



OFFICE OF THE CHAIRPERSON OF THE TRIPARTITE TASK FORCE

PRESS STATEMENT

TRIPARTITE SECTORAL MINISTERIAL COMMITTEE ON LEGAL AFFAIRS ENDORSES LEGAL INSTRUMENTS FOR TRIPARTITE TRANSPORT AND TRANSIT FACILITATION

“Cross border road transport laws, regulations, standards and systems harmonized from Cape to Cairo”.

Following the consideration and adoption of the COMESA-EAC-SADC Vehicle Load Management Agreement (VLMA), the COMESA-EAC-SADC Multilateral Cross-Border Road Transport Agreement (MCBRTA) and five Road Transport Model Laws and Principles by the 2nd Meeting of the Tripartite Sectoral Ministerial Committee of Infrastructure (TSMCI) that took place in Lusaka, Zambia in October, 2019, the Tripartite Sectoral Ministerial Committee on Legal Affairs (TSMCLA) met on 18th September 2020. The TSMCLA met to legally scrub the following Draft Tripartite Road Transport Legal Instruments:

- a. COMESA-EAC-SADC Vehicle Load Management Agreement;
- b. COMESA-EAC-SADC Multilateral Cross Border Road Transport Agreement;
- c. COMESA-EAC-SADC Vehicle Load Management Model Law;
- d. COMESA-EAC-SADC Cross Border Road Transport Model Law;
- e. COMESA-EAC-SADC Road Traffic Model Law;
- f. Draft COMESA-EAC-SADC Road Traffic and Transport Transgressions Model Law; and
- g. Draft COMESA-EAC-SADC Transport of Dangerous Goods by Road Model Law

The instruments will be presented for consideration for final approval by the Tripartite Ministerial Council that will then recommend the Vehicle Load Management Agreement and the Multilateral Cross-Border Road Transport Agreement for signature, by the Heads

of State and Government. The meeting of the Tripartite Council of Ministers is expected to be held before the end of this year (2020).

The COMESA-EAC-SADC Vehicle Load Management Agreement sets out the harmonized regulations and standards and the methodology for calculating overload fees with the purpose to retrieve the additional cost to the infrastructure caused by overloading, as well as the permissible load limits with the view to protect the road pavement as well as to ensure road safety. The Draft Agreement also provides the basis for cooperation between the Member/ Partner States of the Tripartite Free Trade Area regarding vehicle load management, law enforcement, information sharing, as well as mechanisms for dispute resolution.

The COMESA-EAC-SADC Multilateral Cross Border Road Transport Agreement, provides for a Tripartite legal framework for harmonisation of road traffic and transport related aspects, including vehicle registration documents, transport operator registration, vehicle fitness testing, driver training and testing, as well as driving licence categories based on appropriate international standards, including United Nations Standards.

Further, the Draft COMESA-EAC-SADC Multilateral Cross Border Road Transport Agreement provides for a framework for enabling a comprehensive cross border road transportation management system, which is based on quality regulation as opposed to economic regulation. The transport management system is supported by an electronic Tripartite Transport Registers and Information Platform System (TRIPS), which enables the exchange of data between the Member/Partner States, from their own National Transport Information Systems (NTIS) that consist of a number of modules, amongst others a vehicle system, a driver system, an operator system and a transgression system.

The draft instruments were developed through the Tripartite Transport and Transit Facilitation Programme (TTTFP) of COMESA, EAC and SADC. The joint programme is funded by the European Union under the 11th European Development Fund.

End of Press Statement