



Tunduma-Nakonde Border Post

Progress Report

November 2010

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Tunduma-Nakonde

Introduction

The border post at Tunduma – Nakonde is one of the border crossings that have been identified as important for improving border management efficiency. The border crossing experienced problems which can be attributed to deficiencies and capacity difficulties in the existing regulatory, management and administrative environments as well the state of physical facilities at the border. Tunduma – Nakonde is between the United Republic of Tanzania and Zambia and it handles traffic from Dar es Salaam to Zambia and DR Congo and vice versa. One of the main benefits of a one stop border post is the enhancement of operational efficiency of the border post which will lead to faster transit times (or reduced waiting times at the border), which will in turn lower the costs of trading. The governments of Tanzania and Zambia are committed to implement a comprehensive programme that would develop legal, operational and institutional arrangements required for the operation an efficient one stop border crossing at Nakonde/Tunduma.

Request for TradeMark Southern Africa Support

The Government of Zambia through the Ministry of Commerce, Trade and Industry request for support from TradeMark Southern Africa (TMSA) to work on the Tunduma- Nakonde Border not only to improve border management efficiency but to also establish a one stop border post. The two Governments of Tanzania and Zambia, were particularly keen to enlist the support and partnership of TradeMark Southern Africa (TMSA) in implementing this project, given its experience with establishment of the Chirundu One Stop Border Post (implemented under the Regional Trade Facilitation Programme the predecessor to TMSA). It should be noted that support was also enlisted from TradeMark East Africa (TMEA), a sister programme to TMSA covering east Africa.

TradeMark Southern Africa was requested to assist with the establishment of the necessary institutional structures and arrangements required to implement work programme geared towards establishing a one stop border post. The institutional structures would oversee the establishment of the Nakonde/Tunduma OSBP. The envisaged structures include:

- i. A *Ministerial Committee* which will be responsible for providing overall political leadership, guidance and direction for the project. Each country shall designate one minister to coordinate the activities relating to this project and he/she shall serve as the contact point with the counterpart country and with TMSA and other partners and donors.
- ii. A *Steering Committee* supported by at least four technical committees or working groups will be established to spearhead the development and implementation of the OSBP work programme. The Steering Committee will comprise of Senior Officials at the level of Permanent Secretary or Heads of Department and shall be responsible for policy and overall programme leadership and direction, including monitoring and evaluation.
- iii. *Technical Committees / Technical Working Groups shall be responsible for execution of the work programme and all technical activities.* The technical committees to be created would include legal, procedures, ICT and infrastructure and physical facilities.
- iv. *Joint Border Operations Committeewill be a local committee based at the border post which would meet regularly to deal with day-to-day operational issues affecting both countries, be they related to the OSBP project or to regular operations and functions at the border.*

TMSA is expected to work closely with these structures to develop work programmes and facilitate their implementation, provide financial and technical support as necessary, coordinate other donors and assist in resource mobilisation for the programme.

Preliminary Work by the Two Governments

In their preliminary work the two Governments held three meetings which were conducted by Senior Officials, the first meeting was conducted in Lusaka on 10 – 13th February, 2010 and then the second in Mbeya on 7-10th May 2010 and the third was held in Dar es Salaam on 28-30 May 2010. In those meetings it was agreed that, the establishment of Tunduma/Nakonde OSBP be undertaken. The two Governments had also drafted a bilateral Agreement to facilitate the process. TMSA funded the second meeting of senior officials who met in Mbeya from 7-10 March 2010. The Mbeya meeting considered the model to use for the border crossing and adopted the total separation model and agreed to examine further capacity building for officers and business community, ICT equipment needs, stakeholders' sensitisation and participation and the necessary legislation and procedures required for OSBP operationalisation and coordination.

The participants had a site visit at the border crossing and they identified a number of challenges that should be taken into account is the design of the OSBP. These challenges include:

- Porosity of the border and need to close up the gaps by extending the walls to reach the train bridge;
- Possibility of demolishing some of the current structures to create room to accommodate the new structures for OSBP such as sufficient packing for trucks, provision for sufficient space for roads for exit/entry for commercial traffic;
- Adjustment of the passenger control zone to facilitate for continuous flow of traffic;
- Positioning of the scanners and;
- Separation of passenger and commercial traffic.

The meeting discussed the need for a legal framework for establishing a OSBP which Zambia already has following the establishment of the Chirundu OSBP. Tanzania indicated its readiness to work on such legislation.

Each of the two countries had drafted a bilateral agreement and these were harmonised into one working agreement which had to be subjected to national consultations before finalisation. The meeting adopted the following work programme to pave way for the signing of the bilateral agreement:

- (i) To conduct National consultations on the draft bilateral agreement within three weeks;
- (ii) To hold Senior officials meeting for the purpose of considering the comments with a view to finalise draft Bilateral Agreement ideally within the first week of April 2010 in Dar es Salaam;
- (iii) Hold the Ministerial meeting in Lusaka to facilitate the signing of the Bilateral Agreement thereafter.

As these discussions were underway, the Zambia side had already commenced construction of new buildings which may not have been linked to the OSBP issue when they were designed.

Establishment of the Institutional Structures

The Dar es Salaam meeting of Senior Officials of 28-30 May 2010, which was co-financed by TMSA and TMEA had two key objectives. First it wanted establish the institutional structures that would work on the Tunduma/Nakonde OSBP programme. The second objective was to finalise the draft bilateral agreement and make it ready for signing in June in Lusaka.

The Dar es Salaam Senior Officials meeting established the institutional structures namely the Steering Committee and the technical sub-committees covering different areas of specialisation. The composition of the Steering Committee and its Terms of Reference were adopted and it was agreed that the Ministries responsible for Trade will be the lead ministries with the responsibility of coordinating all other ministries and agencies and will oversee the implementation of the work programme for the Tunduma-Nakonde OSBP. The meeting also established and approved the terms of reference for four sub committees to work on the technical aspects, implement the work programme and to service the Steering Committee. Officials from the lead Ministry of each country will participate in all sub committees and provide secretariat services. The four sub committees created include:

- Procedures (Movement of Goods)
- Infrastructure and ICT
- Legal and Administration and
- Border Security

The subcommittees drafted their work programmes and the meeting agreed that these would be treated as work in progress and be submitted to the Steering committee for approval at its inaugural meeting.

Bilateral Agreement

The draft Bilateral Agreement that was drafted in Mbeya was reviewed and adopted with a few amendments. The Governments of Tanzania and Zambia signed a bilateral agreement on the establishment of the Tunduma/Nakonde a One Stop Border Post (OSBP) on 7th June, 2010 in Lusaka, Zambia. This agreement was signed by the Ministers responsible for Industry, Trade and Marketing from Tanzania and for Commerce and Trade from Zambia. The agreement provides a legal framework for operationalizing all the structures established to spearhead the establishment of the Tunduma/Nakonde OSBP by the two Governments.

Border Infrastructure

Trade Mark Southern Africa (TMSA) undertook a brief the situation analysis of infrastructure at Tunduma/Nakonde border crossing. The analysis showed that although construction had started on the Zambian side, an infrastructure audit on traffic flow and circulation had not been carried out. It was indicated that the construction taking place may not be in line with the real needs of the border crossing especially traffic separation. On the other hand, the Tanzania side had not commenced any construction. It was noted that the available land area may not be adequate for the requirements of a one stop border post infrastructure. The meeting observed that, there will be need to acquire more land in order to have adequate space suitable for construction of buildings and related infrastructure that befits the OSBP requirements.

TMEA advised the meeting that it had resources and terms of reference ready to carry out a feasibility study which would assess the traffic flow recommend the layout design of the OSBP. The objective of the study was to carry out a site survey of existing physical facilities and draw up plans and cost estimates for a fully functioning juxtaposed OSBP between Tunduma and Nakonde capable of handling modern container traffic using a Green lane approach to international transit traffic. Although the survey was going to focus on the hard infrastructure requirements at Tunduma and Nakonde it would also identify other soft infrastructure requirements (including training and awareness raising requirements) necessary on both sides of the border to establish a one stop border post. Such identified requirements were expected to dramatically improve the speed with which cross border traffic (passenger/cargo) is processed at the border crossing. The final Terms of Reference for the feasibility study are attached as Annex A. Work on the feasibility study commenced in July 2010 and is on-going.

TUNDUMA/NAKONDE – NEEDS ASSESSMENT

**Draft Terms of Reference
08/07/2010**

1. Introduction

In East and Southern Africa transport and trade facilitation inefficiencies contribute significantly to the overall cost of traded goods. For example, it can cost up to \$800 per day to move a container along the Central Corridor. High transportation costs are a function of poor road quality, inadequate bridge infrastructure, inefficient and corrupt customs practices and poorly developed and enforced transport facilitation tools. Border operations do not meet World Customs Organization standards under the Kyoto protocol and, partly as a result, containers wait hours and sometimes days at the border points, including seaports, for clearance.

DFID and other partners are formulating programmes to address the urgent need of reducing the cost of doing business along corridors in East and Southern Africa. DFID and USAID aim to carry out a full assessment of the two main corridors in East Africa – the Northern and Central Corridors – that link the countries of the East African Community (EAC). This will design interventions to address the currently high costs of doing business in East Africa.

The Tripartite (COMESA-EAC-SADC) are working on measures and infrastructure that will reduce the time taken, and so the costs, of transport along the North South Corridor, that includes the Dar corridor from KapiriMposhi through Nakonde to Dar es Salaam.

The TradeMark East Africa (TMEA) and TradeMark Southern Africa (TMSA) programmes extend to all COMESA, EAC and SADC Member States and include providing assistance to improve traffic flow at international borders and some infrastructure improvements.

The Governments of Tanzania and Zambia have signed bilateral agreement on establishment of the Tunduma/Nakonde a One Stop Border Post (OSBP) on 7th June, 2010 in Lusaka, Zambia. This agreement was signed by the Ministers responsible for Industry, Trade and Marketing from Tanzania and for Commerce and Trade from Zambia. Prior to this, there were three meetings conducted by the Senior Officials of both countries, the first meeting were conducted in Lusaka on 10 – 13th February, 2010 and then Mbeya on 7-10th May 2010 and most recently in Dar es Salaam on 28-30 May 2010. In those meeting it was agreed that, the establishment of Tunduma/Nakonde OSBP to be undertaken. These Terms of Reference are in response to agreed actions taken by Senior Officials at this most recent meeting in Dar es Salaam on 28 to 30th May, 2010.

The Terms of Reference take account of the fact that, there is already existing design for the establishment of Nakonde/Tunduma One Stop Border Post. The building works on the Zambian side commenced in August 2009 with an original contract duration of two years. In view of this the construction on Tanzania side should be done to accommodate the agreed designs between the two parties.

Objectives

To carry out a site survey of existing physical facilities and draw up plans and cost estimates for a fully functioning juxtaposed OSBP between Tunduma and Nakonde capable of handling modern container traffic using a Green lane approach to international transit traffic. Although work will focus on the hard infrastructure requirements at Tunduma and Nakonde it will also identify what further soft requirements (including training and awareness raising requirements) are necessary on both sides of the border to establish a one stop border post and dramatically improve the speed with which cross border traffic (passenger/cargo) is processed at the border.

Recipients

The direct recipients of the consultancy are primarily the partner Governments of Tanzania and Zambia and the EAC (including the revenue authorities, Ministries of Trade, EAC, Infrastructure and Finance), regional transit organisations and regional economic communities (EAC, SADC and COMESA). The secondary recipients are the Trade Mark East Africa (TMEA) investors (DFID, EC, Holland and Belgium to date).

Scope of Works

The consultant will take into consideration the following activities and identify information needed to accommodate the agreed design between the two parties that will include the construction of a new office space, staff accommodation and cargo and passenger inspection facilities. In undertaking this work the consultant will need to identify what support is necessary on both sides of the border to deliver an effective juxtaposed one stop border post. The consultant will also consider the following in order to identify a means to meet current and likely traffic volumes; prepare design studies and schedule of costs of the recommended new structures including the existing roads through the site. Where the consultant considers demolition of existing facilities is necessary, he will give reasons why, consider alternative use options and prepare cost estimates:

4.1 Analysis

- Review the existing set up at the border post (both on the Tanzanian side and the Zambian side) including the proposed traffic circulation and functionality of the existing buildings; the buildings currently under construction and those intended to be built and comment on the suitability for a OSBP. In undertaking this exercise the consultant should identify and assess;
 - Existing operational activities and knowing future demands for the government departments with interests and operations at a border crossing; to include TRA/ZRA¹, Ministries of Roads and Public buildings, Infrastructure and all interested Government Border Agencies.
 - Needs assessment to accommodate the new design that will include construction of new building for administration, passenger and cargo inspection facilities at the OSBP.
 - What is needed for construction of new buildings to cater for international and local cross border traffic at the OSBP
 - “Choke points” that restrict the flow of transport and passengers and make recommendations on the optimum design to maintain and manage traffic flow of international and local cross border traffic for both present and future capacity.
 - What issues would need to be addressed to maintain security.
 - The potential for electronic security be used to bring added value to operational requirements at the border crossing.
 - All IT requirements to provide modern procedures to facilitate cargo and passenger flow to streamline all border agency activities.
 - Access to electricity, water, ICT and telephone connectivity.
 - Assess the likely environmental impact of any work
- In analysing the above information provide a general assessment of what improvements are required on both sides of the border and prepare a matrix to clearly identify the benefits, challenges and the proposed solutions. In carrying out this review the consultants should remember the two parties agreed to use the total separation model, after assessing the four models presented. (attached report)

4.2 Drawings and Cost Estimates

Based on the above analysis;

- Prepare drawings of existing administration building, identifying areas for alterations, demolition and extensions;
- Prepare site plans to show all roads and existing facilities.
- Prepare drawings and costs estimates of new buildings for administration, passenger and cargo inspection facilities;
- Highlight the standard of construction that will meet required international quality and safety standards;

¹ TRA – Tanzania Revenue Authority, ZRA – Zambian Revenue Authority

- Prepare drawings and cost estimates for new road to accommodate traffic flow systems (using the green lane clearance model) at Nakonde/Tunduma to ensure effective traffic flow between the juxtaposed border post.
- The site surveys and drawings shall identify what is needed to maintain security of international movement of people and goods leading to and from both sides of the border.

Methodology

The consultant will undertake the assignment through a combination of desk work and field visits to the Tunduma/Nakonde border post and visits to the following Ministries; Ministry of Industry, Trade and Marketing, Infrastructure Development, Home Affairs, Finance and Economic Affairs, Foreign Affairs and International Relations, Justice and Constitution and Agriculture and Food and Cooperatives. DFID and TMEA will cover all costs associated with this project.

Establishment of the Work Plan and Budget

It was agreed that, Ministry of Industry, Trade and Marketing -Tanzania and Ministry of Commerce and Trade – Zambia will prepare work plan and budget to facilitate the establishment Tunduma/Nakonde OSBP The prepared work plan and budget among other things it will cover Sub-Committees meetings, travelling and Monitoring and Evaluation of the OSBP activities.

Deliverables

The deliverables of this Terms of Reference will be:

- An inception report 10 days into the assignment outlining the areas of work that will be covered in the assignment, planned activities and timetable etc.
- A preliminary report within 28 days of the start of the assignment.
- A comprehensive Master Plan showing traffic circulation patterns for all types of traffic (freight/passenger/bus) through the complete border complex (both sides).
- At Tunduma a set of drawings and cost estimates in sufficient detail to enable the recipient to prepare Expression of Interest tender documents for a Design and Project Management contract leading to full construction. Expressions of interest must also stipulate a standard of construction that meets international requirements on quality and safety.
- A detailed report to support the recommendations including existing and future traffic (Vehicle and Passenger) as well as the schematics as to how the buildings are function with the preferred option Total Separation.
- A schedule of cost estimates for the preferred options including the construction of the new buildings for administration, passenger, cargo inspection facilities and e.t.c.
- A stakeholder workshop to present and explain the proposed design and structures preferred relevant to Total Separation Model by September 2010.
- A draft final Needs Assessment report with feedback from stakeholder workshop circulated for final comment by mid September.

Timeframe and reporting

The assignment will require the consultant to provide sufficient specialist staff for the period of this contract. The consultancy will commence by end of July 2010 and run until the end of September 2010. The consultants will report to the Nakonde/Tunduma Steering Committee and work closely with TradeMark's Tanzania Team and Ministry of Industry, Trade and Marketing.

Qualifications

In order to carry out this work the consultants should have expertise in the following areas and experience of undertaking similar work on other OSBPs in the region;

- Quantity Surveying
- Architecture (at least 10 years experience)
- Civil and Structural Engineering
- Mechanical/Electrical Engineering
- Environmental Impact
- Customs (at least 10 years experience with significant experience of OSBP Operations)

NB: Local and International consultant shall be recruited for this assignment.

Additional Information

Challenges identified by Infrastructure Sub-committee at Senior Personnel Meeting in Dar es Salaam 28th & 29th of April 2010:

- Inadequate Land – consideration to be given to using the existing facility for just passengers and constructing a new BP elsewhere;
- Consideration of Dual Crossing Provision;
- Traffic Optimisation (Restricted Infrastructure);
- Single Master plan which shows the overall layout and functionality;
- No-Plan for interim solution for the plan to be implemented;
- Can Contractors be allowed to work within either country (within 4km);
- Time and processing of resettlement and compensation for property owners;
- Additional congestion arising during the period of demolition and construction of new facilities considering the present congestion at the border;
- Consideration of overall scheme including dry ports in either or both countries;
- Will the current proposal be able to accommodate anticipated increase in volumes of passengers and cargo?
- Time frame for completion of infrastructure i.e. synchronisation of activities from both sides;