

# **TRIPARTITE TRANSPORT AND TRANSIT FACILITATION PROGRAMME [COMESA, EAC and SADC]**

## **[Abridged program description]**

### **SUMMARY**

The lack of an integrated and liberalised road transport market in the East and Southern African (EA-SA) region poses numerous obstacles to trade by causing severe delays and increased transport costs, as well as challenges to road safety and durability. This programme (which builds on previous actions) addresses these challenges through the implementation of harmonised road transport policies, laws, regulations, systems and standards that affect drivers, loads, vehicles and road infrastructure in the countries of the EA-SA region.

It will act in particular on the following components:

1. Harmonised Vehicle Load Management;
2. Harmonised Vehicle Regulations and Standards;
3. Integrated Transport Registers and Information Platform and System;
4. Efficiency of Regional Transport Corridors.

The principal stakeholders are as below:

- The three Tripartite Regional Economic Communities (RECs) (COMESA, EAC and SADC), who will work in collaboration with the other two Regional Organisations in the EA-SA-IO region (Intergovernmental Authority on Development (IGAD) and Indian Ocean Commission (IOC));
- Public Sector- Ministries, regulatory agencies and government executing agencies responsible for transport policy and transport infrastructure development and other ministries involved in road transport, traffic and infrastructure;
- Private Sector- Service providers such as cross border transporters and clearing and forwarding agencies, port and maritime authorities in the transport and logistics industry;
- Public and Private sector industry associations and federations such as Association of SADC National Road Agencies (ASANRA), Federation of East and Southern Africa Road Transporter Associations, Federation of Clearing and Forwarding Associations of Southern Africa (FCFASA), Federation of East African Freight Forwarders (FEAFFA) and Port Management Association of East and Southern Africa (PMAESA), Corridor Management Institutions (CMIs) and specific women groups concerned with the activities of the programme, such as the associations of cross-borders informal traders.

### ***Priority areas for support/problem analysis***

- a) **Develop legal/policy framework/guidelines to improve Member States' implementation of REC obligations and support the domestication of regional agreement.** This will address the challenges of the region's differing legal systems and tradition and the lack of legal drafting capacity in some member states, as well as ensure uniform transposition of regional agreements into national laws and regulations. It will involve provision of technical assistance for the drafting of laws and regulations and training of implementing agencies, including the judiciary services, in their interpretation and enforcement of the law and developing an enforcement mechanism to promote the implementation of Member States' REC commitments.
- b) **Capacity development at the level of the Member States through strengthening the member states' ministries responsible for transport and transport sector regulation,** in order to ensure that they develop the capacity to undertake national responsibilities relating to the implementation of regional cooperation and integration obligations. Tailor-made capacity and institutional development solutions will be developed for targeted countries based on needs. The aim is to ensure that all states meet minimum capacity levels for implementing the harmonised policies, laws, regulations and standards.
- c) **Strengthen REC Secretariats in order to enhance Inter REC coordination and the management of the Tripartite Programme.** Support the effectiveness of individual RECs to participate in the joint planning, coordination and management of the Tripartite programme. The programme will be designed to match the assignment of responsibilities among the RECs, recognising that the lead REC will need more resources than the others to ensure proper implementation. The support will also include resources to facilitate designated REC representatives to hold consultations among themselves and with national experts, conducting rapid needs assessments, participation in validation workshops and project supervision and monitoring missions. This will also include the development and implementation of EA-SA Transport Sector Monitoring and Evaluation (M & E) framework and tools.
- d) Improve the alignment between regional and national development priorities in order to ensure that regional projects are prioritised in national development plans and receive required counterpart funding. Whereas priorities at the regional level should be mainstreamed into national development activities, the regional programmes should reflect Member States' important concerns. This will be achieved by enhancing engagement of National Planning Agencies and Line Ministries, and principal implementing agencies at Member States level, including consideration for reinforcing the capacity of regional mechanism for engagement and consideration of reconfiguring them where necessary.

## **Objectives/results**

The **overall strategic objective** is to facilitate the development of a more competitive, integrated and liberalised regional road transport market in the EA-SA region.

The **project purpose** is to develop and implement harmonised road transport policies, laws, regulations and standards for efficient cross border road transport and transit networks, transport and logistics services, systems and procedures in the EA-SA region.

The expected **results** are:

Result 1: EA-SA Vehicle Load Management Strategy Implemented;

Result 2: Harmonised EA-SA vehicle regulations and standards implemented;

Result 3: Preconditions for an operational EA-SA transport registers and information platform and system implemented;

Result 4: Efficiency of regional transport corridors improved.

## **Main activities**

### **Activities related to Result 1: EA-SA Vehicle Load Management Strategy (VLM) implemented**

EA-SA VLM Strategy and Implementation Plan, VLM MoU and a Regional Weighbridge Location Plan have been developed and validated. EAC has passed EAC Vehicle Load Control Act in 2016. The VLM Strategy and MoU cover the following:

- Legislation and regulations;
- Infrastructure and equipment;
- Enforcement and operations;
- Institutional/organisational structures;
- Human resources/training;
- Public support and cooperation, and
- Monitoring and evaluation.

These interventions need to be implemented at Member State level and some Member States will need support and assistance for this. The following activities are proposed under this programme.

1.1 Development of model legislative provisions based on the existing EAC legislative regime on VLM for promulgation at Member State level;

1.2 Definition of institutional settings at national and corridor levels and institutional capacity building;

1.3 Development of a system for monitoring and evaluation of the implementation of the harmonised VLM strategy. Monitoring will be conducted at the three levels of implementation: national, corridor (involving a cluster of countries served by each corridor), REC and Inter REC level;

1.4 Development of harmonised guidelines for designs, operations, maintenance, management, financing calibration and auditing of weighbridges,

1.5 Establishment of VLM information system and cross border VLM integration with customs and border agencies

1.6 Establishment of guidelines and piloting the cross border transporters self-regulation standard and system.

### **Activities related to Result 2: Harmonised EA-SA vehicle regulations and standards implemented**

This programme seeks to assist Member States move towards regulatory convergence through harmonisation and standardisation of the following aspects of road transport policy and regulation. These standards and regulations have been developed and the majority have been validated:

- a) Vehicle Dimensions and Equipment Standards
- b) Vehicle Testing Stations and Procedures
- c) Transport Operator Registration
- d) Transportation of Abnormal Loads
- e) Transportation of Dangerous Goods
- f) Training and Licensing of Commercial Drivers
- g) Third Party Motor Vehicle Insurance Schemes
- h) Road Transport Management Standards (Self-Regulation)

The following illustrative activities to achieve the desired harmonisation and standardisation of transport and transit policy, laws, regulations, systems and standards are proposed:

2.1 Training, capacity building and technical assistance (TA) to designated regulatory agencies to strengthen their capacity to implement required national transport regulatory reforms, enforce agreed measures and to coordinate with other Member States on joint and cross border activities.

2.2 Provision of TA to develop model laws and regulations for the different legal regimes in the region and for domestication at Member State level;

2.3 Support the development of national transport regulatory monitoring systems.

### **Activities related to Result 3: Preconditions for an operational EA-SA integrated transport registers and information platform and system implemented**

The specifications providing the system architecture for an EA-SA Transport Register Information Platform and System (TRIPS) have been developed and validated and approved by the SADC Ministers. Preliminary assessment indicates that while some countries are already fully compliant with the proposed Transport and Operator Systems, others are not and the extent of the gap is variable. Furthermore, a harmonised legal framework for cross-border road transport operations (in the form of a Multilateral Cross-Border Transport Agreement – MCBRTA) is necessary before the TRIPS can be implemented.

This project will undertake all the necessary preparations to create the conditions for the deployment of TRIPS. This includes the following activities:

3.1 Assistance to domestication by member states of the MCBRTA in order to, among others, facilitate joint regulation, data sharing and joint management of TRIPS;

3.2 Assistance in the development of national transport information systems and national transport operator registers in order to make them compatible with the TRIPS specifications;

3.4 Strengthening the capacity of existing transport regulatory agencies that manage national and the regional registers;

3.5 Development of centralised data systems and data protection communications protocols;

3.6 Development of arbitration rules and procedures;

3.7 An institution to manage and operate the TRIPS needs to be identified and/or established. The process of identification of potential candidate institutions will be undertaken during the implementation of this programme.

**Activities related to Result 4: Efficiency of regional transport corridors improved**

The majority of corridors lack formally defined governance and legal frameworks and do not have coordinated elaborated corridor development plans to guide joint actions by beneficiary Member States. To address these deficiencies the following measures are foreseen:

4.1 Assistance in implementation of Multilateral Cross Border Road Transport Agreement;

4.2 Support the implementation of harmonised cross border third party motor vehicle insurance schemes in the 6 countries that are currently not part of the COMESA Yellow Card system;

4.3 Rapid needs assessments and design of targeted corridor transport and transit facilitation measures on priority corridors, focusing on transport-related barriers that need policy, legal or regulatory changes in offending countries;

4.5 Strengthening corridor governance legal and institutional frameworks. This will entail finalisation of the development, signing and ratification of the MoUs for the North South Corridor, Lobito, Nacala, Beira Corridors and Djibouti Corridor and assistance in their implementation;

4.6 Support the development of corridor performance monitoring systems.