COMESA ADOPTS REGIONAL GUIDELINES FOR THE MOVEMENT OF GOODS AND SERVICES ACROSS BORDERS DURING THE PERIOD OF THE COVID-19 PANDEMIC

BACKGROUND

The outbreak of Corona Virus Disease (COVID-19) since December 2019 has created a global health, social and economic crisis that has had a deep impact world's economy. The pandemic has disrupted almost all global sectors, but most importantly the transport and logistics services. Transport and logistics services are at the center of trade as they facilitate the movement of goods and services across the region. The disruptions in trade and value chains is resulting in grave losses to economic output and business sustainability.

In April, as a response to this global economic crisis, the CBC through various engagements with its members and Associations developed a position report titled *"COMESA Business Position Statement: Facilitating the Movement of Essential Goods and Services Across Borders During the Period of the COVID-19 Pandemic".* The position report presents a declaration and recommendations addressing some of the existing challenges in the facilitation of movement of essential goods and transit cargo, treatment of truck drivers along the borders.

The position report has been used as a policy brief to inform policy processes within COMESA, *(COMESA Trade and Customs, Intergovernmental Committee and Council of Ministers)* leading to the Regional Guidelines for the Movement of Goods and Services across the COMESA Region during the COVID-19 Pandemic herein referred to as COMESA Regional Guidelines.

KEY HIGHLIGHTS OF THE COMESA REGIONAL GUIDELINES

The COMESA Regional Guidelines are aimed at, among others, limiting the spread of COVID-19 through transport across borders; facilitating the implementation of transport related national COVID-19 measures in cross-border transportation; facilitating flow of essential goods such as fuel, food and medicines; limiting unnecessary and mass movement of passengers across borders; and harmonizing and coordinating transport-related national COVID-19 policies, regulations and response measures.

The Regional Guidelines recognize the need for Member States to adopt common measures to maintain the flow of goods and services within this period. This is in line with the CBC Position Statement which called for establishment of a common framework for movement of goods and services across the COMESA Region.

CBC'S BUSINESS POSITION AS ADDRESSED BY THE COMESA REGIONAL GUIDELINES

Specifically, the key areas from CBC Position report that have been captured in the COMESA Regional Guidelines include the following:

PRIORITY LIST

(a) The CBC Policy Position recommended: *Member states are urged to urgently put in place a common framework on the movement of essential goods and services across borders taking into account product uniformity and harmonization across the countries.*

(b) The COMESA Regional Guidelines:
Give preferential clearance to the following priority list of goods specific to the needs of region: -

I. Food Products:
- Staple food products;
- Chemicals, packaging and ancillary products used in the production of any food products.

II. Cleaning and hygiene products:
- Toilet paper, sanitary pads, sanitary tampons and condoms;
- Hand sanitizer, disinfectants, soap, alcohol for industrial use, household cleaning products and personal protective equipment;
- Products for the care of babies and toddlers;
- Personal toiletries, including hair care, body and face washes, roll-ons, deodorants and toothpaste; and
- Chemicals, packaging and ancillary products used in the production of any of the above.

III. Medical:
- Medical and hospital supplies, equipment and personal protective equipment;
- Veterinary supplies; and
- Raw materials and inputs such as chemicals, packaging and ancillary products used in the production of any of the above.

For II & III to be guided by the list "HS Classification Reference for COVID-19 Medical Supplies Second Edition" prepared jointly by WCO & WHO.

IV. Fuel (including coal and gas);
V. Courier and other expedited shipments including perishable goods;
VI. Agricultural inputs and raw materials for use in industries as may be required by individual Member States;
VII. Equipment and spares required for repair and maintenance of machinery used in the manufacture of essential goods.

QUARANTINE OF TRUCK DRIVERS

(a) CBC Policy Position Recommended: *Member states are urged to consider alternative and practical measures for the movement of cargo across the region such as:*
- *Allow cargo to be transported by a limited number of persons (two) in alignment to the EAC.*
- *Put in place regulations for truck drivers to have limited interactions with people.*

(b) The COMESA Regional Guidelines points out that:
I. Travel restrictions and mandatory quarantine for drivers and transport workers not displaying symptoms of COVID-19 may be waived subject to preserving protection and avoiding contagion. However, these drivers must strictly adhere to social distancing requirements to avoid possible contagion;
II. Truck drivers are required to declare their final destination and are urged to stop only at designated points along the transport corridors so as to limit the chances of spreading COVID-19 while on transit;
III. No operational restrictions will be imposed on foreign registered transporters entering a Member State as long as they operate within the essential services spectrum subject to national rules and regulations.

FACILITATING THE MOVEMENT OF TRANSIT CARGO ACROSS THE REGION: SPEEDY CLEARANCE THROUGH BORDER POSTS

(a) The CBC Policy Position Recommended:

- *Member States are urged to facilitate and expedite the movement of transit essential cargo across the region through pre-clearance and/or prompter clearance to facilitate trade and reduce the risk of infections at the border posts.*
- *Member States are urged to put in place priority processing channels for goods and services classified as essential. The channels should also accelerate the clearance and movement of transit goods across the countries.*

(b) The COMESA Regional Guidelines highlights the following:

I. Member States to ensure that drivers and their crew in transit to other Member States, and those delivering essential goods inland, are facilitated to move through their territory and to inland destinations as needed and their safety should be guaranteed in situations where travel restrictions have been put in place on grounds of public health to minimize COVID-19 spread.

II. Customs authorities must ensure that there is continued availability of their customs declaration processing systems to avoid system failures that may arise causing long queues at the Port of entry. In addition, back up measures should be put in place in case of system failure.

III. Member States to apply mandatory pre-clearance processing of goods to reduce congestion and dwell-time at the border.

IV. Physical inspections should be carried out only where it is necessary, based on updated risk management parameters and principles of AEO and PCA. Where border joint border inspection is not done, inspection at point of destination shall be conducted by relevant agencies.

V. Member States should accept electronic documents where Border Agencies require permits, licenses and certificates for the imported goods to avoid delays at the Ports of entry.

AWARENESS OF REGULATIONS AND MEASURES TO ENSURE READINESS

(a) The CBC Policy Position Recommended: *Member States are urged to publish all regulatory measures pertaining to the COVID-19 restrictions and the list of goods/essential goods being applied within the country. Furthermore, provide allowance for a grace period where permissible before implementing a regulation to ensure readiness by the private sector.*

(b) The COMESA Regional Guidelines highlights the following:

Member States in an identified transit corridor must set up a network of national contact points and platform to provide information on national and international transport and logistics measures taken in response to COVID-19.

OTHER KEY PROVISIONS

The COMESA Regional Guidelines also covers the following areas which are critical to the Business Community. It provides for the following:

Air Transport:

I. Member States should allow transportation of the COVID-19 medical equipment and medicines using passenger aircraft to provide additional airfreight capacity;

II. Encourage collaboration between aviation and logistics partners to provide transport essential services for emergency medical supplies and food aid in support of the COVID-19 relief effort;

III. Subject to national measures in place for the control of spreading COVID-19 virus, exempt airfreight operations from any COVID-19 related travel restrictions to ensure that essential goods and services and medical equipment and supplies are transported without restrictions;

IV. Exempt air cargo crew members, who do not interact with the public and are confined to their hotels, from mandatory quarantine requirements.

Customs/Revenue Authorities' Support to the Economy, and Sustaining of Supply Chain Continuity

The Regional Guidelines urge Member States to put in place measures which can assist business i.e. tax relief measures, such as extending payment of duties, payment of duties in installments, duty drawback, weave penalties for delay in submission of export documentation, and setting help desk online to facilitate trade, among others.

Trade in Services

The Regional Guidelines prescribed Member States to enable professional travel to ensure transportation of goods and services, facilitate movement of engineering and maintenance support services, and consider improving digital infrastructural foundations that will enhance internet service provisions, among other recommendations.

CONCLUSION

The CBC commends governments and the private sectors for their efforts and measures towards mitigating the impact of COVID-19 on the COMESA economies. CBC will continuously work closely with COMESA to ensure a coordinated regional approach for measures and responses on movement of goods and services during the COVID-19 pandemic. Furthermore, will continuously engage private sector and stakeholders to address any challenges that they have as they move their goods across the borders during this pandemic period; and will share the COMESA Regional Guidelines once they have been gazetted. This is vital for business continuity, safeguarding jobs, exports and keeping value chains functional.

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