WORLD TRADE ORGANIZATION

TFAD Trade Facilitation Agreement Database

# Kenya

**Ratified Agreement:** Yes

**Ratification Date:** 2015-12-10

| Implementation Notifications (Categories A, B, C) | | | Due date | Status |
|---|---|---|---|---|
| Notified all category ABC designations | | | by 22 February 2017 | Yes |
| A - 7.6% | B - 22.7% | C - 69.7% | **Not yet notified** - 0.0% | |
| Notified indicative dates in Category B | | | by 22 February 2017 | Yes |
| Notified definitive dates in Category B | | | by 22 February 2018 | Yes |
| Notified indicative dates in Category C | | | by 22 February 2017 | Yes |
| Notified definitive dates in Category C | | | by 22 August 2019 | Yes |
| Notified Technical Assistance requirements | | | by 22 February 2017 | Yes |
| Notified arrangements on the provision of technical assistance support | | | by 22 February 2018 | Yes |
| Notified progress in the provision of technical assistance support | | | by 22 August 2019 | Yes |

| Transparency notifications | | | |
|---|---|---|---|
| Notified Art. 1.4 | Category A | Definitive implementation date 22 February 2017 | Yes |
| Notified Art. 10.4.3 | Category C | Definitive implementation date 8 September 2023 | Yes |
| Notified Art. 10.6.2 | Category A | Definitive implementation date 22 February 2017 | Yes |
| Notified Art. 12.2 | Category C | Definitive implementation date 1 August 2025 | Yes |

## Information on Assistance and Capacity Building

| | |
|---|---|
| Notified Art. 22.3 | Yes |

**Legend:** Yes Notification presented | No Notification due | No Notification not yet due

| Implementation schedule | | | Indicative implementation date | Definitive implementation date |
|---|---|---|---|---|
| 1.1 | Publication | B | by 22 February 2023 | by 08 September 2023 |
| 1.2 | Information available through internet | C | by 22 February 2026 | by 08 September 2023 |
| 1.3 | Enquiry points | C B»C E | by 22 February 2023 | by 30 September 2027 |
| 1.4 | Notification | A | | by 22 February 2017 |
| 2.1 | Comments and information before entry into force | B | by 22 February 2023 | by 08 September 2023 |
| 2.2 | Consultations | B | by 22 February 2023 | by 08 September 2023 |
| 3 | Advance rulings | B | by 22 February 2023 | by 08 September 2023 |
| 4 | Procedures for appeal or review | Ap Cp E | from 22 February 2017 to 22 February 2023 | from 22 February 2017 to 30 June 2026 |
| 5.1 | Notifications for enhanced controls or inspections | C E | by 22 February 2023 | by 30 June 2026 |
| 5.2 | Detention | A | | by 22 February 2017 |
| 5.3 | Test procedures | C | by 22 February 2023 | by 30 June 2033 |
| 6.1 | General disciplines on fees and charges | C | by 22 February 2030 | by 30 June 2033 |
| 6.2 | Specific disciplines on fees and charges | C | by 22 February 2023 | by 01 August 2025 |
| 6.3 | Penalty Disciplines | C | by 22 February 2023 | by 01 August 2025 |

| Implementation schedule | | | Indicative implementation date | Definitive implementation date |
|---|---|---|---|---|
| 7.1 | Pre-arrival processing | C E | by 22 February 2023 | by 30 June 2026 |
| 7.2 | Electronic payment | B | by 22 February 2025 | by 08 September 2023 |
| 7.3 | Separation of release | B | by 22 February 2023 | by 08 September 2023 |
| 7.4 | Risk management | C E | by 22 February 2023 | by 30 June 2026 |
| 7.5 | Post-clearance audit | C | by 22 February 2023 | by 08 September 2023 |
| 7.6 | Average release times | C E | by 22 February 2023 | by 30 June 2026 |
| 7.7 | Authorized operators | C E | by 22 February 2023 | by 30 June 2026 |
| 7.8 | Expedited shipments | C | by 22 February 2023 | by 08 September 2023 |
| 7.9 | Perishable goods | C | by 22 February 2023 | by 30 June 2030 |
| 8 | Border Agency Cooperation | C | by 22 February 2023 | by 08 September 2023 |
| 9 | Movement of goods | A | | by 22 February 2017 |
| 10.1 | Formalities | C E | by 22 February 2023 | by 30 June 2026 |
| 10.2 | Acceptance of copies | C | by 22 February 2023 | by 08 September 2023 |
| 10.3 | Use of international standards | C E | by 22 February 2023 | by 30 June 2026 |

| Implementation schedule | | | Indicative implementation date | Definitive implementation date |
|---|---|---|---|---|
| 10.4 | Single window | C | by 22 February 2023 | by 08 September 2023 |
| 10.5 | Preshipment inspection | A | | by 22 February 2017 |
| 10.6 | Use of customs brokers | A | | by 22 February 2017 |
| 10.7 | Common border procedures | B | by 22 February 2023 | by 08 September 2023 |
| 10.8 | Rejected Goods | C | by 22 February 2023 | by 30 June 2033 |
| 10.9 | Temporary admission of goods and inward and outward processing | B | by 22 February 2021 | by 08 September 2023 |
| 11 | Transit | C E | by 22 February 2023 | by 30 June 2026 |
| 12 | Customs cooperation | Bp Cp | by 22 February 2023 | by 01 August 2025 |

**Legend**

| | | | | | |
|---|---|---|---|---|---|
| A | Notified in Cat. A | Ap | Partially notified in A | | |
| B | Notified in Cat. B | Bp | Partially notified in B | C»B | Shift from C to B |
| C | Notified in Cat. C | Cp | Partially notified in C | B»C | Shift from B to C |
| N | Not yet notified | E | Extension of time requested | | |

## Notifications and other documents

| Symbol | Date | Description |
|---|---|---|
| G/TFA/N/KEN/1/Add.3 | 2026-04-16 | Extension of implementation dates |

| Symbol | Date | Description |
|---|---|---|
| G/TFA/N/KEN/1/Add.4 | 2026-04-16 | Earlier implementation |
| G/TFA/W/132 | 2026-04-16 | Provision on the national transit coordinator - Communication from Kenya |
| G/TFA/N/KEN/1/Add.1 | 2023-10-23 | Earlier implementation |
| G/TFA/N/KEN/1/Add.2 | 2023-10-23 | Category shifting and extension of implementation dates |
| G/TFA/W/92 | 2023-07-05 | The role of technology transfer in building resilience: Trade Facilitation |
| G/TFA/N/KEN/5 | 2023-02-23 | Donor arrangements and progress in the provision of technical assistance |
| G/TFA/N/KEN/3/Rev.1 | 2022-05-18 | Article 1.4 - Revision |
| G/TFA/N/KEN/4 | 2022-01-07 | Articles 10.4.3, 10.6.2, 12.2.2 |
| G/TFA/N/KEN/2 | 2021-06-10 | Article 22.3 |
| G/TFA/N/KEN/3 | 2021-06-10 | Article 1.4 |
| G/TFA/N/KEN/1 | 2019-10-22 | Categories B and C notification |
| WT/PCTF/N/KEN/1 | 2015-05-13 | Category A notification |

## Technical Assistance detailled information

### 1.2 Information available through internet

C

**1.2.1 (a), (b), (c)**
**1.2.2**
**1.2.3**

**Indicative date of implementation**
22 February 2026

**Definitive date of implementation**
8 September 2023

### Assistance required for implementation

Support to:
1. Review and update information relating to expediting the movement, release, and clearance of goods, including goods in transit available on the websites of Ministries /Agencies involved in the implementation of the Trade Facilitation Agreement (TFA), and to create an effective information management system;
2. Harmonize Information Technology (IT) policies of the Ministries/Agencies implementing the TFA and integrate them to the national trade portal;
3. Upgrade, secure and maintain the Information Communication Technology (ICT) infrastructure; and
4. Create awareness on the information portal and capacity building.

**Tags:** *Information and communication technologies (ICT), Infrastructure and equipment, Awareness-raising*

**Donor Agencies:** German International Development Agency, TradeMark Africa, United Nations Conference on Trade and Development, International Trade Centre

### Progress reported

The Kenya Trade Network Agency (KenTrade) is in receipt of technical support from GIZ, TMEA, and UNCTAD to establish and host the Trade Information Portal (TIP) as well as update information in the portal. The agency also received technical support from ITC to create awareness amongst key stakeholders and Partner Government Agencies (PGAs) on availability and access of information in the portal.
The State Department for Trade received technical support from TMEA to develop the Kenya National Trade Information portal. The Department requires support to operationalize the Portal.
Among the support areas in the operationalization of the portal;
(i) Document, review, and update county/regional government trade procedures to ensure all information is available in the internet.
(ii) Host, upgrade and set up a system update mechanism for the National Trade Information Portal
(iii) Create awareness among stakeholders about the availability of information in the internet

C

1.3.1
1.3.2
1.3.3
1.3.4

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 September 2027

## Assistance required for implementation

Kenya is seeking financial & technical assistance and capacity building support to set up a national enquiry point for the Ministry in charge of Trade since it is the centralized point of enquiry for trade matters.

**Tags:** *Information and communication technologies (ICT)*

Shift from Cat. B to Cat. C notification.

4.6

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Establish a framework to network all border agencies; and
2. Build capacity for Kenya Bureau of Standards (KEBS) and KenTrade to coordinate all border agencies on matters of administrative decisions through Single Window.

**Tags:** *Legislative and regulatory framework, Institutional procedures*

**Donor Agencies:** to be determined

## Progress reported

The Ministry responsible for international trade requires technical support from development partners to:
(i) Develop a framework to set up procedures for appeal/review of administrative decisions
(ii) Set up institutional mechanism for appeal/review of administrative decisions

5.1 (a), (b), (c), (d)

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Develop modern systems of notifying stakeholders about enhanced controls and inspections;
2. Equip and establish infrastructure to detect food hazards, including early warning systems; and
3. Train staff on import alerts/ rapid alert tests

**Tags:** *Information and communication technologies (ICT), Infrastructure and equipment, Human resources and training*

**Donor Members:** European Union

**Donor Agencies:** TradeMark Africa

## Progress reported

The Kenya Bureau of Standards (KEBS) received capacity-building support from TMEA to hold regular meetings and train stakeholders on notifications. The Bureau also received support from the WTO to capacity-build staff from different government border agencies.
The Directorate of Veterinary Services (DVS) received technical support from the EU for new equipment for the detection of food hazards, and refurbish food safety laboratories.
Kenya still requires support as detailed below;
Kenya Plant Health and Inspectorate Service and KEBs will requires assistance to;
(i) Equip and establish infrastructure to inspect and detect food hazards, including early warning systems at all points of entry.
(ii) Develop better and proper mechanism for notifying stakeholders about enhanced controls and inspections
(iii) Train border agencies and other stakeholders on import alerts/ rapid alert tests

5.3.1
5.3.2
5.3.3

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2033

## Assistance required for implementation

Support to:
1. Establish, equip, accredit, and network, laboratories;
2. Attain mutual recognition of conformity from other Members; and
3. Review the legal framework of KEBS, Kenya Plant Health Inspectorate Services (KEPHIS), Directorate of Veterinary Services (DVS), Ministry of Health and other relevant border agencies to align with the relevant provisions of the Trade Facilitation Agreement.

**Tags:** *Legislative and regulatory framework, Infrastructure and equipment*

**Donor Members:** European Union

**Donor Agencies:** TradeMark Africa

## Progress reported

The Kenya Bureau of standards (KEBS) received technical support from TMEA and EU to establish laboratories for testing and to procure laboratory and testing equipment.
Kenya Plant Health and Inspectorate Service received technical support from TMEA to install analytical equipment for testing and personnel training at EU reference laboratories.
However, other key Agencies still require support. The Department of livestock, Department of Fisheries do not have sufficient laboratories for 2nd tests. Technical assistance is required to establish testing laboratories and other logistics and also capacity building for Test Procedures.
Development partners' assistance is required in the following areas:
1. Review of the legal frameworks of various border agencies to provide an opportunity for a second test.
2. Establishment and accreditation of more laboratories for testing
3. Equipment
4. Calibration
5. Training and capacity building

C

6.1.1
6.1.2
6.1.3
6.1.4

**Indicative date of implementation**
22 February 2030

**Definitive date of implementation**
30 June 2033

## Assistance required for implementation

Support to:
1. Review and simplify the fees and charges levied basing them on criteria corresponding to the cost of the services rendered;
2. Develop a mechanism for periodic review of fees and charges for purposes of reducing their numbers and diversity; and
3. Draft guidelines on fees and charges to be used by the public sector and also set up a pool of experts to assist border agencies to set up their fees and charges.

**Tags:** *Information and communication technologies (ICT), Legislative and regulatory framework, Human resources and training*

**Donor Agencies:** TradeMark Africa

## Progress reported

Kenya received technical support from TMEA through the Shippers Council of Eastern Africa (SCEA) to undertake a study on fees and charges.
Kenya requires technical assistance from development partners to:
(i) Implement the recommendations of the study findings, including a legal review on existing legislation to allow for a review of fees and charges.
(ii) Sensitization of importers/exporters, and agents on the applicable fees, charges, and penalties.

C

6.2 (i), (ii)

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
1 August 2025

## Assistance required for implementation

Support to:
1. Draft guidelines on specific fees and charges to be used by the customs authority.

**Tags:** *Legislative and regulatory framework*

**Donor Agencies:** TradeMark Africa

## Progress reported

As noted under Art. 6.1, a study was carried out on fees and charges with the support of TMEA.
Kenya requires technical assistance from development partners to;
(i) Implement the recommendations of the study findings including a legal review on existing legislation to allow for review of fees and charges, specifically for Customs.
(ii) Sensitize sensitization of importers/exporters, and agents on the applicable fees charges, and penalties under Customs.

C

**6.3.1**
**6.3.2**
**6.3.3**
**6.3.4 (a), (b)**
**6.3.5**
**6.3.6**
**6.3.7**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
1 August 2025

## Assistance required for implementation

Support to:
1. Establish a mechanism of addressing an error where a person voluntarily discloses to a Kenya Customs administration the circumstances of a breach of customs law, regulations, or procedural requirements prior to the discovery of that breach by custom administration;
2. Formulate guidelines and policies which will help the officers distinguish between a mistake and fraudulent conduct before imposing penalties;
3. Develop procedure manuals for assessment of mitigations, settlement and collection of civil and administrative penalties; and
4. Align domestic law with the relevant provisions of the Trade Facilitation Agreement.

**Tags:** *Information and communication technologies (ICT), Legislative and regulatory framework*

**Donor Agencies:** to be determined

## Progress reported

Kenya requires technical support to:
(i) Established a legal framework/mechanism to guide on the application of penalties.
(ii) Review national laws to align them with the provisions of the TFA.

7.1.1
7.1.2

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Upgrade the ICT systems and automate operations of the Customs administration and other relevant agencies;
2. Develop and implement an effective risk management system;
3. Integrate all border agencies systems to access Kenya Port Authority (KPA) Bay Plan to complement the shipping manifests;
4. Integrate Automated System for Customs Data (ASYCUDA) of Uganda, Tanzania Customs Integrated System (TANCIS) of Tanzania, and Integrated Customs Management System (ICMS) systems to facilitate trade;
5. Enhance capacity building of border agencies; and
6. Train on the Integrated Customs Management Systems and Single Window.

**Tags:** *Information and communication technologies (ICT), Human resources and training*

**Donor Agencies:** German International Development Agency

## Progress reported

The Kenya Revenue Authority (KRA) received support from GIZ to facilitate the establishment and operationalization of a Multi-Agency Pre-Arrival Processing Committee to coordinate implementation of Pre-Arrival Processing (P-AP). The Authority also received support from GIZ to undertake a study on P-AP.
Kenya still requires support from development partners to:
(i) Upgrade agencies' systems to incorporate artificial intelligence to recognize pre-arrival declaration
(ii) Integrate non-cellular vessels into the Integrated Customs Management System for compatibility.
(iii) Build capacity and sensitization of stakeholders and border agencies on Pre-Arrival Processing
(iv) Undertake legal review to accommodate P-AP
(v) Benchmark with other WTO members who have fully implemented Pre-Arrival Processing

C

7.4.1
7.4.2
7.4.3
7.4.4

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Formulate a National strategy for undertaking Post-Clearance Audit by all border agencies
2. Train staff of all border agencies on post audit procedures and methods; and
3. Sensitize stakeholders on Post Clearance Audit.

**Tags:** *Legislative and regulatory framework, Human resources and training, Awareness-raising*

**Donor Agencies:** German International Development Agency

## Progress reported

The Kenya Trade Network Agency received technical support from GIZ to roll out the Risk Management Module in the Single Window.
Kenya still requires assistance to implement the Article:
The Kenya Revenue Authority and Kenya Trade Network Agency support to;
(i) Develop a risk management governance framework for all border agencies
(ii) Integrate systems for all border agencies to implement Risk Management
(iii) Train and build capacity of border agencies on Risk Management
(iv) Train relevant stakeholders on risk management

C

7.5.1
7.5.2
7.5.3
7.5.4

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
8 September 2023

## Assistance required for implementation

Support to:
1. Formulate a National strategy for undertaking Post-Clearance Audit by all border agencies
2. Train staff of all border agencies on post audit procedures and methods; and
3. Sensitize stakeholders on Post Clearance Audit.

**Tags:** *Legislative and regulatory framework, Human resources and training, Awareness-raising*

**Donor Agencies:** World Customs Organization

## Progress reported

The Kenya Revenue Authority staff were trained on post-clearance audit by WCO.
Kenya requires technical assistance from development partners to:
(i) Develop national framework on post clearance audit
(ii) Train staff of border agencies on post-clearance audit procedures and methods
(iii) Sensitize stakeholders on post-clearance audit

C

7.6.1
7.6.2

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Develop a National policy document on establishment and publication of average release time;
2. Establish a National inter-agencies coordination unit under State Department for Trade (SDT) to implement this measure;
3. Design a monitoring system of average release times and ensure their publication;
4. Train and assign qualified persons to carry out time release studies; and
5. Establish, under SDT, a National unit for publication and timely release studies.

**Tags:** *Information and communication technologies (ICT), Legislative and regulatory framework, Institutional procedures, Human resources and training*

**Donor Agencies:** to be determined

## Progress reported

Kenya lastly undertook an Average Release Times study in 2011. Currently, it is relying on reports from government agencies that are not conclusive.
Kenya therefore requires technical assistance from development partners to:
(i) Develop National Framework on Average Release Times
(ii) Train and build capacity of customs officials on Average Release Times
(iii) Conduct an Average Release Times study

**7.7.1**
**7.7.2 (a) (i), (ii), (iii), (iv), (i), (ii)**
**7.7.3 (a), (b), (c), (d), (e), (f), (g)**
**7.7.4**
**7.7.5**
**7.7.6**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Develop a National mechanism for coordination and cooperation between Customs and other border agencies;
2. Develop rules and procedures on governing National Authorised Economic Operators (AEOs).

**Tags:** *Legislative and regulatory framework, Institutional procedures*

**Donor Agencies:** World Customs Organization, German International Development Agency, Commonwealth Secretariat

## Progress reported

Kenya Revenue Authority received technical support from the GIZ to establish a Technical Working Group (TWG) on Authorized Economic Operators' (AEOs) Recognition Framework. The Framework will facilitate expedited clearance of cargo for AEOs by all the relevant border agencies.
GIZ also supported the Authority to undertake a study on implementation of AEOs Programme.
The Authority also received technical assistance from WCO to train staff on AEOs security validation.
The Kenya International Freight and Forwarding Association (KIFWA), is undertaking sensitization for its members on AEOs programme with the technical support from GIZ and Commonwealth Secretariat.
Under the AEOs programme, GIZ will further support the following activities:
1. Engagement of CEOs of the Partner Government Agencies (PGAs) on AEOs
2. Workshop for Senior Managers of the PGAs
3. Training of staff from the various PGAs on the AEO Programme
4. Workshops of the National Trade Facilitation Committee for development of the AEO Recognition Framework
However, Kenya still requires assistance from development partners to:
(i) Build capacity of the border agencies and the private sector on the programme
(ii) Implement findings of the study on implementation AEOs programme
(iii) Develop a legal framework for AEOs programme recognition

## 7.8 Expedited shipments

C

**7.8.1 (a), (b), (c), (d), (e), (f), (g), (h)**
**7.8.2 (a), (b), (c), (d)**
**7.8.3**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
8 September 2023

### Assistance required for implementation

Support to:
1. Sensitize and create awareness among the stakeholders on TFA and expedited shipments;
2. Harmonize regulations and operations of border agencies on clearance of expedited shipment; and
3. Conduct time release studies on all agencies on the transit corridor dealing in processing and release of expedited cargo.

**Tags:** *Information and communication technologies (ICT), Awareness-raising*

**Donor Agencies:** to be determined

### Progress reported

Kenya requires technical support from development partners to:
(i) Harmonize operations of the agencies at the border to enable expedited shipment.
(ii) Develop national framework on expedited shipments to on-board all border agencies
(iii) Sensitize and create awareness on expedited shipments

C

**7.9.1 (a), (b)**
**7.9.2**
**7.9.3**
**7.9.4**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2030

## Assistance required for implementation

Support to:
1. Develop infrastructure to handle perishable goods at the ports of entry, such as cold rooms and animal holding facilities;
2. Harmonize the procedures and operations of all agencies involved in clearing and release of perishable goods, including harmonizing business hours at entry and exit border points;
3. Train staff on handling perishable goods.

**Tags:** *Legislative and regulatory framework, Infrastructure and equipment, Human resources and training*

**Donor Agencies:** to be determined

## Progress reported

Kenya requires technical assistance from development partners to:
(i) Set up plug-ins reefer, cold rooms, and other holding facilities at all entry points
(ii) Build capacity and sensitize border agencies on the handling of perishable goods.

**8.1**
**8.2 (a), (b), (c), (d), (e)**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
8 September 2023

## Assistance required for implementation

Support to:
1. Train members of Joint Border Committees on cross-border Cooperation requirements and procedures;
2. Establish shared facilities for the remaining border posts as well as harmonising;
procedures and formalities; and
3. Map out and analyse each agency's existing procedures, mandate and operations with a view to designing a new set of joint operations aligned to international standards and best practices;
4. Train officers on joint border operations and risk management; and
5. Build capacity to establish electronic information exchanges with WTO Members.

**Tags:** *Information and communication technologies (ICT), Diagnostic and Needs Assessment, Human resources and training*

**Donor Members:** European Union

**Donor Agencies:** TradeMark Africa, World Bank, African Development Bank, Japan International Cooperation Agency

## Progress reported

Kenya received technical support from the following development partners to establish One Stop-Border Posts (OSBPs);
(i) TMEA- Malaba, Busia, and Moyale.
(ii) JICA- Taveta, and Namanga
(iii) WBG- Rhamu and Mandera
(iv) ADB- Suam (under construction)
Kenya also received technical support from EU through the European Development Fund (EDF) to train border agency officials & small-scale traders on joint border operations.
Kenya still requires technical assistance from development partners to:
(i) Train border agencies on border agency cooperation requirements and procedures
(ii) Establish shared facilities at the OSBP and harmonising procedures and formalities
(iii) Upgrade infrastructure facilities at the remaining OSBPs.

**10.1.1 (a), (b), (c), (d)**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Harmonize national procedures at the border points among the Kenya border agencies, with those of the East Africa Community (EAC) partner states, and other bordering countries;
2. Train stakeholders on trade documentation tool kit and business process analysis;
3. Simplify and standardize trade documents, both manual and electronic, with a view reducing them (where applicable);
4. Analyse the existing regulations, procedures and forms with a view to producing simplified trade documents;
5. undertake legislative and regulatory review on procedures and documentation requirements; and
6. Carry out stakeholders' sensitisation on the revised procedures.

**Tags:** *Information and communication technologies (ICT), Legislative and regulatory framework, Diagnostic and Needs Assessment, Human resources and training, Awareness-raising*

**Donor Agencies:** TradeMark Africa, German International Development Agency

## Progress reported

The Kenya Trade Network Agency received support from TMEA and GIZ to simplify procedures for the online documented commodities for export. This was done through the Simplification Working Group. The agency has so far simplified the procedures for nine commodities for export and established working groups for different PGAs to work on the simplification of the commodities.

TMEA has contracted a consultant to provide technical assistance to the State Department for Trade. The technical assistance will carry out the following:
(i) Undertake legislative and regulatory review on procedures and documentation requirements
(ii) Develop simplified SOPs for trade regulatory agencies for ease of trading
(iii) Carry out stakeholders' sensitization on the simplification of procedures in collaboration with National Trade Facilitation Committee
(iv) Develop documentation toolkit and train stakeholders on business process analysis
(v) Alignment of national trade procedures among border agencies in accordance with the regional Protocols
However, Kenya still requires assistance from development partners to;
(i) Simplify procedures for all the documented products for exports with an aim of reducing the administrative burden costs
(ii) Simplify & standardize trade documents
(iii) Sensitize all border agencies and MSMEs to conform to standards operating procedures
(iv) Review legislation of all border agencies to simplify formalities and procedures

C

10.2.1
10.2.2
10.2.3

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
8 September 2023

## Assistance required for implementation

Support to:
1. Develop a legal framework and/or administrative procedures for accepting copies.

**Tags:** *Legislative and regulatory framework*

**Donor Agencies:** to be determined

## Progress reported

Kenya needs support on the sensitization of all Partner Government Agencies on the acceptance of copies and its role in trade facilitation.

10.3.1
10.3.2

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Create awareness among stakeholders on the various international standards applicable;
2. Evaluate the impact of standards on national and regional economy;
3. Develop National, Regional and International Standards; and
4. Participate in international meetings on development and review of standards.

**Tags:** *Legislative and regulatory framework, Diagnostic and Needs Assessment, Awareness-raising*

**Donor Members:** European Union

**Donor Agencies:** TradeMark Africa

## Progress reported

The Kenya Bureau of Standards received technical assistance from TMEA for the following activities:
(i) Build capacity of staff on standards
(ii) Participate in development and harmonization of regional standards
(iii) Create awareness among stakeholders on standards
(iv) Train SMEs & Businesses on standards and technical regulations
The Bureau also received support from EU Mark-Up Programme for sensitization and training of stakeholders on international standards.
The Kenya Bureau of Standards still requires assistance from development partners to:
(i) Participate in development and review of regional & international standards
(ii) Undertake a study to evaluate the impact of national, regional and international standards on trade

C

10.4.1
10.4.2
10.4.3
10.4.4

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
8 September 2023

## Assistance required for implementation

Support to:
1. Upgrade ICT infrastructure for the Single Window;
2. Develop legal framework to link all border agencies to the Single Window platform;
3. Develop and integrate ICT platforms for various border agencies; and
4. Develop a mechanism for information sharing among border agencies.

**Tags:** *Information and communication technologies (ICT), Infrastructure and equipment, Institutional procedures*

**Donor Agencies:** TradeMark Africa, German International Development Agency

## Progress reported

Kenya received technical support from TMEA to:
(i) Develop Maritime Single Window
(ii) Integrate the National Electronic Single Window with the Integrated Customs Management System and the Pharmacy and Poisons Board's systems (ongoing).
(iii) Develop a mechanism for sharing information - Business Intelligence Tool (BI)

Kenya also received support from GIZ for capacity building for PGAs on risk management module under the Single Window.
Kenya still requires assistance from development partners to:
(i) Train and create awareness among stakeholders and all border agencies in the use of the single window
(ii) Develop enabling regulations for the implementation of the Kenya National Electronic Single Window
(iii) Integrate all agencies' systems to the Single Window and BI

## 10.8 Rejected Goods

C

10.8.1
10.8.2

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2033

### Assistance required for implementation

Support to:
1. Install modern incinerators and other disposal facilities; and
2. Review policy and/or legal framework on rejected goods to ensure conformity with the relevant TFA provisions.

**Tags:** *Legislative and regulatory framework, Infrastructure and equipment*

**Donor Agencies:** to be determined

### Progress reported

Kenya requires assistance from development partners to provide and install disposal facilities at entry points such as incinerators and other disposal facilities.

**11.1 (a), (b)**
**11.2**
**11.3**
**11.4**
**11.5**
**11.6 (a), (b)**
**11.7**
**11.8**
**11.9**
**11.10**
**11.11**
**11.12**
**11.13**
**11.14**
**11.15**
**11.16 (a), (b), (c)**
**11.17**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
30 June 2026

## Assistance required for implementation

Support to:
1. Enhance the legal framework supporting implementation of Cargo tracking;
2. Improve the infrastructure along the transit corridor;
3. Simplify formalities, documentation procedures and Customs controls on cargo in transit; and
4. Harmonize the EAC Electronic Cargo tracking system.

**Tags:** *Information and communication technologies (ICT), Legislative and regulatory framework, Infrastructure and equipment*

**Donor Agencies:** TradeMark Africa

## Progress reported

The Kenya Revenue Authority received technical assistance from TMA to develop and host the Regional Electronic Cargo Tracking System (RECTS) and procurement of vehicles for Rapid Response Unit responsible for responding to cargo diversion in transit.
The Kenya Revenue Authority also received technical support from GIZ to simplify procedures on transit.
Kenya requires assistance from development partners to:
(i) Integrate the cargo tracking systems in the northern and central corridors
(ii) Capacity building of relevant stakeholders on cargo tracking systems



**12.1.1**
**12.1.2**
**12.2.1**
**12.2.2**
**12.5.1 (a), (b), (c), (d), (e), (f)**
**12.5.2**
**12.5.3**
**12.6.1 (a), (b), (c), (d), (e)**
**12.6.2**
**12.7.1 (a), (b), (c), (d), (e)**
**12.7.2**
**12.8**
**12.9.1**
**12.9.2**
**12.10 (a), (b), (c), (d), (e), (f), (g), (h)**
**12.11.1 (a), (b), (c)**
**12.11.2**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
1 August 2025

## Assistance required for implementation

Support to:
1. Capacity build Kenya's customs administration on matters of cooperation with other customs authorities;
2. Review EAC customs law to ensure compliance with provisions of this Article.

**Tags:** *Legislative and regulatory framework, Human resources and training*

**Donor Agencies:** to be determined

## Progress reported

Articles 12.1 & 12.2:
Kenya requires assistance from development partners to:
(i) Build capacity on customs cooperation with other customs authorities
(ii) Identify areas that need a legal review in the EACCMA 2004 and other regional and multilateral agreements to ensure compliance with TFA

Articles 12.4 -12.11:
All border agencies require assistance from development partners to:
(i) Build capacity on customs cooperation
(ii) Identify areas that need a legal review in EACCMA, 2004 and other regional and multilateral agreements to ensure compliance with TFA

**12.4.1 (a), (b), (c), (d), (e), (f)**
**12.4.2**

**Indicative date of implementation**
22 February 2023

**Definitive date of implementation**
1 August 2025

## Assistance required for implementation

Support to:
1. Capacity build Kenya's customs administration on matters of cooperation with other customs authorities;
2. Review EAC customs law to ensure compliance with provisions of this Article.

**Tags:** *Legislative and regulatory framework, Human resources and training*

**Donor Agencies:** to be determined

## Progress reported

Articles 12.1 & 12.2:
Kenya requires assistance from development partners to:
(i) Build capacity on customs cooperation with other customs authorities
(ii) Identify areas that need a legal review in the EACCMA 2004 and other regional and multilateral agreements to ensure compliance with TFA

Articles 12.4 -12.11:
All border agencies require assistance from development partners to:
(i) Build capacity on customs cooperation
(ii) Identify areas that need a legal review in EACCMA, 2004 and other regional and multilateral agreements to ensure compliance with TFA

**Legend**

| | | | | | |
|---|---|---|---|---|---|
| C | Notified in Cat. C | Cp | Partially notified in C | E | Extension of time requested |
| | Donor arrangement notified | | Donor arrangement not yet notified | | |

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