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Member States Updates on Implementation of Trade Facilitation Instruments (Oct 2019)

a) COORDINATED BORDER MANAGEMENT(CBM) and One Stop Border Post (OSBP)

- Burundi has 3 Single Stop Borders (OSBP).
- Ethiopia updated the meeting that it has already signed the OSBP with Kenya and Djibouti. The Ethio-Kenyan case of OSBP is constructed in Moyale. But the implementation is not yet operationalized. On the other hand, the Ethio-Djibouti OSBP scenario is going to be established both in GALAFI and DEWELE border areas. The proposal study was sent to EGAD and EGAD was sent it again to All Member States.
- Kenya has adopted the CBM at all land borders, we are working closely with PGAs and other Customs Administrations in implementing the CBM.
 - OSBPS implementation status are as follows:
 - Kenya –Uganda - Busia OSBP: Completed, Operational, Commissioned
 - Kenya- Tanzania –Namanga OSBP: Completed, Operational, Commissioned
 - Kenya- Tanzania - Taveta OSBP: Completed, Operational, Commissioned
 - Kenya –Uganda - Malaba OSBP: Completed, Operational, Not Commissioned
 - Kenya- Ethiopia - Moyale OSBP: Completed, Not Operational, Not Commissioned
 - Kenya- Tanzania- Lunga-Lunga OSBP: Completed, Not operational, Not Commissioned
 - Kenya-Tanzania Border- Isebania OSBP: Completed, Not Operational, Not Commissioned
 - In addition, Kenya is considering construction of additional OSPBS, given the vast, porous, unmanned borders. Immediate considerations include: Nadapal/Nakodok, Loifoktok, Suam and Mandera Borders
- Madagascar reported that it has conducted studies to operational mapping of all regulations, competent authorities and border interventions and recommend possible solutions to improve border management
- Malawi reported that with support of the World Bank and African Development Bank, work is being undertaken to develop coordinated Border Management(CBM).
- Mauritius Customs have already introduced a coordinated border management (CBM).
- Rwanda has 5 OSBP's at RUSUMO, KAGITUMBA, NEMBA, RUBAVU, and GATUNA.
- Sudan reported there are procedures for coordinated border management but they are still at the initial stages.
- Uganda which was previously land locked is now land linked and updated as follows:
 - Implemented OSBP with all neighbouring countries (Uganda-Kenya; Uganda-Tanzania, Uganda-Rwanda, Uganda-South Sudan):
 - Uganda - Kenya Border: Busia and Malaba OSBPs.
 - Uganda -Tanzania Border: Mutukula OSBP.
 - Uganda- Rwanda Border: Mirama Hills, Katuna, Cyanika OSBPs.
 - Uganda- South Sudan: Elegu OSBP.
 - OSBP between Uganda and DRC is under development.
 - 2 OSBPs to be funded by World Bank: Mpondwe & Oraba
 - –A Coordinated Boarder Management program is in place at borders where there are OSBPs and those not yet constructed
- Zambia updated the meeting as follows:
 - The CBM is Work in progress and Coordinated Border Management and Trade Facilitation Bill was enacted as Act No. 12 of 2018.
 - Zambia has two operational One Stop Border Posts with Zimbabwe at Chirundu border and with Tanzania at the Nakonde Tunduma Border.
 - There are plans to implement OSBP at the following borders:
 - with the DRC at Kasumbalesa border,

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- with Namibia at Katima Mulilo border;
- with Botswana Kazungula border; and
- with the Malawi at Mwami/Mchinji border.

b) TRADE INFORMATION PORTAL (TIP)

- Burundi updated the meeting that the Trade Portal Implementation Project is in the initial stages with support from the EAC Secretariat and ITC.
- Egypt reported that there is trade information portal.
- Ethiopia reported that it has already trade information portal under Ethiopian Customs Management System (ECMS).
- Kenya reported that it has Trade Information Portal (KENTRADE)
- Madagascar reported that there is plan to establish national TIP .
- Malawi reported that a full-fledged functioning Information Trade Portal is established at Ministry of Industry Trade and Tourism and the Malawi Investment and Trade Centre.
- Mauritius has an effective Trade Information Portal.
- Rwanda Trade Information Portal is a trade facilitation platform implemented by Rwanda Revenue Authority (RRA) under the supervision of the National Trade Facilitation Committee and in partnership with MINICOM, TRADE MARC, EAC, USAID, UNCTAD ETC. Trade Information Portal provide information related to Export, Import and Transit, Process and procedures, Documents required for import and Export and Laws and regulation related to Customs.
- Sudan reported that it has a national TIP.
- Uganda reported that it has Implemented but server hosted by Ministry of Trade, Industries and Cooperatives. Automated the control of NTBs.
- Zambia reported that it is working toward establishment of a trade Information portal.

c) Customs Automation

- Burundi reported that of the 25 customs offices only 7 are un-computerized while 18 are equipped with ASYCUDA World.
- Egyptian customs have amended customs laws to be compliant with best international practices. This new customs laws will help the admissibility of electronic of electronic documents and also increase the capacity of the customs areas to operate this system
- Eritrean Customs Administration are currently using ASYCUDA ++ and are in consultation with COMESA to migrate to ASYCUDA World.
- Eswatini reported it has upgraded its customs automation to ASYCUDA World.
- Ethiopia was using ASYCUDA++ and now it was replaced since 2017 by a new system called Ethiopian Customs Management System (ECMS).
- Kenya has been using the Simba 2005 system, which was upgraded in 2014, and dubbed the Automated Customs Management System. The two systems had inefficiencies, especially with integration with other sub systems and with automation of Risk Management. In 2016, KRA begun development of a new system, The Integrated Customs Management System (iCMS). iCMS is designed

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to offer a one stop solution to Customs clearance by integrating all fragmented Customs Systems into one major system and automate all manual Customs procedures, thus eliminating manual processing of all customs procedures. The system will also interface all Reforms and Modernization Projects, namely the Scanner, RECTS, Border Surveillance cameras, Regional initiatives such as the COMESA RCTG, as well as partner Customs Administrations, to allow for information exchange.

- Madagascar reported that it is using ASYCUDA World and is interfaced with Single Window and Trade Net.
- Malawi is substantially automated using ASYCUDA World
- Mauritius Customs is using the CMS which is a very good system
- Rwanda reported that it is using ASYCUDA world.
- Sudan implemented ASYCUDA system started in 1992 where activities have been undertaken using the system up to the final version of ASYCUDA world. This has facilitated the provision statistics and trade information in future
- Uganda Implemented automated systems using ASYCUDA World platform & implemented Valuation Control module, Have a Data warehouse (e-hub), Risk Management
- Zambia is working toward establishment of a trade Information portal.

d) E-CERTIFICATE OF ORIGIN (ECO)

- Burundi activities resumed with the support of the TMEA. 4 agencies will be integrated during the pilot phase.
- Egypt updated the meeting that the Ministry of Trade and Industry in Egypt has upgraded the laws to allow issuing the Eco.
- Eswatini reported that it was developing eCO and is ready to start piloting COMESA eCO.
- Kenya is implementing the e-certificate of Origin for registered exporters. As at July, 2019, 139 exporters had signed up to the program. Kenya is willing to fully implement the e-CO.
- Madagascar reported that there is no eCO in use and required assistance to start piloting COMESA eCO.
- Malawi is developing eCO and a request has been made to COMESA to pilot COMESA eCO.
- Except for COMESA, Mauritius is already issuing COO electronically by Customs for other Protocols
- Rwanda is in piloting the eCO and is being conducted at regional level between Rwanda, Kenya and Uganda. Ready for the piloting study proposed by COMESA
- Sudan reported that the eCO system has not been started but planned to pilot it under COMESA support;
- Uganda reported that they have an existing e-Certificate of Origin platform & e-certificate of origin is operational. Exchange of e-COO with Rwanda is being implemented within EAC, This is being extended to Kenya and eventually to the rest of EAC member states.
- Zambia has made major progress under SADC eCO hence will implement under option 2.

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e) electronic Single Window (eSW)

- Burundi activities resumed with the support of the TMEA. 4 agencies will be integrated during the pilot phase.
- Egypt has been developed eSW and is at piloting stage. Soon to be rollout in all customs stations
- Ethiopia- It is under piloting stage incorporating 16 Government agencies start to implement it.
- Kenya is fully implemented eSW and Partner Government Agencies have access to the eSW, and currently, all licenses and approvals are done under the Single Window
- Madagascar reported that there is single window in use which is called TRADENET. It is a one-stop-shop set up in 2007 and managed by SGS. Cargo Tracking Note (BSC): This is a risk analysis tool based on summary information provided by exporters and importers in the country of departure of the goods in the TRADENET platform; Ministries, Departments and Control Agencies (MIDAC) dematerialises the authorizations of the ministries. 40 authorizations from 26 different entities are currently under MIDAC; Transfers are validated by BANKS using a TRADENET interface; The Container Terminal receives information from TRADENET indicating that the goods are authorized to be removed.
- Malawi undertook a feasibility study to develop eSW and the report is undergoing internal consultation.
- Mauritius had already introduced an Electronic Single Window and is operational for years.
- Rwanda Customs use ReSW system allows traders to lodge information with a single web-based portal to fulfil all import or export related regulatory requirements with the following benefits:
 - Reduces the cost of doing business by eliminating duplication of processes;
 - Reduces administrative costs and regulatory requirements;
 - Reduced Time release of goods;
 - Reduces the risks associated with non-compliance on the transit of goods;
 - Submission of document once at single entry;
 - Increase of trade volume;
 - Enhancement of the relationship between the private & public sectors;
 - Performance measurement control;
 - Increased transparency & integrity (real time notification); and
 - Attraction of foreign, domestic and cross border investment.

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- Sudan Implementation of the eSW has also began in some customs stations. It is being implemented in selected agencies such as Customs, Central Bank, Commercial Banks and revenue authority.
- Tunisia updated that the facilitation of external trade is based on a national strategy of the Country through the introduction of new instruments such as e-commerce, and digital signature. To that effect Tunisia has a platform which was established in 2000 as a computer network which links various players in the procedures of external trade and transport in Tunisia called Tunisia Trade Network (TTN), and which links all the national Institutions such as Banks, Administrations, Customs and Port Authorities. The development of e-commerce will develop through the establishment and adoption of new measures such as the digital signature of all players. Furthermore, in order to facilitate the external trade, the status of authorized economic operators has been implemented for exporters and importers.
- Uganda reported that it implemented the eSW at National level in 2015. Over 15 interfaces have been developed with Government Ministries, Departments, Agencies & private stakeholders in the supply chain and are operational on the Uganda eSW. More interfaces are still being implemented to bring other stakeholders.
- Zambia has Implemented eSW. It is envisaged that all government agencies will be on board the Single Window. The following agencies are currently on the Single Window: Zambia Compulsory Standards Agency for (4 types of fees); Zambia Metrology Agency for (1 type of fee).

f) Authorised Economic Operator (AEO)

- Burundi, the regional EAC program has been operational since 2014. They have 16 Authorized Economic Operators. They are currently aiming for the implementation of the regional COMESA programme.
- Egypt updated AEO is operational for import and export. Currently, there are 79 importers and 50 exporters and 1 clearing agent certified as AEO. Signed Mutual Recognition Agreement with IGAD member states.
- Ethiopia-Briefly the AEO members are goes through the verification of audit and trade compliance. At this moment the total AEO members are 51 companies (importers, exporters, and clearing agents) which enjoys simplified customs clearance.
- Kenya has implemented the AEO program since piloting 2007. Currently, we have 214 AEOs, who include 135 Importers/Exporters, 76 Customs Clearing Agents and 3 transporters. Out of these, 19 are Regional (EAC) AEOs. Regional AEOs enjoy Mutual Recognition among EAC Partner States.
- Madagascar reported that there is no AEO in place. There is national plan and need of assistance to upgrade the current facilitation programme called as "Accelerated Customs Clearance Procedure" (PAD to full AEO programme. In the Current PAD procedures:
 - This is a procedure allowing the removal of goods for import immediately after the filing of a customs declaration or, in terms of selectivity, the green circuit;
 - There are eligibility conditions to benefit from the PAD.
 - Accession in the performance contract is mandatory before the PAD is granted for operators fulfilling the required conditions;
 - There are commitments to be respected in the operator performance contract; there is a monthly and half-yearly evaluation for the operators benefiting from the PAD.
- Malawi is piloting the AEO programme
- Mauritius already has an AEO programme
- Rwanda adopted AEO program derived from the WCO SAFE Framework of Standards. The SAFE Framework was adopted by the Directors General of Customs representing the members of the WCO

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at the June 2005 annual Council Sessions in Brussels. In June 2018, the WCO Council adopted the updated edition of the SAFE Framework 2018.

- The EAC PS Customs Administrations adopted the SAFE framework and agreed to implement the AEO program as a region in 2007.
- -Eligible applicants are: Exporters; Importers; Freight forwarders; Customs Agents; Bonded warehouse owners; Manufacturers; and Transporters and Terminal operators
- There are many benefits of becoming an AEO and there are even more benefits of being a regional AEO. These include: Good reputation for Rwandan company; Recognition as a low risk reliable business; Cost savings; and increased turnover and profitability.
- Benefits offered by Customs are:
 - Automatic passing of declaration;
 - No physical examination of goods, except ^(SEP)for random or risk based interventions;
 - Implement risk based clearance of goods on Export in category HS 09 (Coffee, Tea, mate and spices);
 - ECTS requirement waiver where applicable;
 - Expedited payment of refund claim;
 - Reduced Customs security where applicable;
 - Priority to participate in Customs initiatives
 - Guaranteed renewal of Customs license;
 - Priority treatment in cargo clearance chain;
 - Waiver of movement bond requirements for AEO; and
 - Self-management of bonded warehouse.
- Sudan is implementing a compliance programme called a Golden List but the full AEO is no yet operational.
- Uganda has an operational AEO programme both at National level & EAC Regional level.
- Zambia implements the Authorized Economic Operator (AEO) under Customs Accredited Clients Program (CACP). The CACP membership currently has fifty-nine (59) importers and exporters as at end of September 2019. However, more need to be done with enhancement of the scope to cover more players in the supply chain and provide more tangible benefits.

g) Electronic Cargo Tracking Systems (ECTS)

- Burundi reported that it has ECTS at the national level.
- Ethiopia reported that the Ethiopian Customs Commission has been checking as pilot test for the past years. But the pilot test was not fruitful in some aspects. Currently the Commission is designing a new project to develop and implement nation cargo tracking system.
- Kenya has the National **ECTS** serviced by private vendors, who have a signed service framework with KRA. In addition, Kenya has implemented Regional Electronic Cargo Tracking System (**RECTS**) which was adopted by Kenya, Uganda, Rwanda and recently, DR Congo as a common electronic cargo tracking system which offers a harmonized approach to e-monitoring of transit cargo along the Northern Corridor, and ensures real time detection of transit violations. Each country has its own Central Command Centre (CMC and ECTS rooms). Kenya's Command Centre has been operational since 1st March 2017. RECTS offers end to end monitoring of transit cargo along the Northern Corridor. Integration of ECTS/RECTS with the **iCMS** has commenced.
- Madagascar reported that there is no ECTS in place.
- Malawi has implemented since October 2016. However, some challenges are being experienced.
- Mauritius has already introduced a Cargo Tracking System.

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- Rwanda adopted a EAC RECT which is a web-based system used to monitor transit cargo from the point of entry to the exit in order to improve its safety and promote fair terms of trade by eliminating offloading of undeclared goods on the Rwandan market. The RECTS enhance cargo security and curb diversions, which ultimately reduce transit time, cost of cargo transportation and enhance transparency. RECTS reduce the cost of doing business in the region, through improved cargo predictability, and increased truck turn-around time which ultimately leads to lower transport costs.
- Sudan has implemented Cargo Tracking System at national level in selected areas.
- Uganda is using ECTS which is Operational within the Northern corridor (Mombasa to Uganda, DRC, South-Sudan). Central Corridor is under way.
- Zambia reported that Electronic Cargo Tracking was in use but currently it is not in use. There are efforts in place to review and evaluation the processes in order to consider how best it would be implemented.

h) Clearance Time Performance Measurement (TRS)

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- Burundi reported that a study was conducted in 2018 under the COMESA RISM support.
- Eswatini reported that they have undertaken TRS.
- Eritrea has conducted Time Release study under COMESA support as one of the ten nations piloted on the year 2017 and was done successfully.
- Ethiopia- It was undertaken in 2017. Now, there is plan to have another TRS.
- Kenya reported that the TRS has not been done in 2018. Preparations were on to carry out one in the FY 2018/2019, but Kenya did not have funding for the exercise. Kenya will be approaching the COMESA Secretariat for financial assistance to undertake the TRS.
- Madagascar reported that TRS was conducted in various periods including in 2017 which was supported by COMESA. The following are the status:
 - Establishment of the Customs Clearance Observatory (ODD) since 2011;
 - The SDO is operational with 10 offices out of 20;
 - It is composed of a steering committee (decision-maker), technical committee and analytical committee (operational on the ground);
 - The SDO brings together all the parties involved in customs clearance, whose role is to follow the measurement of the clearance time, determine the blocking points, propose solutions, monitor the actions;
 - Automatic calculation on data exploitation in ASYCUDA and TRADNET (Single Window).
- Malawi is currently implementing a TRS since December 2018 and a final report will be submitted any time
- Mauritius has already conducted a TRS.
- Rwanda -the current Time Release Analysis is performance measurement tool that aims at establishing the average time taken for each step or intervention to release cargoes from Customs control. It measures relevant aspects of the effectiveness of operational procedures that are carried out when clearing consignments from entry to exit in Customs area.
- Sudan- undertook two TRS studies and planned another TRS in collaboration with COMESA
- Uganda has implemented the Measurement-National & EAC Regional. TRS is currently being undertaken.
- Zambia reported that there was no Time Release Study (TRS) undertaken in 2018. In this regard, Zambia will need support to conduct TRS in 2019.

i) e-Commerce

- Burundi reported that it has not yet realized e-commerce.
- Ethiopia drafted a national law to govern e-commerce.
- Kenya has accepted e-Commerce as a mode of trade.
 - There exist a number of e-commerce businesses in Kenya.
 - From the taxation point of view, there has been a debate ongoing, challenging the legality of taxation of e-commerce, however it has been clarified that the recently enacted Tax Procedures Act does not exempt e-commerce from taxation.
 - Discussions are still ongoing about the practice of taxation of e-commerce, to address the challenges related with access to information, capacity building and the legal framework. These discussions are being done at a KRA-wide level.

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- KRA has advertised for the recruitment of an expert in taxation of e-commerce.
- Madagascar reported that there is no e-commerce developed but there is established national committee dedicated to e-Commerce.
- Malawi is currently undertaking a study on E trade readiness with support from UNCTAD.
- Mauritius has already introduced e-Commerce.
- Rwanda is in the process of developing a platform and the process in the final stages.
- Sudan reported that there is no e-commerce.
- Uganda reported that this is to be undertaken under the ongoing Project - The Airport Community Project.
- Zambia has not implemented e-commerce.

j) Other Customs and trade facilitation instruments

- Burundi has the following additional trade facilitation instruments:
 - Regional Customs Transit Guarantee Scheme COMESA (Realized)
 - Scanners that are installed at the main offices.
- Egypt reported as follows:
 - Concluded the process of ratification of the WTO TFA and identification and notifications of Categories of commitments
 - Egypt give importance to a number of issues including e-commerce, cargo tracking and modernizations of clearance performance.
- Ethiopia reported that it has already implemented the imported vehicles information's electronically accessed to Ethiopian Transport Authority, Scanning machine, x-ray machine, CCTV Camera, Free Call Centre (24 Hours) to provide support to all clients of the customs administration.
- Kenya has the following additional trade facilitation instruments:
 - a. **Pre- Arrival Clearance**- aimed at realizing the ship to truck vision. Kenya has adopted the Pre-Arrival Processing as per the Revised Kyoto Convention (RKC) Standard 3.25. The Customs Systems are configured to allow traders are able to make their Customs declarations at least 48 hours before arrival of the cargo at the Port. Customs does all other formalities for low risk cargo, and AEO. Upon arrival, Customs release is issued and consignments delivered to the traders without any further Customs intervention.
 - b. **Use of Non-Intrusive Inspection System (NIIS)** (Cargo and baggage scanners) assists with Risk Management, and fast clearance of goods. KRA has installed scanners at borders and airports Kenya has acquired 16 baggage and cargo scanners to be installed at entry/exit points as follows:
 - Busia OSBP- 1
 - Isebania-1
 - Jomo Kenyatta International Airport- 4
 - Inland Container Depot (Nairobi)-6
 - Lunga-Lunga OSBP -1
 - Moi International Airport- 1
 - Namanga OSBP-1
 - Taveta OSBP-1
 - An ultra-modern Scanner Command Centre is under construction at Times Towers. All scanner images will be relayed to the HQ for real time analysis.

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- Madagascar reported that there are other systems and equipment such as X-ray and scanning machine installed to facilitate trade.
- Malawi has the following additional trade facilitation instruments:
 - Installation of Scanners along some borders
 - Introduction of E-payment.
- Mauritius has the following additional trade facilitation instruments:
 - Non-intrusive examination of goods (scanners)
 - Electronic payments and deferred payment scheme
 - Warehouse management system
 - Risk management section
 - Have a QTU to give fast track clearance to compliant traders
- Rwanda has undertaken the following Custom reforms:
 - Introduction of Non-intrusive mobile scanners. Three cargo mobile scanners have already been delivered and deployed at Gikondo dry port, Gatuna and Rusumo border posts in 2010. Introduction of mobile cargo scanners reduced clearance time and Cost because Scanned goods are not offloaded into warehouses unless there is suspicious and manual physical inspection is minimized.
 - Implemented Single Customs Territory and goods declarations are done when the goods are still at the first Port of entry on maritime and when goods are still in partner States on transfers (Intra Regional Trade). It reduced clearance time and increased online monitor of goods and integrity.
 - Online Licensing of Clearing Agents and Transit trucks. This has significantly reduced on the cost in terms of time and money as it can be done at border posts as well as at Customs Headquarters.
 - Objections and Appeal. Importers and Exporters have got a right to appeal against a decision taken that has affected them.
- Uganda has the following additional trade facilitation instruments:
 - Implemented Single Customs Territory (SCT) with all the EAC Member States
 - Centralized Document Processing Centre; aims:
 - Encourage online receipt and processing of declarations relying on the scanned attached documents (10% Paperless environment)
 - Minimize Staff, Clearing agent and Traders direct interaction with staff.
 - Reduce clearance time through online querying and communication modules.
 - Improve management control over the declaration processing function
 - Increase staff productivity.
 - National targeting Centre- NTC is mandated with co-ordination & provision of a Central Risk Related information hub for better decision making. Includes:
 - Risk Categories: Emphasis is laid on Enterprise (Individual & non-individual) & Goods.
 - Three Tier Risk Management Structure; Pre-arrival, Arrival & Post arrival.
 - Centralized Risk Management; working with risk champions.
 - Central Monitoring Command Centre (CMC) – The camera and surveillance systems are currently operational in Malaba, Busia, Mutukula, Multiple bonded warehouse and site surveys have been done in the rest of the country.
 - On auctioning of overstayed goods
 - Non-Intrusive Inspection (NII), Cargo Scanners are installed at major Customs stations at Busia, Malaba OSBP & Mutukula. More Scanners to be installed at all major border stations.
 - 2 NUCTECH scanners are operational at Malaba and Busia OSBPs.
 - 2 additional drive through scanners installed with the capacity to scan 155 trucks per hour.
 - Plans underway to procure and install 5 more scanners.
 - Electronic licensing of Customs agents
 - Online application and vetting of applicants
 - Physical premises and equipment inspection by impartial teams

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- Competency tests
- Thorough Individual and Company compliance checks
- Signing of Key Performance Indicators with agents which are monitored periodically and the performance communicated to the respective firms on a quarterly basis.
- Zambia has the following additional trade facilitation instruments:
 - Currently there is a Pilot Self-Assessment project under way at the Kenneth Kaunda International Airport.
 - Single Payment Point is being implemented to ensure all Statutory Payments relating to imports and exports are paid through a single point
 - Customs Electronic Licensing System (CELS) – Licensing for clearing agents /customs brokers
 - Ministry of Finance Voucher of Exemption(e-VOE) has been implemented for the two ministries noted below to facilitate issuance of Vouchers of Exemptions on approved Government Shipments: (i) Ministry of Works and Supply and (ii)Ministry of Health
 - Single Payment Point is being implemented to ensure all Statutory Payments relating to imports and exports are paid through a single point
 - The Zambia Revenue Authority commenced the implementation of e-payment in 2014. There are currently Sixteen (16) commercial Banks offering e-payment. Mobile payment systems solutions are at an advanced stage of development with Three (3) Mobile Payments operators.