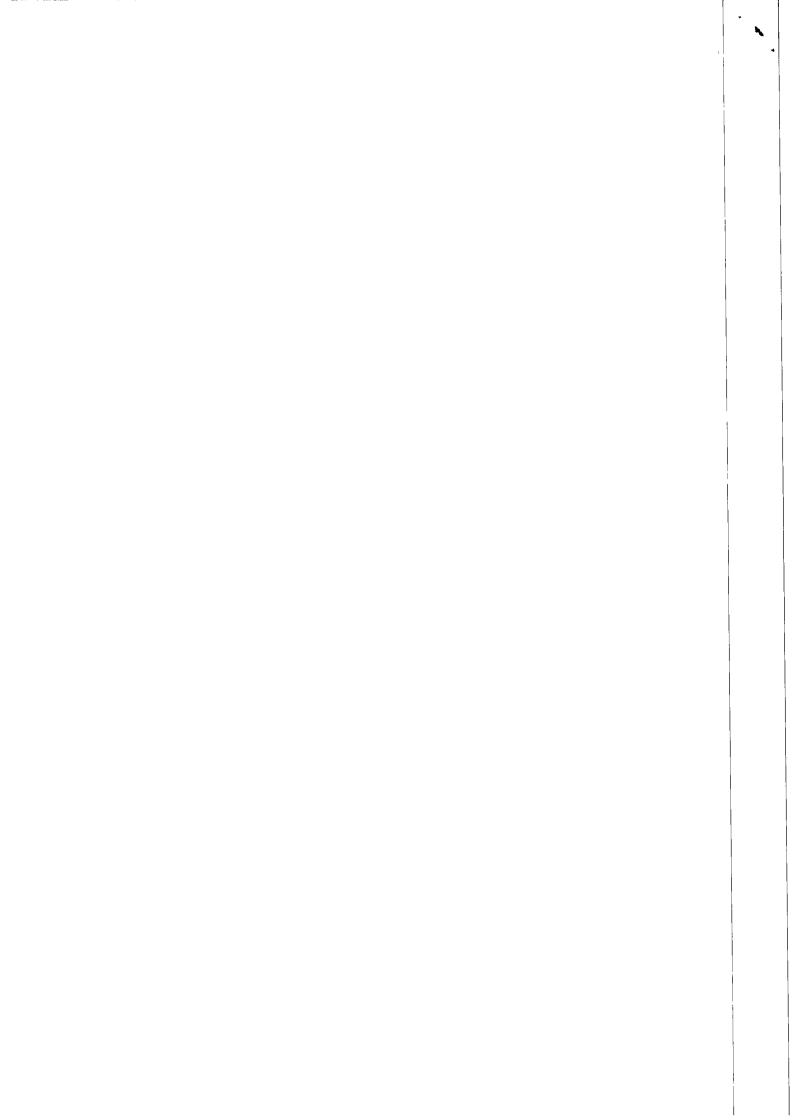
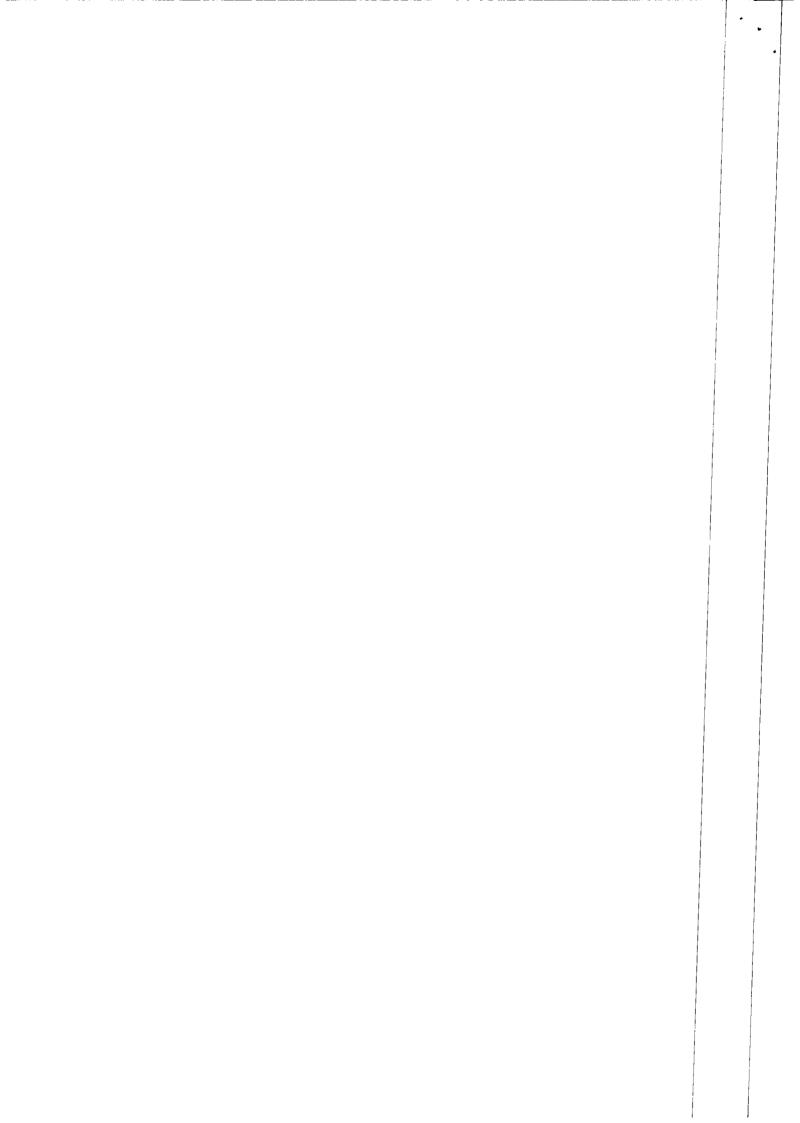


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CHAIRPERSON'S FOREWORD

The Select Committee on Regional Integration has oversight responsibility over the Ministry responsible for the implementation of Northern Corridor Integration Projects including the One Stop Border Posts. The One-Stop-Border Post (OSBP) concept combines the traditional two stops for border processing into one and improves the coordination of other border control functions for exit and entry points in the shared spaces between respective countries. The idea is influenced by the need to improve revenue collection by speeding up clearance for goods and people wishing to travel to either side of the countries, improve security and mutual trust between partner sates and nurture the EAC federation dream.

At inception, the Isebania OSBP was expected to reduce transportation time by saving up to a third of the current time taken; thereby reducing the losses that earlier on discouraged export trade. The Committee, keen on monitoring the supposed improvements and expansion of trade between Kenya and her neighbours, organized for an inspection visit to the Border post at Migori and conducted discussions with government officials and other stakeholders. The Committee notes with appreciation the progress made by the Governments of Kenya and the United Republic of Tanzania in operationalizing the OSBP. The Committee notes with appreciation the progress made by the Governments of Kenya and the United Republic of Tanzania in operationalizing the OSBP concept and further, make the following observations:

- 1. That Members of local Community on the Kenyan Side of the border are not considered for employment and business opportunities arising out of the establishment of the above facility;
- 2. That there are numerous non-tariff barriers being imposed on exports out of Tanzania to Kenya. For instance, there is an export ban on Tilapia and un-processed Nile Perch from Tanzania to Kenya facilitated by high fees/levies for export permits of agricultural produce from Tanzania. These permits are only available at Dar as Salam as there are no local offices at Sir are to offer these services
- 3. That there is Lack of a thermo scanner for early detection of Viral Hemorrhagic Fever (VHF) diseases.
- 4. That the facility Lack designated areas/grounds for the accommodation of large groups of people in case of pandemics or asylum seekers;
- 5. That border procedures at Sir are Border Post are not similar to those at Namangan Border Post;
- 6. That the OSBP faces the challenge of inadequate water supply;
- 7. That the Isebani route has in the past been used for human trafficking for citizens of Ethiopia and Somalia because they consider it convenient and insecure;
- 8. That there are a number of laws that require harmonization and regulation to provide a legal frameworks for immigration and customs management;



9. That there is Limited of awareness about the operations of the OSBP.

Recommendations

The Committee makes the following general recommendations:

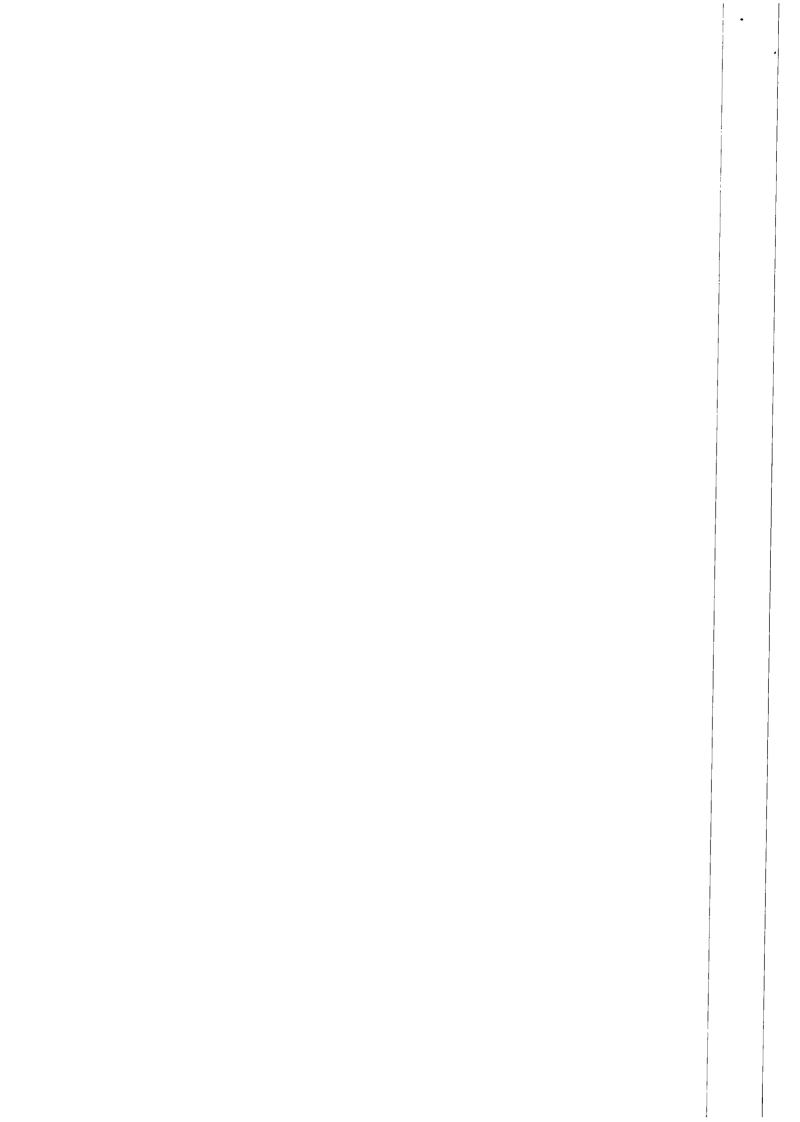
- 1. The Partner States should sensitize and encourage citizens to embrace the EAC spirit by enhancing regional integration and reciprocity treatment as demonstrated by President Kenyatta's directive on free movement within EAC without requirement of passport is not reciprocated in Tanzania;
- 2. The Partner States should implement uniform application of procedures at all border posts facilities along the Kenya/Tanzania borders in terms of clearing of goods and people at the entry/exit points.
- 3. Kenya and Tanzania should lift the periodical ban on exports of fish and levies and fees imposed on the exports;
- 4. The Department of Immigration through the Ministry of Foreign Affairs, should harmonize requirements for business visa and other related requirements.
- 5. The Partner States should heighten security at the border areas and encourage joint border coordinating committee meetings to ensure structured engagement;
- 6. The additional borders entry/exit points including Muumuu Bay, Nyamira and Topanga to be gazetted and a law enacted to create mobile border stations and manned by all border agencies. The distance between Isebania border area of control and the next border entry point is Namangan which is 297 km. This leaves a vast stretch along the border that is un-manned and no record of activities happening in the various border crossings. This is both a security and revenue risk to the country; and
- 7. The Committee recommended the removal of the barrier erected at the entrance of Isebania Border Post facility by the Migori County government.
- 8. The OSBP authorities should ensure multi-stakeholder collaboration and partnership amongst border communities and other relevant agencies.
- 9. The Ministry of EAC and Northern Corridor development should fast track efforts to harmonise policies in order to facilitate cross border trade within the region.
- 10. The Governments of Kenya and URT should enhance the public private dialogues between Governments and business community.

It is therefore, my pleasant duty and privilege, on behalf of the Select Committee on Regional Integration and pursuant to provisions of Standing Order 199 (6), it is my pleasant privilege and honor to present to this House the Report of the inspection visit to the Isebania One Stop Border Post, Migori County for noting and any other action that the House might consider necessary.

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LIST OF ABRREVIATIONS/ACRONYMS

OSBP One Stop Border Post
SCT Single Customs Territory
KEBS Kenya Bureau of Standards
KENHA Kenya National Highways Authority
KEPHIS Kenya Plant Health Inspectorate Services



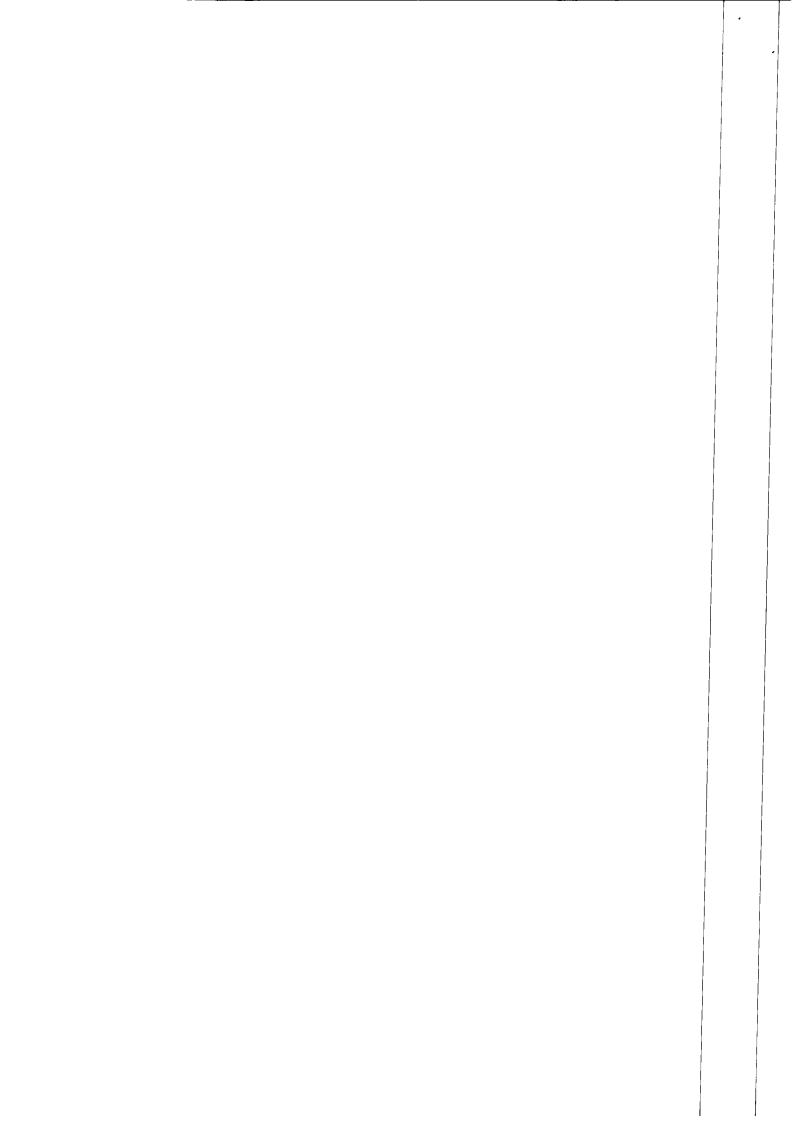
EXECUTIVE SUMMARY

This report contains the Committee's observations and recommendations on the status of implementation of the One Stop Border Post in Isebania, Migori County. The Committee on Regional Integration carried out a familiarization visit of the One Stop Border Post (OSBP) facility in Migori County, between 22nd and 25th of March, 2018 to inspect and confirm the implementation status of the One Stop Border Post facility.

During the visit, the Committee noted improvements in border efficiency because of enhanced efficiency in border clearance as the time taken to process cargo by various border agencies has drastically reduced from several days to a few minutes where all documentations have been properly lodged. The number of procedures involved in passenger and cargo clearance has also reduced.

The Committee also witnessed improvement in revenue collection by the Kenya Revenue Authority owing to increased traffic of cargo processed by Customs & Border Control department. The Committee urged the ministries responsible for Immigration, Trade and Security to fast track the development of the necessary support infrastructure to enable full roll out of the OSBP regime and guarantee Kenyans more benefits and a better future.

Further, the Committee observed improved revenue collection by Customs and Border Control department of Kenya Revenue Authority over the short period. It was reported that revenue collection had improved by 60%.



1.0 INTRODUCTION

The Committee on Regional Integration concluded a familiarization visit of the One Stop Border Post (OSBP) facility in Migori County, between 22nd and 25th of March, 2018 to inspect and confirm the implementation status of the One Stop Border Post facility.

1.1 Committee Mandate

As provided for in Standing Order 212, the Committee is mandated to carry out the following functions;

- i. Enhance the involvement of the National Assembly in intensification and development of the integration process in Africa;
- ii. Examine records of relevant EALA debates and resolutions;
- iii. Examine EALA Bills and EAC Acts;
- iv. Examine records of relevant debates and resolutions of Pan African Parliament;
- v. Inquire into and examine any matter relating to regional integration requiring action by the House;

1.2 Committee Membership

Chairperson

Hon. Naisula Lesuuda, M.P, OGW

Vice Chairperson

Hon. Capt. Ruweida Mohamed, M.P

Hon. William Kamket, M.P.

Hon. Kubai Iringo, M.P.

Hon. Ndindi Nyoro, M.P.

Hon. Abdi Mude Ibrahim, M.P

Hon. Nasri Sahal Ibrahim, M.P

Hon. Kassim Tandaza, M.P.

Hon. Ali Wario Guyo, M.P.

Hon. Memusi Ole Kanchory, M.P.

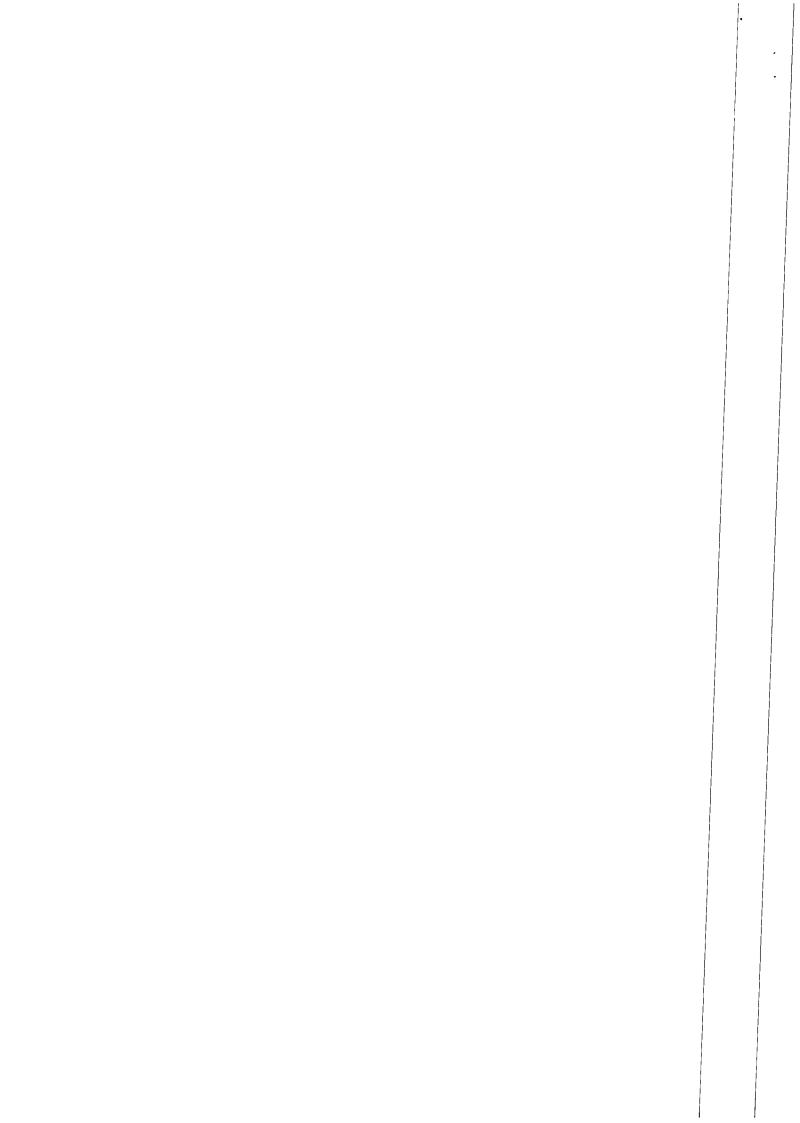
Hon. Janet Ong'era, M.P.

Hon. Dr. Gideon Ochanda, M.P.

Hon. Mathias Robi, M.P.

Hon. Janet Teiyaa, M.P.

Hon. Geoffrey Omuse, M.P.



Hon. Joyce Emanikor, M.P

Hon. Gideon Keter, M.P

Hon. Rozaah Buyu, M.P

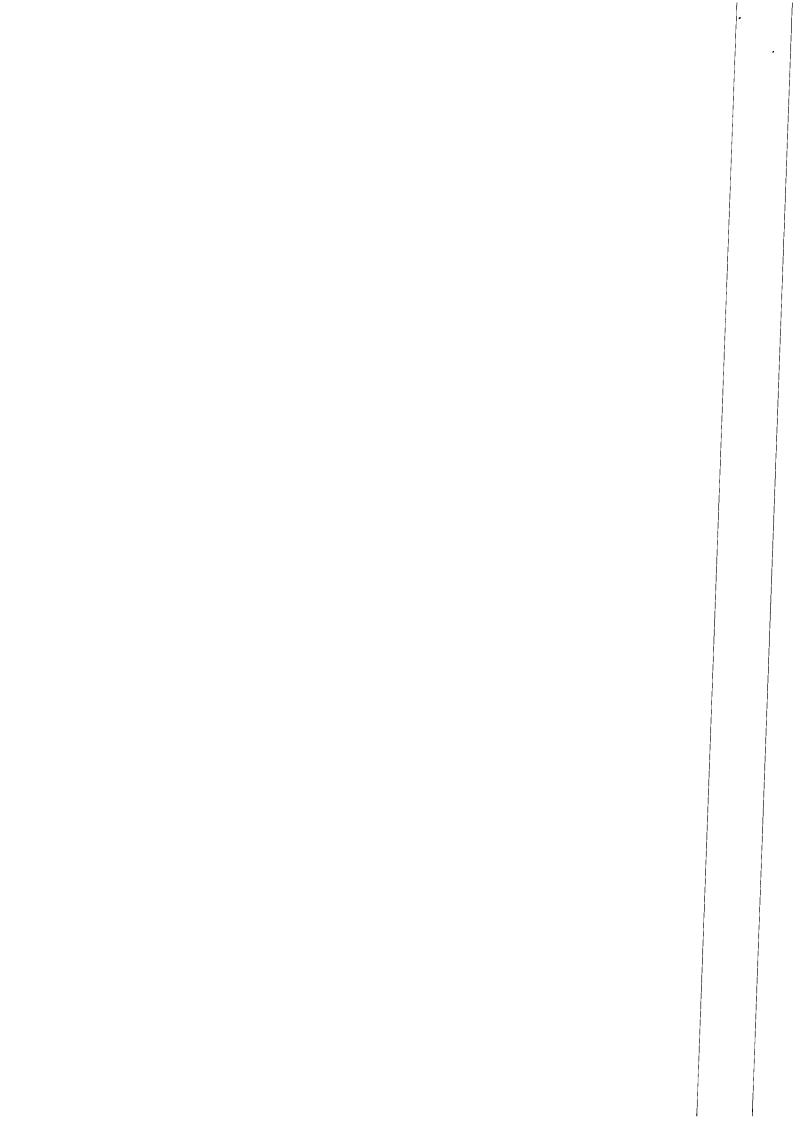
Hon. Ezekiel Ombaki, M.P

Hon. Christopher Nakuleu, M.P

Hon. Eve Obara, M.P

Hon. Malulu Injendi, M.P

Hon. Erastus Nzioka, M.P



1.3 Committee Secretariat

1. Ms. Hellen Ekadeli Clerk Assistant

2. Ms. Mary Lemerelle Clerk Assistant

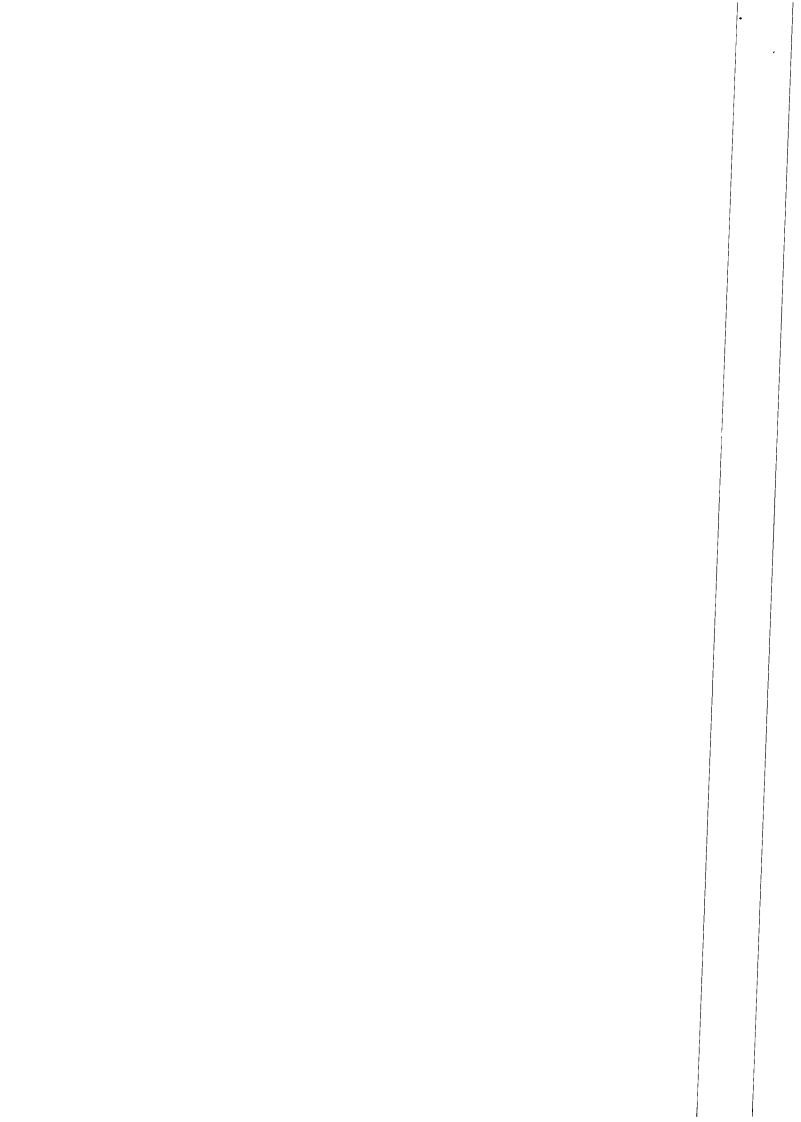
3. Dr. Kefa Omoti Principal Research Officer

4. Ms. Christine Odhiambo Legal Counsel

1.4 Delegation Composition

The Committee was represented by the following Members and staff-:

- 1. Hon. Capt. Ruweida Mohamed, M.P.
- 2. Hon. Dr. Gideon Ochanda, M.P.
- 3. Hon. Gideon Keter, M.P.
- 4. Hon. Malulu Injendi, M.P
- 5. Hon. Mathias Robi, M.P
- 6. Hon. Geoffrey Omuse, M.P.
- 7. Ms. Hellen Ekadeli Clerk Assistant
- 8. Ms. Mary Lemerelle Clerk Assistant



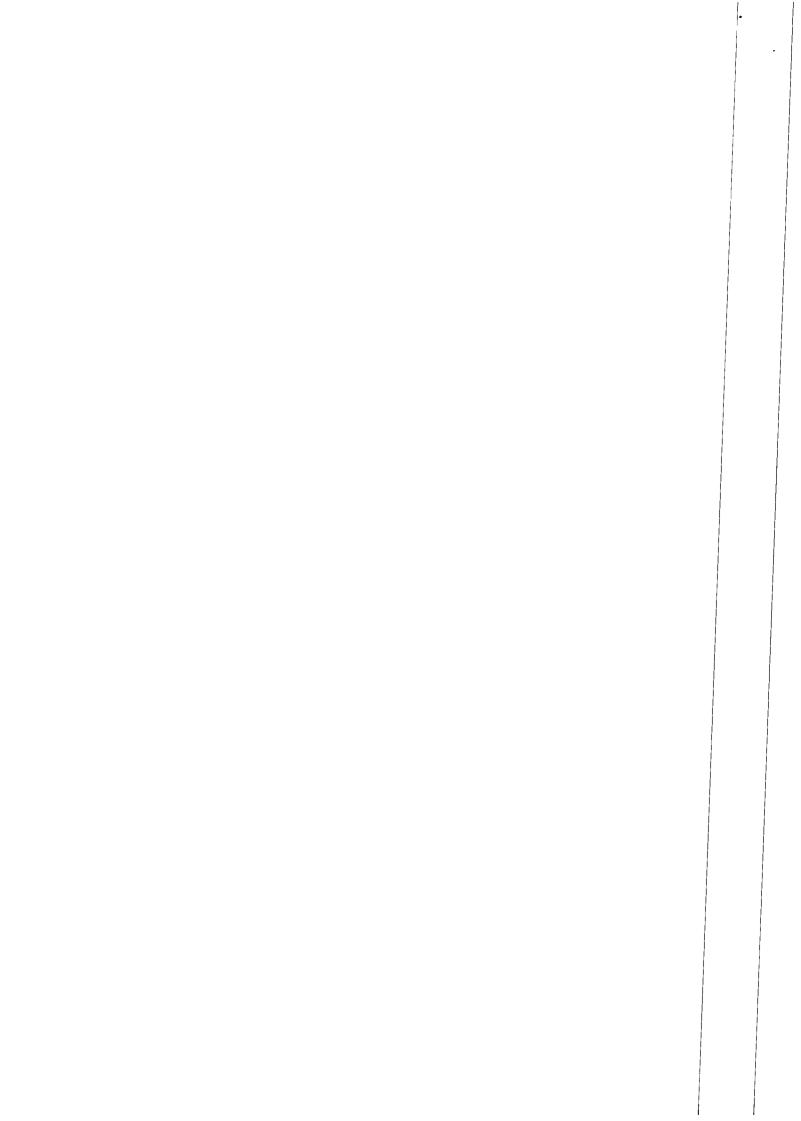
2.0 BACKGROUND INFORMATION – ISEBANIA BORDER POST

Isebania Border Post is an international border and a gazetted entry/exit point along the Kenya and Tanzania. The border post is situated in Migori County, 20 kilometers by road south of the County headquarters, in Migori town. (Republic of Kenya 2012): The Survey Act (CAP 299)

There Committee noted various government agencies deployed at the border post process for clearance of cargo and the travelers crossing the border. Each agency performs its mandate guided by their respective legislations with the main aim of:-

- a. Customs & Border Control Department collects and accounts for revenue for the other agencies and the exchequer, facilitates legitimate trade, protects of the society from illegal entry and exit of prohibited goods;
- b. Department of Immigration controls and regulate entry and exit of all persons and removal of prohibited immigrants. The department also controls and regulates residency through issuance and renewal of entry/ work permits and other passes; issuance of entry visas; the granting of Kenya Citizenship to qualifying foreigners and the registration of all non-citizens resident in Kenya;
- c. Port Health Officers ensures all processes leading to certification of goods at points of entry such as inspection, verification, sampling and laboratory analysis are completed.
- d. Kenya Plant Health Inspectorate Services protects plants from pests, weeds and invasive species;
- e. State departments of livestock and fisheries under Ministry of Agriculture enforces rules and regulations governing the border clearance of livestock and fish as well as their products;
- f. Kenya Wildlife Services undertakes and conduct enforcement activities such as antipoaching operations, wildlife protection, intelligence gathering, investigations and other enforcement activities;
- g. Kenya Forest Services officers enforces the provisions of the Forest Act and any forestry and land use rules and regulations made pursuant to any other written law; and
- h. National Police Service (NPS) is mandated to ensure security along the border and ensure no persons, weapons or products enter the country that would compromise the country's security.

Isebania border has other satellite stations which are situated along the Kenya-Tanzania borders namely; Muhuru Bay, Kogaja/Kopanga and Borega/Nyamtiro. However not all agencies have been deployed to these entry points; Customs & Border Control and NPS is present in all the satellite stations with Department of immigration having officers at Muhuru Bay station.



The next gazetted entry-exit point along the Kenya and Tanzania border is Namanga. The distance between Isebania and Namanga is approximately 297 km along the border. The distance is 558 km by road through Nairobi.

Several studies carried out have revealed that the traditional border clearance process of stopping on either side of the border for relevant border agencies control has resulted in inefficiencies and delays at the border. The following are some of the identified features;

- a. Two-stop checks for cargo and passenger's clearance;
- b. Each agency with own verification process independent of each other;
- c. Each agency operating in diverse locations from each other;
- d. Information sharing marred with bureaucratic procedures;
- e. Stand-alone cargo and passenger processing systems;
- f. The agencies unwilling to share information in border management.

The resulting effects of the Old Border Management System included:-

- a. Delays in cargo and passenger clearance due to the two-stops in Kenya & again in Tanzania; parallel verification of cargo by various border agencies, slow pace of information sharing;
- b. High operation costs for the traders and transporters resulting in high production costs;
- c. Movements from one office to another looking for service; and
- d. Complex and numerous procedures of cargo clearance. Logging into various agencies systems to process consignments.

This was the driving force for the One-Stop Border Post (OSBP) concept. Travelers and cargo exiting the country only stop once in the destination country where all the border agencies of the two adjacent countries operate side-by-side to perform exit controls for the exiting country and then entry controls for the destination country. The biggest benefit of OSBPs is the reduced clearance time and improved efficiency in border clearance.

Construction of Isebania OSBP facility commenced in July 2012. The project was financed by World Bank. Vaghiyani Enterprise Limited is the main contractor while the client is Kenya National Highway Authority (KeNHA).



3.0 PRESENTATION BY KENYA REVENUE AUTHORITY AGENCY

The officials from the Kenya Revenue Authority made presentations as follows:

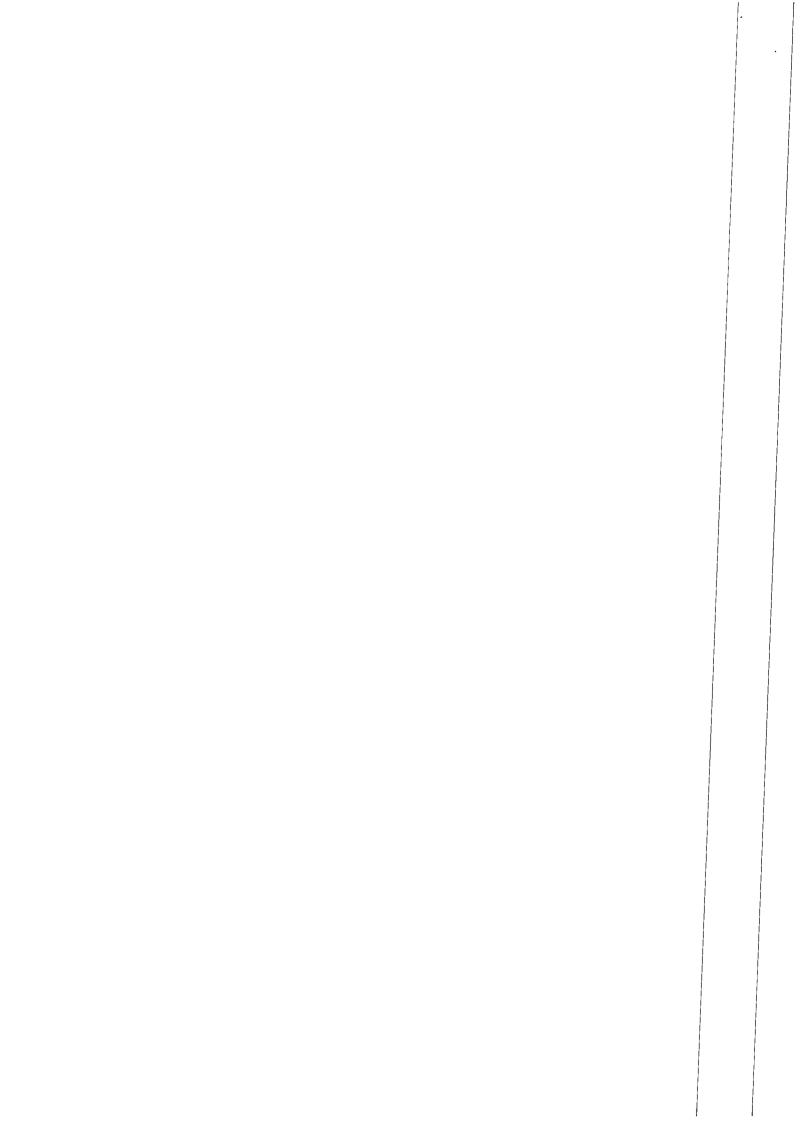
3.1 Status of Completion of the OSBP

The One Stop Border Post facility was occupied and operationalized by border agencies in August 2015 and is yet to be commissioned. The facility is 95 % complete, although the Contractor undertakes to complete the remaining civil, mechanical and plumbing works. The Tanzanian Border Post facility is complete despite the building being declared condemned.

3.2 Quality of Service Delivery

The following were reported as some of the gains which are already accruing from occupation and operations under the facility:-

- a. Standard Operating Procedure has been developed to guide cargo and passenger process flow. These procedures have harmonized the individual partner states border processes into one seamless flow applicable on both sides of the border for improved efficiency in serving the travelers and traders;
- b. Joint verification is being carried out by border agencies and between Kenya & Tanzania border agencies as well as amongst the Kenya Border Agencies. This has reduced the number of interventions being carried out by each border agency individually. Once a container is opened or a passenger vehicle is stopped all relevant agencies will process the container/vehicle at the same time and released without further stops within the control zone;
- c. There are joint border meetings & consultations among border agencies and between Kenya and Tanzania. These meetings are platforms for brainstorming and resolving of identified border issues at the border post level or escalating of matters to regional headquarters for resolution at regional level. Border Management Committee meetings also identifies and recommends for action or intervention any matter that requires multiagency approach and approval by the heads of the border agencies;
- d. Information is being shared between border agencies within Kenya and with Tanzania. The agencies are therefore able to risk profile and deploy the resources in an efficient matter while carrying out their enforcement measures;
- e. Border agencies have embraced transformation in internal processes with various agencies developing and deploying systems to improve efficiency and increase revenue collection and accountability amongst the officers;
- f. Kenya Trade Network Agency (KENTRADE) is developing an Information Trade Portal to inform importers/exporters on the procedures and requirements. In addition, the agency has provided wi-fi connectivity for all agencies at the border for efficient delivery of services.
- g. Improved revenue collection over the period by Customs & Border Control department of KRA. Revenue growth of 60% was experienced after the border agencies occupied the



OSBP premises. Increased traffic of cargo being processed by Customs & Border Control department and other border agencies by 5% over the period following the occupation of the facility. Growth in SCT consignments to Tanzania following the full roll-out of the programme. This was attributed to increased efficiency in border clearance, use of systems to collect and account for revenue and simplified border clearance processes. Collection by Immigration department at the border has declined as the processes have been automated and revenue is currently being accounted for under the e-citizen platform.

- h. Time taken to process cargo by various border agencies has drastically reduced from several days to a few minutes where all documentations have been properly lodged. There is reduced time to clear cargo and process passengers, and
- i. Over the same period there has been an increase in seizures of prohibited/restricted goods such as ivory, cannabis sativa, spirits and explosives. Department of Immigration has also intercepted and repatriated illegal immigrants from Ethiopia.

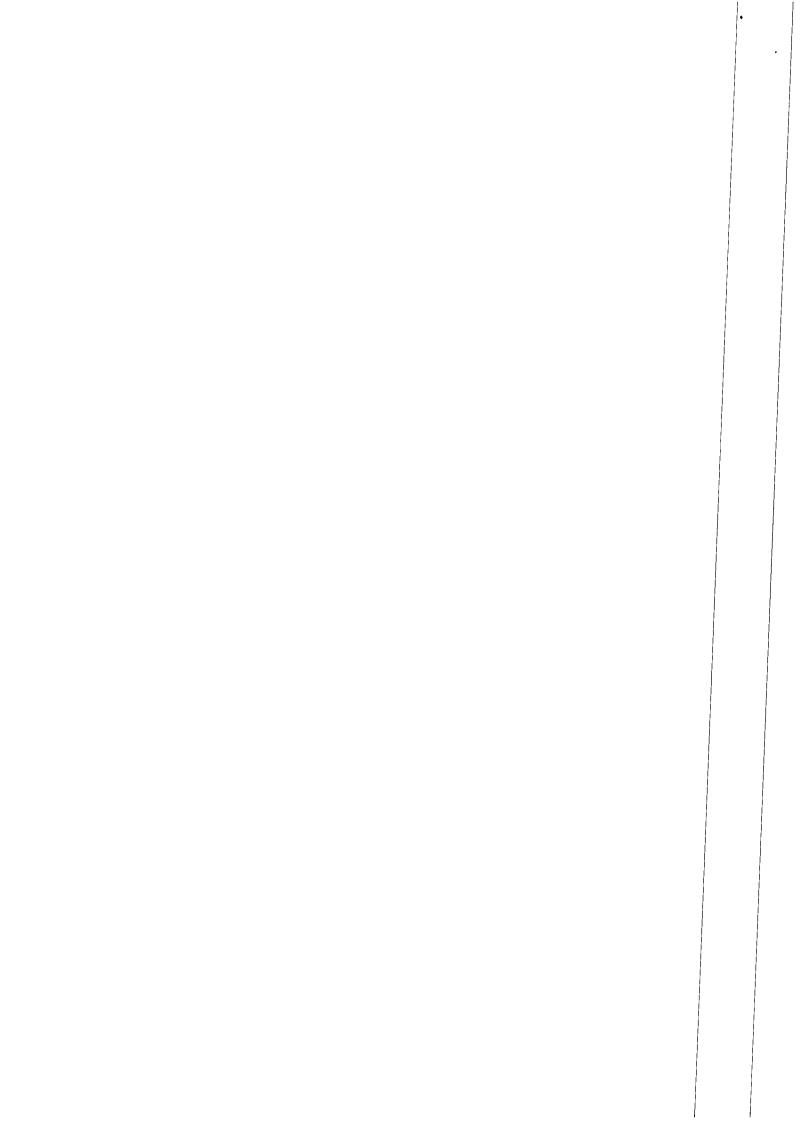
3.3 Effects of the OSBP on local community

- a. Increased smuggling activities
 - It was reported that following the deployment of additional border agencies at the border, the additional levies and fees being collected has affected the business profit margins of small and medium size local traders. This has resulted in most of the traders avoiding to cross the border at designated gazetted entry/exit point and increased use of illegal crossing points. Enforcement activities by border agencies in Kenya and Tanzania have resulted in increased seizures of the motor cycles used to ferry cargo and passengers across the border through the panya-routes; and
- b. Reduced job opportunities
 - It was observed that the OSBP project has resulted in job opportunities that have mainly been awarded to persons who are not from the local community. It was observed that the companies awarded the contracts to offer cleaning and security services are based out of the county and have mainly engaged persons who are not from the local community. The contract for restaurant services has not been awarded and consideration should be given to the local community.



3.4 Proposed Isebania OSBP Projects

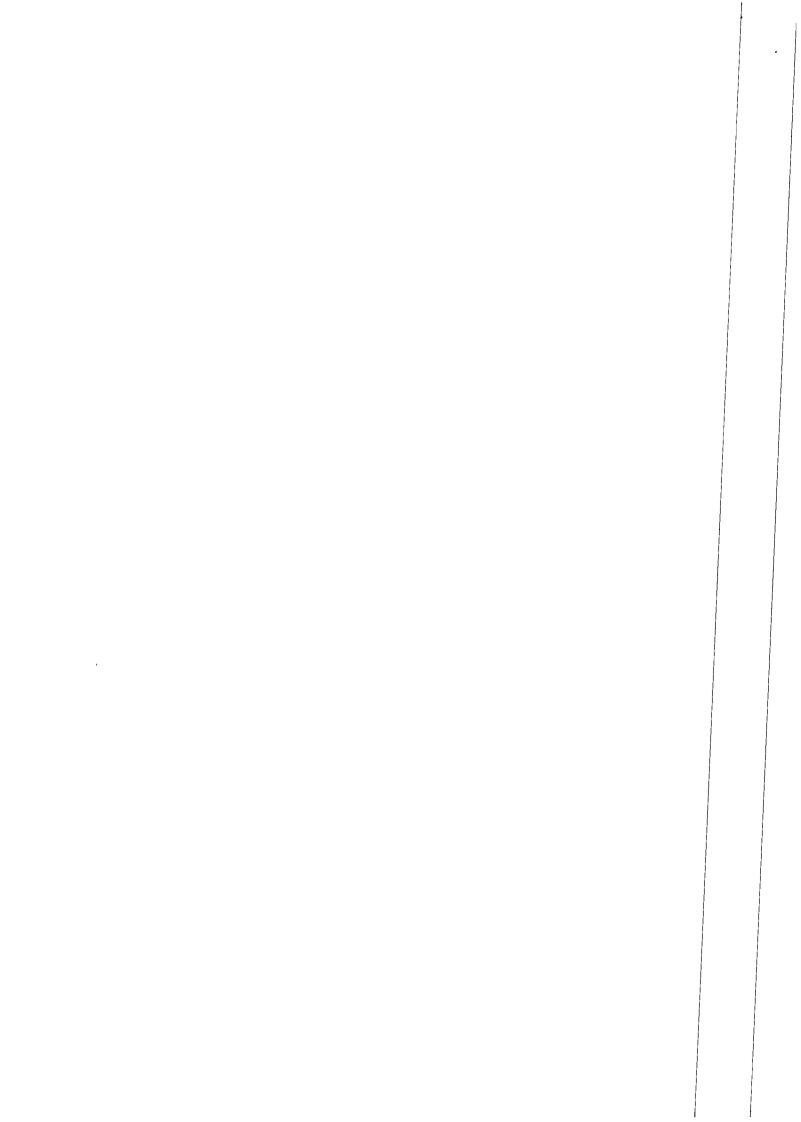
- a. The Agencies at Isebania One Stop Border Post presented the following proposals for consideration to the Committee:-
- b. Design modifications of the allocated OSBP areas to meet the required international standards;
- c. Immigration Department; Holding cells to be modified to accommodate areas for holding minors and pregnant women awaiting processing or repatriation;
- d. Port Health Services the Quarantine & Holding rooms to be modified to have amenities for use by quarantined travelers;
- e. Port Health Services the medical facility to be fully equipped with medical laboratory;
- f. Fisheries, Veterinary, KEPHIS & KEBS to be equipped with product testing laboratories/kits;
- g. State Department of Livestock (Veterinary) to be equipped with examination crushes and animal holding grounds;
- h. Additional Office furniture, Computers & Accessories (Printers & Scanners) the facility requires additional equipment for the staff;
- i. Proposal for the Housing Project for all border agency staff;
- j. Perimeter wall around the control zone for Isebania/Sirare OSBP;
- k. Training of the OSBP users and the local community; and
- l. Road connecting Isebania to Satellite Stations Kopanga, Nyamtiro & Muhuru Bay.



4.0 OBSERVATIONS

The Committee made the following observations:

- a. That Members of local Community on the Kenyan Side of the border are not considered for employment and business opportunities arising out of the establishment of the above facility;
- b. That there are numerous non-tariff barriers being imposed on exports out of Tanzania to Kenya. For instance, there is an export ban on Tilapia and un-processed Nile Perch from Tanzania to Kenya facilitated by high fees/levies for export permits of agricultural produce from Tanzania. These permits are only available at Dar as Salam as there are no local offices at Sir are to offer these services
- c. That there is Lack of a thermo scanner for early detection of Viral Hemorrhagic Fever (VHF) diseases.
- d. That the facility Lack designated areas/grounds for the accommodation of large groups of people in case of pandemics or asylum seekers;
- e. That border procedures at Sir are Border Post are not similar to those at Namangan Border Post;
- f. That the OSBP faces the challenge of inadequate water supply;
- g. That the Isebania route has in the past been used for human trafficking for citizens of Ethiopia and Somalia because they consider it convenient and insecure;
- h. That there are a number of laws that require harmonization and regulation to provide a legal frameworks for immigration and customs management;
- i. That there is Limited of awareness about the operations of the OSBP.



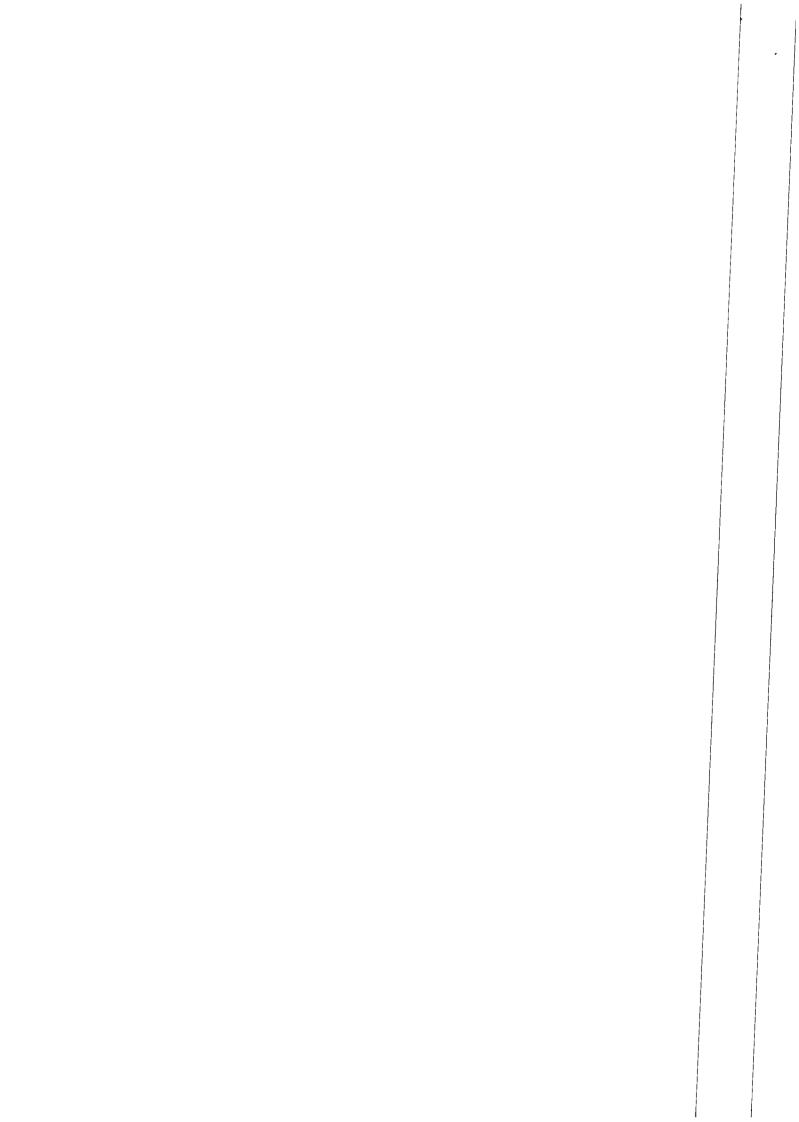
5.0 RECOMMENDATIONS

The Committee made the following recommendations:

- a. The Partner States should sensitize and encourage citizens to embrace the EAC spirit by enhancing regional integration and reciprocity treatment as demonstrated by President Kenyatta's directive on free movement within EAC without requirement of passport is not reciprocated in Tanzania;
- b. The Partner States should implement uniform application of procedures at all border posts facilities along the Kenya/Tanzania borders in terms of clearing of goods and people at the entry/exit points.
- c. Kenya and Tanzania should lift the periodical ban on exports of fish and levies and fees imposed on the exports;
- d. The Department of Immigration through the Ministry of Foreign Affairs, should harmonize requirements for business visa and other related requirements.
- e. The Partner States should heighten security at the border areas and encourage joint border coordinating committee meetings to ensure structured engagement;
- f. The additional borders entry/exit points including Muumuu Bay, Nyamira and Topanga to be gazetted and a law enacted to create mobile border stations and manned by all border agencies. The distance between Isebania border area of control and the next border entry point is Namangan which is 297 km. This leaves a vast stretch along the border that is un-manned and no record of activities happening in the various border crossings. This is both a security and revenue risk to the country; and
- g. The Committee recommended the removal of the barrier erected at the entrance of Isebania Border Post facility by the Migori County government.
- h. The OSBP authorities should ensure multi-stakeholder collaboration and partnership amongst border communities and other relevant agencies.
- i. The Ministry of EAC and Northern Corridor development should fast track efforts to harmonise policies in order to facilitate cross border trade within the region.
- j. The Governments of Kenya and URT should enhance the public private dialogues between Governments and business community.
- k. The Partner States should heighten security at the border areas and encourage joint border coordinating committee meetings to ensure structured engagement;

SIG	NED. Blada
	HON. NAISULA LESUUDA, OGW, M.P
	CHAIRPERSON
	COMMITTEE ON REGIONAL INTEGRATION
	12/06/2019

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MINUTES OF THE SEVENTEENTH SITTING OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION HELD ON FRIDAY 23RD MARCH, 2018 AT THE COUNTY COMMISSIONER'S OFFICE, IN ISEBANIA AT 10.00 A.M.

PRESENT

- 1. Hon. Capt. Ruweida Mohamed, M.P Vice Chairperson
- 2. Hon. Dr. Gideon Ochanda, M.P.
- 3. Hon. Mathias Robi, M.P.
- 4. Hon. Geoffrey Omuse, M.P.
- 5. Hon. Malulu Injendi, M.P
- 6. Hon. Gideon Keter, M.P.

APOLOGIES

- 1. Hon. William Kamket, M.P.
- 2. Hon. Ndindi Nyoro, M.P.
- 3. Hon. Ali Wario Guyo, M.P.

IN ATTENDANCE

COUNTY COMMISSIONER'S OFFICE MIGORI

1. Mr. Alex Chepsoi

OCS Isebania Police Station

2. Mr. Gathoku Masila

Deputy County Commissioner Kuria West

3. Mr. Benson Makundi

OCPD Kuria West

4. Mr. Benedict Kigen

County CID Officer

5. Mr. Julius Ameriko Omukanga

County AP Commander

6. Mr. Peter Mwakoma

In-Charge of Security

7. Mr. John Okulo

Security and Safety Officer

SECRETARIAT

1. Ms. Hellen Ekadeli

Clerk Assistant

2. Ms. Mary Lemerelle

Clerk Assistant

3. Mr. Boniface Mugambi

Sergeant at arms

4. Ms. Joyce Chelangat

Audio Intern

MINUTE NO.059/2018 PRELIMINARIES

The meeting was called to order at 10.15 a.m. and commenced with a word of prayer by Vice Chairperson, Ruweida Mohamed, M.P. An introduction was made and a welcome remarks from the County Commissioner of Isebania.

MINUTE NO.060/2018 BRIEFING AT COUNTY COMMISSIONER'S OFFICE

The meeting started with introduction and the Vice Chair gave a brief of the purpose of the visit towards the integration mandate of the Committee. She said that the Committee wishes to unearth the problems/challenges affecting the activities at the border, the operations of the facility and offer solutions to facilitate smooth running of the One Stop Border Facility.

The County Commissioner expressed gratitude to host the Committee and informed the members that the County is secured and experiencing calmness despite a few areas at the borders where the boda boda operators were harassed by the police from the neighboring country.

The business community around the border experiences challenges in terms of unlawful arrests, exorbitant fines and confiscation of their goods. The County Commissioner urged the Committee to look into the matter and create harmony within the border areas. He reiterated on the need to sensitize citizens of both Partner States to embrace integration and its accrued benefits.

MINUTE NO. 061/2018 ADJOURNMENT

There being no other business, the meeting was adjourned at eleven o'clock.

SIGNED	B lda
	(Chairperson)
DATE	30 5 18

MINUTES OF THE EIGHTEENTH SITTING OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION HELD ON FRIDAY 23RD MARCH, 2018 AT ISEBANIA ONE STOP BORDER FACILITY, IN ISEBANIA AT 2.00 P.M.

PRESENT

- 1. Hon. Capt. Ruweida Mohamed, M.P Vice Chairperson
- 2. Hon. Dr. Gideon Ochanda, M.P.
- 3. Hon. Mathias Robi, M.P.
- 4. Hon. Geoffrey Omuse, M.P.
- 5. Hon. Malulu Injendi, M.P
- 6. Hon. Gideon Keter, M.P.

APOLOGIES

- 1. Hon. William Kamket, M.P.
- 2. Hon. Ndindi Nyoro, M.P.
- 3. Hon. Ali Wario Guyo, M.P.

IN ATTENDANCE

OFFICERS AT ISEBANIA BORDER POST

1. Mr. John Gathagu - KRA Chief Manager

2. Mr. Martin Otieno - Station Manager Isebania Border

3. Mr. Festus Chekwony - ACC Isebania

4. Mr. Wilson Bor - County Inspectorate Officer

5. Mr. Kaunda Changama - In-Charge of Immigration

6. Mr. Richard Maoga - In-Charge of DCIA Isebania

7. Mr. Peter Aywa - Cross Border Chairman

8. Mr. Roncliff Mutai - In-Charge of KWS

9. Mr. Tom Ochwang - In-Charge of Fisheries Isebania

10. Mr. Charles Ng'etich - Public Health Officer

11. Mr. Fredrick Lubao - KRA

12. Ms. Valentine Makaya - Pharmacy and Poisons Board

13. Mr. Daniel Muksta - Kenya Bureau of Standards/Isebania

14. Ms. Emily Otieno - Reporter Migori County

15. Mr. Isaack Hassan - KRA

16. Mr. James Kiragu - CDF Coordinator

17. Ms. Zainabu Robi - Kuria West

18. Mr. Joseph Maoko - Business Person Isebania

19. Ms. Caroline Bwoke - Kuria West

20. Mr. Major Robi - CDF Chairman Kuria West

21. Ms. Irene Nyamae - Kenya Plant Inspectorate

22. Mr. Vincent Ogutu - KRA Isebania

23. Mr. Alex Chepsoi - OCS Isebania Police Station

24. Mr. Gathoka Masila - Deputy County Commissioner Kuria West

25. Mr. Benson Makundi - OCPD Kuria West

26. Mr. Benedict Kigen - County CID Officer

27. Mr. Julius A. Omukanga - County AP Commander

28. Mr. Peter Mwakoma - In-Charge of Security

29. Mr. John Okulo - Security and Safety Officer

SECRETARIAT

Ms. Hellen Ekadeli Clerk Assistant

2. Ms. Mary Lemerelle Clerk Assistant

3. Mr. Boniface Mugambi Sergeant at arms

4. Ms. Joyce Chelangat Audio Intern

MINUTE NO.062/2018 PRELIMINARIES

The meeting was called to order at 2.15 p.m.by the Chairperson. A prayer was said and introduction done by the members and then with the officers representing various agencies at the One Stop Border Facility. The meeting was also attended by representatives of the local community.

MINUTE NO.063/2018 BRIEFING AT ISEBANIA BORDER POST FACILITY

The Committee was informed that Isebania border is a gazetted entry/exit point along Kenya/Tanzania border, whereas Isebania is the Kenya side and Sirari is the Tanzania side of the

border respectively and that the border post covers the border areas of Muhuru Bay (Customs \$ Immigration), Kopanga/Kogaja Entry-Exit Point(Customs) and Nyamtiro/Borega Entry/Exit Point (Customs).

The Committee learnt that the old border management system was characterized by the following features:

- Two stop checks for cargo and passenger clearance;
- Each agency with own verification process independent of each other;
- Each agency operating in diverse locations from each other;
- Information sharing marred with bureaucratic procedures;
- Stand-alone cargo and passenger processing systems; and
- Silo-mentality approach in border management.

The old border management system resulted to:-

- Delays in cargo and passenger clearance due to the two-stops in Kenya and again in Tanzania; parallel verification of cargo by various border agencies, slow pace of information sharing;
- High operation costs for the traders and transporters resulting in high production costs;
- Movement from one office to another while looking for service; and
- Complex and numerous procedures of cargo clearance and logging into various agencies systems to process consignments.

The Committee noted the gains achieved by the operationalization of the One Stop Border Post facility as follows:-

- Standard operating procedures developed to guide cargo and passenger flow;
- Joint verification being carried out by border agencies and between KRA and TRA;
- Joint border meetings and consultations among border agencies and between Kenya and Tanzania;
- Reduced time to clear and process passengers and cargo clearance is within 2 hours of document presentation;
- Information sharing between border agencies within Kenya and with Tanzania;
- Increased revenue collections;

- Increased seizures of prohibited/restricted goods;
- Full roll out of Single Customs Territory(SCT) regime between Kenya and Tanzania; and
- Requisite taxes are assessed and collected by TRA before release at Mombasa (Marine Cargo) or Exporter (Kenya). TRA officers have been deployed in Kenya (Mombasa & Nairobi).

MINUTE NO. 064/2018

ADJOURNMENT

There being no other business, the meeting was adjourned at thirty minutes past four o'clock.

SIGNED.	
	(Chairperson)
30/5/2018	

MINUTES OF THE NINETEENTH SITTING OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION HELD ON SATURDAY 24TH MARCH, 2018 AT ISEBANIA ONE STOP BORDER FACILITY, IN ISEBANIA AT 10.00 A.M.

PRESENT

- 1. Hon. Capt. Ruweida Mohamed, M.P Vice Chairperson
- 2. Hon. Dr. Gideon Ochanda, M.P.
- 3. Hon. Mathias Robi, M.P.
- 4. Hon. Geoffrey Omuse, M.P.
- 5. Hon. Malulu Injendi, M.P
- 6. Hon. Gideon Keter, M.P.

APOLOGIES

- 1. Hon. William Kamket, M.P.
- 2. Hon. Ndindi Nyoro, M.P.
- 3. Hon. Ali Wario Guyo, M.P.

IN - ATTENDANCE

OFFICERS AT ISEBANIA BORDER POST

1. Mr. John Gathagu - KRA Chief Manager

2. Mr. Martin Otieno - Station Manager Isebania Border

4. Mr. Wilson Bor - County Inspectorate Officer

5. Mr. Kaunda Changama - In-Charge of Immigration

6. Mr. Richard Maoga - In-Charge of DCIA Isebania

7. Mr. Peter Aywa - Cross Border Chairman

8. Mr. Roncliff Mutai - In-Charge of KWS

9. Mr. Tom Ochwang - In-Charge of Fisheries Isebania

10. Mr. Charles Ng'etich - Public Health Officer

11. Mr. Fredrick Lubao - KRA

12. Ms. Valentine Makaya - Pharmacy and Poisons Board

13. Mr. Daniel Muksta - Kenya Bureau of Standards/Isebania

14. Ms. Emily Otieno - Reporter Migori County

15. Mr. Isaack Hassan - KRA

16. Ms. Irene Nyamae - Kenya Plant Inspectorate

17. Mr. Vincent Ogutu - KRA Isebania

18. Mr. Alex Chepsoi - OCS Isebania Police Station

19. Mr. Gathoka Masila - Deputy County Commissioner Kuria West

20. Mr. Benedict Kigen - County CID Officer

21. Mr. Julius A. Omukanga - County AP Commander

22. Mr. Peter Mwakoma - In-Charge of Security

SECRETARIAT

1. Ms. Hellen Ekadeli Clerk Assistant

2. Ms. Mary Lemerelle Clerk Assistant

3. Mr. Boniface Mugambi Sergeant at arms

4. Ms. Joyce Chelangat Audio Intern

MINUTE NO.065/2018 PRELIMINARIES

The meeting was called to order at 10.15 a.m. by the Chairperson. A prayer was said and the meeting conducted an inspection tour of the building. The inspection entailed visiting respective offices of the agencies and witnessing the flow of clearance of cargo and persons.

MINUTE NO.066/2018 INSPECTION VISIT OF ISEBANIA BORDER POST FACILITY

The Committee was informed that the construction of the Isebania facility commenced in July 2012 and financed by the World Bank. The facility is 95% complete and occupied by border agencies since August 2015.

The Committee confirmed that the following agencies have occupied the One Stop Border Post facility:-

- Kenya Revenue Authority Lead Agency;
- Department of Immigration;

- Port Health;
- National Police Service;
- National Intelligence Service;
- Pharmacy & Poisons Board;
- Kenya Bureau of Standards;
- Kenya Plant Health Inspectorate Services;
- Kenya Trade Network Agency;
- Directorate of Veterinary Services;
- Kenya Fisheries Service;
- Kenya Wildlife Services;
- Kenya Forestry Services; and
- Agricultural & Food Authority.

The Committee was informed that the facility Isebania/Sirari OSBP has been fully operationalized and waits commissioning before the month of July 2018. The facility has achieved some objectives and a number of success stories recorded despite having inadequacies of shortage of staff and maintenance and repairs budget framework not instituted.

The Committee learnt that the transit and export consignments volumes have decreased over the three year period (2015 to 2017) to reflect a shift towards the Single Customs Territory (SCT regime,

Volume (Quantity) Analysis

Year	Volume(Tonnage)	Growth (Decline)
2015	48,785	-

2016	31,663	(35%)	
2017	33,313	5%	

SUCCESS STORIES RECORDED BY AGENCIES

The Customs and Border Control agency informed the Committee that the main exports through Isebania consist of the following goods:-

- Salt, lime & cement;
- Articles of iron or steel;
- Sugars & sugar confectionery;
- Vegetable oils;
- Articles of plastics; and
- Iron and steel.

These exports to Tanzania originate from Nairobi, Mombasa, Kisumu, Nakuru and Thika.

Customs and Border Control

The Committee learnt that the major imports through Isebania include:-

- Animal feeds inputs (bran, seed cakes);
- Cereals (rice, maize);
- Live animals (cattle, goats);
- · Coal;
- Processed fish by-products; and
- Cotton lint.

Department of Immigration

The Department of Immigration informed the Committee that the facility has realized a reduction of clearance time from 8 to 3 minutes to process a traveller through the system and the new facility offers waiting area with amenities as opposed to the queues in the open under the elements of weather.

Kenya Fisheries Service

The Committee was informed that the customers are served within 10 minutes from transit consignments and within 15-30 minutes from import and export consignments. The products mainly processed are as follows:-

- Imports Dagaa, fresh water shrimps, fish meal, fish off-cuts.
- Export dried salted Tilapia from Turkana.
- Transits processed Nile Perch (fillets fresh & frozen; fish maws).

KEPHIS – Kenya Plant Health Inspectorate

The Committee was informed that customers are served within 15-30 minutes to process import consignments. The reduction of time is as a result of joint verification from the border agencies.

KEBS – Kenya Bureau of Standards

The Committee was informed that customers are served within 30 minutes when all documents are in order and cases that require testing are handled within 14 working days. The consignments that require local certificate of conformity and not subjected to testing are handled within 1 day.

KENTRADE – Kenya Trade Network Agency

The Committee was informed that KENTRADE works of developing an information trade portal is in progress where various agencies import/export procedures will be hosted. The customers are served within 30 minutes for walk in and within 24 hours for escalated issues.

MINUTE NO. 067/2018

<u>ADJOURNMENT</u>

There being no other business, the meeting was adjourned at thirty minutes past twelve o'clock.

(Chairperson)

DATE 30/5/2018

MINUTES OF THE TWENTIETH SITTING OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION HELD ON SATURDAY 24TH MARCH, 2018 AT ISEBANIA ONE STOP BORDER FACILITY, IN ISEBANIA AT 2.30 P.M.

PRESENT

- 1. Hon. Capt. Ruweida Mohamed, M.P Vice Chairperson
- 2. Hon. Dr. Gideon Ochanda, M.P.
- 3. Hon. Mathias Robi, M.P
- 4. Hon. Geoffrey Omuse, M.P.
- 5. Hon. Malulu Injendi, M.P.
- 6. Hon. Gideon Keter, M.P.

APOLOGIES

- 1. Hon. William Kamket, M.P.
- 2. Hon. Ndindi Nyoro, M.P.
- 3. Hon. Ali Wario Guyo, M.P.

IN - ATTENDANCE

OFFICERS AT ISEBANIA BORDER POST

1. Mr. John Gathagu	-	KRA Chief Manager (Lead Agecny)
2. Mr. Martin Otieno	-	Station Manager Isebania Border
3. Mr. Wilson Bor	-	County Inspectorate Officer
4. Mr. Kaunda Changama	-	In-Charge of Immigration
5. Mr. Richard Maoga	-	In-Charge of DCIA Isebania
6. Mr. Peter Aywa	-	Cross Border Chairman
7. Mr. Roncliff Mutai	-	In-Charge of KWS
8. Mr. Tom Ochwang	-	In-Charge of Fisheries Isebania
9. Mr. Charles Ng'etich -	Public	: Health Officer
10. Ms. Valentine Makaya	-	Pharmacy and Poisons Board
11. Mr. Daniel Muksta	-	Kenya Bureau of Standards/Isebania
l2. Ms. Irene Nyamae	-	Kenya Plant Inspectorate

13. Mr. Alex Chepsoi

OCS Isebania Police Station

14. Mr. Benedict Kigen

County CID Officer

SECRETARIAT

1. Ms. Hellen Ekadeli

Clerk Assistant

2. Ms. Mary Lemerelle

Clerk Assistant

3. Mr. Boniface Mugambi

Sergeant at arms

4. Ms. Joyce Chelangat

Audio Intern

MINUTE NO.068/2018

PRELIMINARIES

The meeting was called to order at 2.45 p.m. by the Chairperson. A prayer was said and the agenda of this meeting was to meet the Isebania Border Post Management in order to map out the challenges affecting them and present proposals to the Committee on the way forward.

MINUTE NO.069/2018

MEETING WITH THE ISEBANIA BORDER POST MANAGEMENT

The Committee was informed that Kenya benefits from the bilateral trades in the region hence there is need to strengthen integration between the two countries. A number of issues were raised which require the Committee's intervention by the respective agencies at the border post facility including:-

Immigration Department

- Harmonization of visa and other related requirements. The Committee was informed that business visas rates are higher in Tanzania;
- Reciprocity in EAC spirit is lacking since Kenyan trader experience harassments by police and subjected to extreme fines;
- Presidential directive on EAC free movement is not achievable at the moment since other Partner States do not support the initiative;
- The facility requires a repatriation holding ground to serve for illegal immigrants awaiting repatriation after serving their sentences;

National Police Service

Proposes Interpol services and information to be decentralized to border stations.

Port Health

Proposes harmonization of yellow fever vaccination rates across EAC.

KEPHIS

- Address the ban on imports of maize from Tanzania which is in low volumes unlike higher maize imports in Namanga.
- Restrictions experienced of export of Irish potatoes.

KEBS

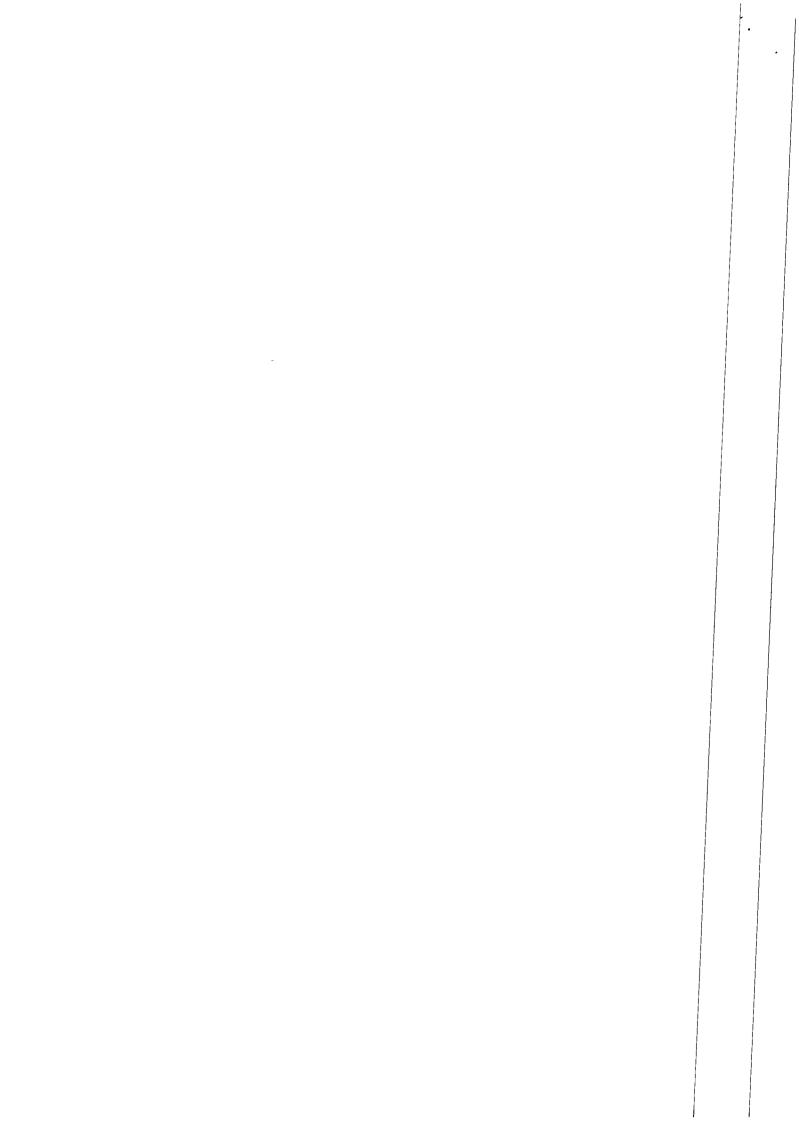
- Mutual recognition of regional quality mark. Some products crossing the border do not bear regional quality marks.
- Banned products end up smuggled for instance cosmetics, liquor in sachets and plastic bags banned in Kenya.
- EAC products should have harmonized standards instead of regional quality mark of respective Partner States.

MINUTE NO. 070/2018

ADJOURNMENT

There being no other business, the meeting was adjourned at thirty minutes past three o'clock.

	SIGNED	Allela
		(Chairperson)
	DATE	30/5/18
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MINUTES OF THE THIRTY-THIRD SITTING OF THE SELECT COMMITTEE ON REGIONAL INTEGRATION HELD ON WEDNESDAY 30TH MAY, 2018 AT ENGLISH POINT MARINA HOTEL IN MOMBASA AT 9.00 A.M.

PRESENT

- 1. Hon. Naisula Lesuuda, MP, OGW Chairperson
- 2. Hon. Capt. Ruweida Mohamed, M.P Vice Chairperson
- 3. Hon. Mathias Robi, M.P.
- 4. Hon. Malulu Injendi, M.P.
- 5. Hon. Joyce Emanikor, MP
- 6. Hon. Gideon Keter, M.P.
- 7. Hon. William Kamket, M.P.
- 8. Hon. Ndindi Nyoro, M.P.
- 9. Hon. Memusi Kanchory, MP
- 10. Hon. Sen. Janet Onge'ra, MP
- 11. Hon. Eve Obara, MP
- 12. Hon. Kubai Iringo, MP
- 13. Hon. Abdi Mude Ibrahim, MP
- 14. Hon. Erastus Kivisu, MP
- 15. Hon. Kassim Tandaza, MP

APOLOGIES

- 1. Hon. Ali Wario Guyo, M.P.
- 2. Hon. Dr. Gideon Ochanda, M.P.
- 3. Hon. Geoffrey Omuse, M.P.
- 4. Hon. Janet Teiyaa, MP
- 5. Hon. Nasri Sahal Ibrahim, MP
- 6. Hon. Rozaah Buyu, MP
- 7. Hon. Ezekiel Ombaki, MP

ABSENT

1. Hon. Christopher Nakuleu, MP

IN - ATTENDANCE

MINISTRY OF EAST AFRICAN COMMUNITY AND NORTHERN CORRIDOR

DEVELOPMENT

1. Hon. Ken Obura - Chief Administrative Secretary

2. Mr. Julius Mwabu - Deputy Director

3. Ms. Winnie Cheserem - Principal State Counsel

4. Mr. Mark Ogut - Senior Ass. Director

SECRETARIAT

1. Ms. Hellen Ekadeli - Clerk Assistant

2. Ms. Mary Lemerelle - Clerk Assistant

3. Ms. Christine Odhiambo - Legal Counsel

4. Mr. James Kimiti - Audio Officer

MINUTE NO.124/2018 PRELIMINARIES

The meeting was called to order at 9.30 a.m. by the Chairperson. A prayer was said by Hon. Malulu Injendi and the agenda of the meeting was adopted as consideration of the reports of inspection visits and foreign travels conducted by the Committee.

MINUTE NO.125/2018

CONSIDERATION AND ADOPTION OF ISEBANIA
ONE STOP BORDER POST INSPECTION VISIT IN
MIGORI COUNTY

The Committee examined the report and agreed on its recommendations as follows:-

a. The Partner States should sensitize and encourage their citizens to embrace the EAC spirit of enhancing regional integration and reciprocity treatment in engaging with other Partner States. Kenya Presidential directive on free movement within EAC without requirement of passport is not reciprocated in Tanzania;

b. The Partner States to implement uniform application of procedures at all border posts facilities along the Kenya/Tanzania borders in terms of clearing of goods and people at the entry/exit points. Procedures at Sirare Border Post are not similar with those at Namanga Border Post;

- c. The Partner States to lift the periodical ban on exports of fish and levies and fees imposed on the exports. There are numerous non-tariff barriers being imposed on exports out of Tanzania to Kenya. There is an export ban on Tilapia and un-processed Nile Perch from Tanzania to Kenya. High fees/levies for export permits of agricultural produce from Tanzania. These permits are only available at Dar es Salam as there are no local offices at Sirare to offer these services;
- d. The Department of Immigration through the Ministry of Foreign Affairs to harmonize the business visa and other related requirements. The business visa rates are higher in Tanzania;
- e. The Partner States to heighten security at the border areas and encourage joint border coordinating committee meetings to ensure structured engagement;
- f. The additional borders entry/exit points including Muhuhu Bay, Nyamtiro and Kopanga to be gazetted and a law enacted to create mobile border stations and manned by all border agencies. The distance between Isebania border area of control and the next border entry point is Namanga is 297 km. This leaves a vast stretch along the border that is un-manned and no record of activities happening in the various border crossings. This is both a security and revenue risk to the country; and
- h. The Committee recommended the removal of the barrier erected at the entrance of Isebania Border Post facility by the Migori County government.

The Committee adopted the report having been proposed and seconded by Hon. Mathias Robi and Hon. Malulu Injendi respectively.

MINUTE NO. 126/2018 CONSIDERATION AND ADOPTION OF EALA PLENARY SESSION IN ARUSHA

The Committee considered the report and agreed to its observations as follows:-

- i. Mobilize resources towards EAC subsequent budgets to facilitate the operations of the EAC Secretariat and other institutions;
- ii. Increase the percentage of Kenyans employed at the EALA, UN, AU offices respectively; and
- iii. Support a proposal of EALA members to draft a welfare bill for inclusion in the Parliamentary Service Commission.

It further recommended that:-

- a. The Ministry of EAC and Northern Corridor Development should liaise with the National Treasury in mobilizing resources towards the operations of the EAC Secretariat and its institutions;
- b. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor Development should induct members of the Committee and EALA members to realize their respective mandates and areas of collaboration;
- c. The EALA Members Kenya Chapter should draft a welfare bill for inclusion in the Parliamentary Service Commission;
- d. The Select Committee on Regional Integration and the Ministry of EAC and Northern Corridor should fast track the process of amending the EAC Treaty where necessary due to numerous flaws in the Treaty;
- e. The Select Committee on Regional Integration, the National Assembly and the Ministry of EAC and Northern Corridor should strengthen relationships for ease of communication and sharing of information in strengthening the integration issues;
- f. The Partner States should harmonize regional laws in conjunction with the EAC Laws; and
- g. The Select Committee on Regional Integration should benchmark in Uganda and learn from the Regional Integration Committee. The benchmark should include the EAC Institutions within the Partner States.

The report was adopted having been proposed and seconded by Hon. Kubai Iringo and Hon. Memusi Kanchory respectively.

MINUTE NO. 127/2018 CONSIDERATION AND ADOPTION OF EALA PLENARY SESSION IN DODOMA

The Committee discussed the report and recommends the following to the National Assembly

a. That the Council of Ministers should in consultation with respective Partner States Assemblies, develop an enforcement mechanism for the implementation of the commitments agreed by Partner States;

- b. That, the Ministry of EAC and Northern Corridor Development should intensify sensitization programs about the EAC Integration, its aspirations, its benefits and the role of ordinary Kenyan citizens;
- c. That, the Ministry of EAC and Northern Corridor Projects should ensure that all the projects implemented by the EAC Institutions in Kenya are well integrated into the local community development priorities;
- d. That, the Ministry of EAC and Northern Corridor Development to request the Council of Ministers to increase the funding of EAC Institutions for growth and execution of their mandate;
- e. That, the Ministry of EAC and Northern Corridor Development to liaise with the National Treasury to ensure timely remittance of Kenya's contribution to EAC budget and regularly brief the Select Committee on Regional Integration on the same;
- f. That, the Ministry of EAC and Northern Corridor should liaise with the Council of Ministers to direct Partner States to ensure effective interface of different Customs IT Systems for seamless operations;
- g. That, the Ministry of EAC and Northern Corridor Development should identify the Kenyan laws, policies and regulations that needs to be harmonized with other Partner States and share the same with the Select Committee on Regional Integration for fast tracking in facilitation of cross border trade within the region; and
- h. The State department of Immigration to facilitate adequate staffing and infrastructural development within the One Stop Border Post facilities and ensure free movement of persons particularly students from Partner States.

MINUTE NO. 128/2018

CONSIDERATION OF NAMANGA ONE STOP BORDER POST INSPECTION VISIT IN KAJIADO COUNTY.

The Committee examined the report and conclusively agreed to invite the Kenya Revenue Authority CEO to address the issues which were raised by the local community concerning the operations and management of the Namanga Border Post facility. The primary issues touched on

unemployment of the locals, treatment of women traders, tendering and allocations of tenders to non-locals, use of facilities within the Border Post including the operations of the canteen and corporate social responsibility of the facility towards the locals.

MINUTE NO. 129/2018 ADJOURNMENT

There being no other business, the meeting was adjourned at thirty minutes past one o'clock.

SIGNED	A Land	
		(Chairperson)
DATE	5/06/2018	



SELECT COMMITTEE ON REGIONAL INTEGRATION

ADOPTION OF ISEBANIA ONE STOP BORDER POST REPORT

S/No	NAME	SIGNATURE
1.	Hon. Naisula Lesuuda,OGW, M.P	Meuch
2.	Hon. Capt.Ruweida Mohamed, M.P	Nah
3.	Hon. Mathias Robi, M.P	10000000
4.	Hon. William Kamket, M.P	LANZ LA
5.	Hon. Eve Obara, M.P	the med of
6.	Hon. Ali Wario, M.P	
7.	Hon. Ndindi Nyoro, M.P	MAS
8.	Hon. Geoffrey Omuse, M.P	
9.	Hon. Rozaah Buyu, M.P	
10.	Hon. Janet Ongera, M.P	Q/a
11.	Hon. Nasri Ibrahim, M.P	
12.	Hon. Memusi Ole Kanchory, M.P	
13.	Hon. Dr. Gideon Ogolla, M.P	5
14.	Hon. Iringo Cyprian Kubai, M.P	Mund
15.	Hon. Moses Injendi, M.P	Amandi'
16.	Hon. Gideon Keter, M.P	an in
17.	Hon. Kassim Tandaza Sawa, M.P	KIS
18.	Hon. Abdi Mude Ibrahim, M.P	
19.	Hon. Joyce Emanikor, M.P	
20.	Hon. Erastus Kivasu, M.P	
21.	Hon. Ezekiel Ombaki, M.P	,
22.	Hon. Christopher Nakuleu, M.P	
23.	Hon. Janet Teyiaa, M.P	Account of the contract of the

