



# TRADE NOTES

## THE GAINS AND CHALLENGES OF TRADING UNDER COMESA

The overall objective of COMESA (Common Market for Eastern and Southern Africa) is to create an integrated market where there is free movement of goods, services, capital, labour and persons, in order to attain sustainable development within the region. This objective is expected to be achieved through trade development. Manufactured products from Kenya have dominated the COMESA export market; however, there are challenges that have been encountered by exporters from Kenya to COMESA. The main challenge has been the administration of the rules of origin that ensures that only FTA members benefit.

IEA organized a policy round table with experts engaged in COMESA trade on 31<sup>st</sup> October 2006 members benefit from the incentives offered. Experts involved in trading within the region made presentations on the state of negotiation under COMESA; Kenya's export performance; trade facilitation issues and the need for an effective dispute settlement body.

### INSIDE THIS ISSUE:

Background	1
COMESA– Vision, Mission, Objectives & Aims	1
Kenya's performance under COMESA FTA	2
Trade Facilitation in the COMESA FTA	6
Challenges faced by Exporters to COMESA FTA	7
Dispute settlement in Regional Trade Agreements: The Case of COMESA	8
Conclusions	8

### Background

The birth of Common Market for East and Southern Africa (COMESA) was one of the many moves towards Pan-africanism by African states during post independence period. This was considered relevant for the provision of mechanisms for promotion of sub-regional economic integration considered by the United Nations Economic Commission for Africa (ECA) ministerial meeting in 1965 in Lusaka, Zambia. It was followed by the Lusaka Declaration of Intent and commitment to the Establishment of the Preferential Trade Area (PTA) for Eastern and Southern Africa in 1978. The establishment of the same was done in 1981 and was subsequently transformed to COMESA in 1994. COMESA was formed as a building block towards African Economic Community (AEC) as envisioned by the Organization of African Union (OAU) Lagos Plan of Action (LPA) and the Final Act of Lagos (FAL). It has 20 member states: Angola, Burundi, Comoros, Djibouti, Democratic Republic of Congo (DRC), Egypt, Eritrea, Ethiopia, Kenya, *Libya*, Madagascar, Mauritius, Malawi, Rwanda, Seychelles

Sudan, Swaziland, Uganda, Zambia and Zimbabwe.

### COMESA Vision, Mission, Objective and Aims

**Vision:** To be a fully integrated, internationally competitive regional community; a community within which there is economic prosperity as evidenced by high standards of living for its people, political and social stability and peace. A community within which goods, services, capital and labour are free to move across national borders.

**Mission:** Endeavor to achieve sustainable economic and social progress in all member states through increased co-operation and integration in all fields of development.

**Objective:** To promote economic cooperation in all fields of economic activity in order to achieve sustainable transformation of the structure of production of the national economies of member states.

**Aim:** To create and maintain:

1. Free Trade Area (FTA)
2. Customs Union

3. Free movement of capital and investments and a creation of common Investment area
4. Payment Union with common currency
5. Common visa arrangements, right of establishment, free movement of persons.

### COMESA integration agenda

The strategy and approach used to achieve the desired goals involve the integration of member states through trade and investment and, open regionalism through regional integration without crowding out global economy.

### Status of liberalization in COMESA

Preferential Trade Area (PTA)	1981
COMESA	1994
Free Trade Area	2000
Customs Union	2008
Common Market	2015
Monetary Union	2025

Under the Free Trade Area (FTA) launched in December 2000, COMESA countries trade on duty-free and quota-free terms subject to the Rules of Origin. The member states under FTA include: - Burundi, *Comoros*, Djibouti, Egypt, Kenya, *Libya*, Madagascar, Mauritius, Malawi, Rwanda, Sudan, Zambia and Zimbabwe. Trade between FTA and non FTA members is based on the principle of reciprocity. The Non-FTA members include:-Eritrea, Uganda, Ethiopia, Angola, DRC, Seychelles, and Swaziland which is still under derogation.

As a free trade area is, by definition, a reciprocal arrangement, trade between member States is conducted on the basis of reciprocity, as follows:

- Member States that belong to the FTA trade on a duty-free basis in all trade amongst themselves;
- Member States that do not yet belong to the FTA are granted trade preferences by the FTA member States on the basis of the tariff reductions they have attained
- Member States that have not yet effected the minimum tariff reduction of 60 per cent are not granted any preferential rate by the FTA member States or by those that have reduced tariffs by the 60 per cent or more.

As at May 2006, DR Congo was still holding consultations on her participation in the Free Trade Area; Uganda had completed her national consultations as well as her consultations with her EAC partners and would make an announcement at the meeting of the Council of Ministers in Djibouti; Ethiopia, with assistance from the COMESA Secretariat, would engage three national and one regional

consultant to review earlier studies on the implications of Ethiopia's joining of the FTA. Comoros and Libya are the latest to join the FTA.

### KENYA'S PERFORMANCE UNDER COMESA FTA

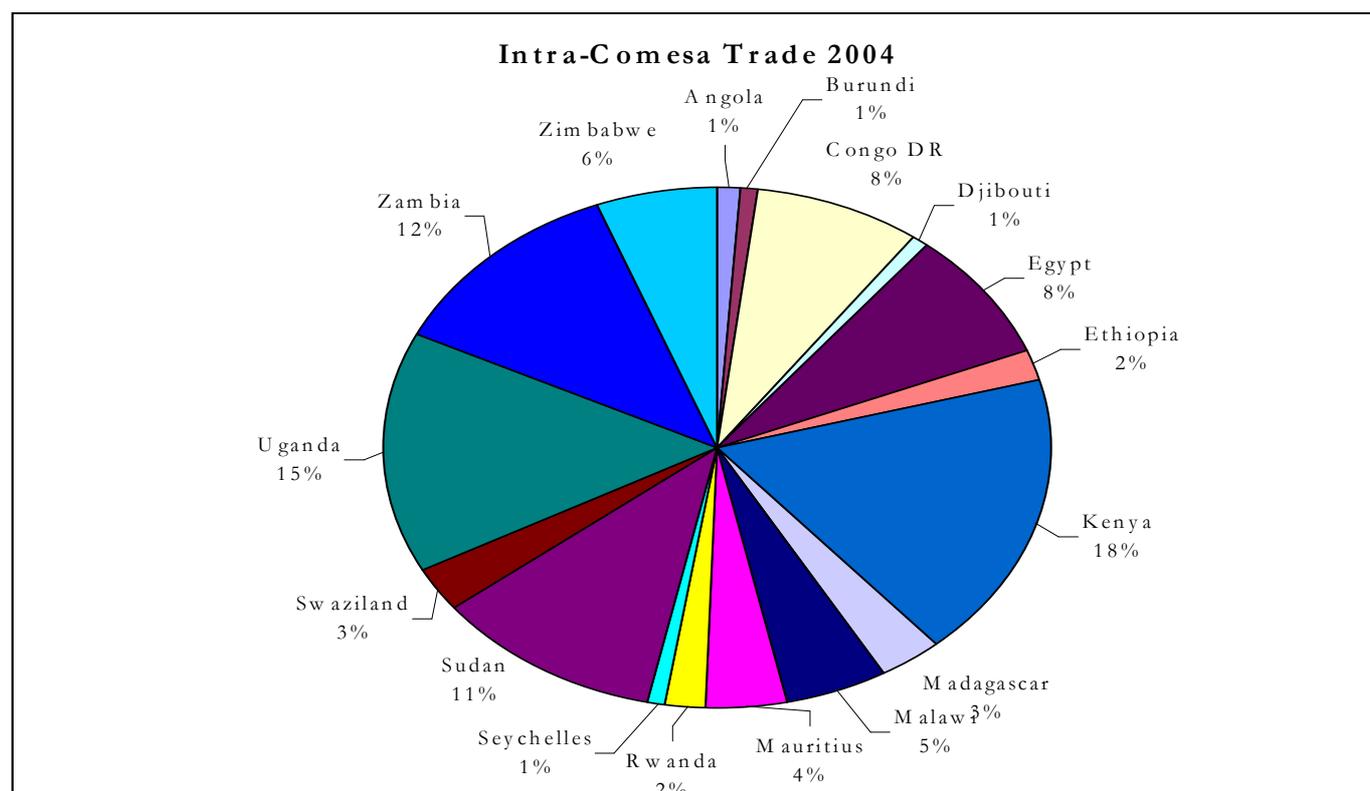
The FTA offers producers and manufacturers of exportable products an enlarged market for their goods. The larger market encourages longer production runs and better, cost – effective utilization of productive capacities. In this regard producers and manufacturers do operate at optimum plant capacities enabling them to maximize economies of scale. This will further enhance the efficient allocation of resources and foster overall economic efficiency by promoting competition. The removal of tariff and non-tariff barriers and facilitation of cross border trade will lead to efficient allocation and utilization of scarce regional resources.

Intra COMESA trade has been growing at an average of 7% per annum. Trade within the expanded FTA registered a 27% increase in 2005. From the latest statistics s by the Kenya Association of Manufacturers (KAM), intra-COMESA FTA exports by sector constitutes: Food (40%), manufacturers (50%), agriculture and raw materials (4%), fuels 3% and, ores and metals (3%). Within COMESA, the main share of trade is carried out by Kenya, Uganda, Sudan, Zambia, Egypt, Congo and Zimbabwe. Angola, Burundi and Seychelles have the least share of trade: 1 percent.

At the Commodity level, tea was the most traded commodity for Kenya with a value of USD 135,330,838, followed by petroleum oils and oils from bituminous products (Table 1). Kenya largely imports mixtures of odiferous substances and raw cane sugar from COMESA (Table 2). A lot of petroleum and oil products that are imported from outside COMESA (Table 7) are re-exported to the COMESA region (Table 3). Overall, Kenya's performance under COMESA is impressive as it is the leading exporter of manufacturing products to the region. However, Comparing the extra- COMESA exports (Table 4) to Extra- COMESA imports (Table 7) it is clear that Kenya has a negative trade balance. The predominant extra-COMESA exports are agricultural products while imports are manufactured products. The top three extra COMESA export trading partners are; United Kingdom, Netherlands and Pakistan while the top three extra- COMESA import trading partners are United Arab Emirates, the United Kingdom and South Africa.

Egypt has remained Kenya's top import trading partner in COMESA from 2001-2005 (Table 5) and also Kenya's second export destination (Table 6). While this shows that there is a good market for Kenyan products in Egypt , the

Chart 1: Intra COMESA trade, 3.9 Billion USD



*Source: National Statistical Offices, Intra COMESA Data for Angola, Congo DR, Djibouti and Eritrea are derived from partner country statistics*

implication of this is that Kenya heavily relies on the Egyptian market, there is a risk of the trading partner

behaving like a monopsonist given the undiversified of the Kenyan products. Progress should be made to have value addition on our leading exports product: tea.

Table 1: Kenya's Top 10 Export Products to COMESA, 2005

	Hs Code	Product description	Value, US\$
1	090240	Black fermented tea and partly fermented tea, whether or not flavoured...	135,330,838
2	271000	Petroleum oils and oils obtained from bituminous minerals (excl. crude...	63,912,965
3	180620	Chocolate and other food preparations containing cocoa, in blocks, sla...	61,715,756
4	252329	Portland cement (excl. white, whether or not artificially coloured)	31,750,209
5	392321	Sacks and bags, incl. cones, of polymers of ethylene	20,852,270
6	721041	Flat-rolled products of iron or non-alloy steel, of a width >= 600 mm,...	18,778,816
7	340119	Soaps and organic surface-active products and preparations, in the for...	16,824,660
8	340120	Soap in the form of flakes, granules, powder, paste or in aqueous solution	15,642,353
9	940370	Furniture of plastic (excl. medical, dental, surgical or veterinary, a...	15,508,109
10	721049	Flat-rolled products of iron or non-alloy steel, of a width >= 600 mm,...	15,220,769

*Source: Centre for Business information in Kenya (CBIK)*

**Table 2: Kenya's Top 10 Import Products from COMESA, 2005**

	Hs Code	Product description	Value, US\$
1	330210	Mixtures of odoriferous substances and mixtures, incl. alcoholic solut...	23,761,399
2	170111	Raw cane sugar (excl. added flavoring or coloring)	16,664,290
3	170199	Cane or beet sugar and chemically pure sucrose, in solid form (excl. c...	13,182,619
4	940600	Prefabricated buildings, whether or not complete or already assembled	7,120,613
5	740811	Wire of refined copper, with a maximum cross-sectional dimension of > 6 mm	6,944,777
6	481840	Sanitary towels and tampons of paper pulp, paper, cellulose wadding or...	6,932,731
7	271000	Petroleum oils and oils obtained from bituminous minerals (excl. crude...	5,513,427
8	100640	Broken rice	5,400,872
9	100630	Semi-milled or wholly milled rice	4,754,064
10	401120	New pneumatic tyres, of rubber, of a kind used for buses and lorries (...)	4,663,313

Source: Centre for Business information in Kenya (CBIK)

**Table 3: Kenya's Top 10 Intra-COMESA Re-export Products, 2005**

	Hs Code	Product description	Value, US\$
1	271000	Petroleum oils and oils obtained from bituminous minerals (excl. crude...	308,080,561
2	391310	Alginic acid, salts and esters thereof, in primary forms	49,805,311
3	340120	Soap in the form of flakes, granules, powder, paste or in aqueous solution	4,760,265
4	090240	Black fermented tea and partly fermented tea, whether or not flavoured...	4,750,927
5	330610	Dentifrices, incl. those used by dental practitioners	3,791,153
6	870210	Motor vehicles for the transport of >= 10 persons, incl. driver, with ...	3,521,243
7	630612	Tarpaulins, awnings and sunblinds of synthetic fibres (excl. flat cove...	2,607,477
8	842481	Agricultural or horticultural mechanical appliances whether or not han...	2,164,683
9	721310	Bars and rods of iron or non-alloy steel, in irregularly wound coils, ...	1,985,598
10	870190	Tractors (excl. those of heading no 8709, pedestrian-controlled tracto...	1,767,762

Source: Centre for Business information in Kenya (CBIK)

**Table 4: Kenya's Top 10 Extra-COMESA Export Products, 2005**

	Hs Code	Product description	Value, US\$
1	090240	Black fermented tea and partly fermented tea, whether or not flavoured...	393,651,861
2	060310	Fresh cut flowers and flower buds, for bouquets or for ornamental purposes	225,100,715
3	090111	Coffee (excl. roasted and decaffeinated)	110,483,899
4	070990	Fresh or chilled vegetables n.e.s.	81,642,961
5	070820	Fresh or chilled beans vigna spp., phaseolus spp., shelled or unshelled	80,031,691
6	283699	Carbonates and peroxocarbonates percarbonates (excl. commercial ammo...	77,035,560
7	200820	Pineapples, prepared or preserved, whether or not containing added sug...	45,287,083
8	240220	Cigarettes containing tobacco	44,980,928
9	030420	Frozen fish fillets	35,598,201
10	060210	Unrooted cuttings and slips	29,291,546

Source: Centre for Business information in Kenya (CBIK)

**Table 5: Kenya's Top COMESA Import Trading Partners, 2001 - 2005**

		2001	2002	2003	2004	2005
	Partner	US\$	US\$	US\$	US\$	US\$
1	Egypt	44,051,878	36,867,075	59,888,010	80,798,962	79,866,663
2	Swaziland	12,997,015	21,130,013	21,237,294	37,757,970	37,321,149
3	Mauritius	8,829,594	8,738,121	8,941,434	14,359,521	12,699,435
4	Eritrea	51,515	25,234	53,389	81,775	11,713,608
5	Zambia	13,255,641	3,483,569	4,702,654	7,581,405	10,429,564
6	Malawi	13,685,659	8,075,099	11,839,452	6,555,996	5,849,297
7	Uganda	6,436,414	8,690,260	11,015,806	12,440,150	5,659,052
8	Zimbabwe	17,077,766	19,261,169	18,329,701	5,224,188	3,956,481
9	Sudan	16,539,072	2,546,151	7,370,345	2,356,579	2,909,425
10	Djibouti	52,659	42,183	363	99	1,524,035
11	Rwanda	57,392	91,582	110,736	260,513	1,452,753
12	Congo DR	9,477,463	5,490,473	808,050	4,789,279	1,294,351
13	Ethiopia	1,066,199	276,410	277,838	1,289,680	778,649
14	Burundi	992	10,305	32,049	56,327	254,731
15	Angola	123,468	322,788	9,123	87,917	134,986
16	Madagascar	685,408	2,365,145	17,760	14,737	31,202
17	Seychelles	48,068	132,191	3,069	44,972	4,186

Source: Centre for Business information in Kenya (CBIK)

**Table 6: Kenya's Top COMESA Export Trading Partners, 2001 - 2005**

		2001	2002	2003	2004	2005
	Partner	US\$	US\$	US\$	US\$	US\$
1	Uganda	242,635,394	241,466,065	156,952,432	205,550,738	383,145,028
2	Egypt	85,606,951	255,120,639	71,396,157	81,019,713	110,145,166
3	Congo DR	21,231,091	na	41,775,764	49,874,944	92,227,167
4	Sudan	34,919,224	29,291,436	32,463,208	55,103,745	84,644,279
5	Rwanda	8,353,626	8,262,497	25,930,961	30,913,367	41,540,919
6	Zambia	3,404,543	10,032,242	22,372,534	28,400,208	35,676,894
7	Ethiopia	12,414,221	11,346,972	20,048,307	23,877,258	29,777,395
8	Burundi	38,060,643	18,234,242	14,045,886	15,517,497	28,881,644
9	Malawi	4,879,985	8,319,673	9,492,301	13,749,366	19,451,282
10	Eritrea	na	na	5,631,799	2,248,073	13,084,198
11	Djibouti	na	na	4,725,880	6,129,707	8,460,262
12	Mauritius	2,834,654	2,271,052	9,672,246	7,214,858	6,036,837
13	Madagascar	3,624,679	4,343,003	5,776,713	3,386,496	5,035,350
14	Comoros	1,754,170	896,344	3,066,653	2,551,983	3,351,819
15	Seychelles	2,805,093	4,427,087	2,256,391	2,334,100	2,860,784
16	Zimbabwe	1,957,383	30,883,703	4,420,422	1,229,517	2,527,514
17	Angola	na	na	3,569,088	1,483,926	1,311,068
18	Swaziland	7,697	594,617	52,167	23,358	75,951

Source: Centre for Business information in Kenya (CBIK)

**Table 7: Kenya's Top 10 Extra-COMESA Import Products, 2005**

	Hs Code	Product description	Value, US\$
1	270900	Petroleum oils and oils obtained from bituminous minerals, crude	681,219,101
2	271000	Petroleum oils and oils obtained from bituminous minerals (excl. crude...	596,167,087
3	880240	Aero planes and other powered aircraft of an of an unladen weight > 15 ...	224,324,861
4	880211	Helicopters of an unladen weight =< 2 000 kg	137,825,257
5	151110	Crude palm oil	135,673,011
6	720827	Flat-rolled products of iron or non-alloy steel, of a width of >= 600 ...	113,183,532
7	100190	Wheat and meslin (excl. durum wheat)	101,497,814
8	300490	Medicaments consisting of mixed or unmixed products for therapeutic or...	69,145,370
9	870323	Motor cars and other motor vehicles principally designed for the trans...	69,090,884
10	310530	Diammonium hydrogenorthophosphate diammonium phosphate (excl. that i...	61,517,149

Source: Centre for Business information in Kenya (CBIK)

**Table 8: Kenya's Top 10 Extra-COMESA Re-Export Products, 2005**

	Hs Code	Product description	Value, US\$
1	271000	Petroleum oils and oils obtained from bituminous minerals (excl. crude...	190,319,397
2	620462	Women's or girls' trousers bib and brace overalls, breeches and short...	44,382,174
3	620342	Men's or boys' trousers, bib and brace overalls, breeches and shorts, ...	21,751,827
4	620412	Women's or girls' suits of cotton (excl. knitted or crocheted, ski ove...	15,936,884
5	610462	Women's or girls' trousers, bib and brace overalls, breeches and short...	14,847,411
6	620469	Women's or girls' trousers, bib and brace overalls, breeches and short...	11,668,981
7	491199	Printed material n.e.s.	9,802,261
8	610469	Women's or girls' trousers, bib and brace overalls, breeches and short...	7,119,431
9	620322	Men's or boys' ensembles of cotton (excl. knitted or crocheted, ski en...	4,761,022
10	620349	Men's or boys' trousers, bib and brace overalls, breeches and shorts o...	4,394,326

Source: Centre for Business information in Kenya (CBIK)

## TRADE FACILITATION IN THE COMESA FTA

Trade facilitation initiatives benefit both the business community and the government. The business community benefits by obtaining enhanced competitiveness in national and international markets due to reduction of delays and cost while the government on the other hand is able to utilize modern procedures and increase revenue collection. Trade facilitation contributes to economic development through increased trade and encouragement of foreign investments.

In the context of international trade, the customs department plays a major role in meeting government's goal of improved revenue collection and ensuring effective controls, compliance with the national laws, ensuring security and protection of society. Efficiency and effectiveness of customs procedures has a significant

influence on the economic competitiveness of nations and growth of international trade.

### Trade facilitation instruments

The following are the COMESA trade facilitation instruments:

1. COMESA Customs Document. Single entry document implemented in Jan 1999.
2. Regional Bond Guarantee. Kenya has ratified and identified the national surety, project to be implemented in Jan 2007.
3. Tracking system. To monitor transit cargo, Kenya and Uganda are to procure one system jointly.
4. Information Technology (IT). Kenya adopted Simba system in July 2005. It is an open system talking to Asycuda which is a COMESA initiative.
5. Rules of origin : Kenya applies COMESA rules of origin for trade within COMESA

6. Valuation: Kenya Customs implemented ACV in Jan 2000. This includes post clearance audit unit, risk management for targeting and enforcement of compliance measures which enhance certainty, uniformity and general applications of valuation rules that ensures smooth flow of imports across the borders.
7. One stop border shop: Kenya and Uganda have undertaken joint border initiative in order to facilitate trade and reduce delays. The project was commissioned early 2006 and it is operational
8. Scanner unit: Cargo scanners were acquired and installed at the port of Mombassa and are fully functional. These have enhanced faster, accurate and efficient verification of goods, reducing delays.
9. Other trade facilitation Instruments
  - Regional policy on standards and quality assurance
  - Harmonization of standards
  - Use of Export Promotion Zone (EPZ) to promote value addition
  - COMESA simplified Trade regime
2. The goods should be produced in the Member States and the c.i.f value of any foreign (that is, non-COMESA) materials should not exceed 60% of the total cost of all materials used in their production; or
3. The value added resulting from the process of producing the goods from imported materials should account for at least 35% of the ex-factory cost of the goods; or
4. The goods should be produced in Member States and be classified, after the process of production, under a tariff heading other than the tariff heading under which they were imported; or
5. The goods should be designated by Council as “goods of particular importance to the economic development of Member States” and should contain not less than 25% of value added, notwithstanding the provisions in paragraph (iii)

COMESA secretariat is at an advance stage of establishing a permanent mechanism for the monitor and resolution of Non Trade Barriers (NTBs). Member states are to advice COMESA on any NTBs imposed by other countries. So far Kenya, Egypt, Seychelles and Uganda have established their national enquiry point.

## CHALLENGES FACED BY EXPORTERS TO COMESA FTA

### *Rules of Origin*

Within the COMESA FTA the issue of Rules of Origin, which is addressed by Article 48 remains contentious. According to the Article, goods shall be accepted as eligible for Common Market tariff treatment if they originate in the Member States. The definition of products originating in the member states is provided in the Protocol on the rules of Origin. The Rules of Origin enable importing countries to distinguish between products that have undergone substantial transformation within the region and those coming outside the region or have not been sufficiently processed within the region. The Rules seek to promote and enhance industrial development, employment and generally economic activity.

### *Original – Conferring Criteria:*

1. The goods should be wholly produced or obtained in a Member State (that is, they should contain no materials imported from outside the Common Market; e.g. animals bred and reared on a farm, fish caught in country's lakes/rivers/sea, mineral mined from the ground, timber felled in the country's plantation); or
  2. The goods should be produced in the Member States and the c.i.f value of any foreign (that is, non-COMESA) materials should not exceed 60% of the total cost of all materials used in their production; or
  3. The value added resulting from the process of producing the goods from imported materials should account for at least 35% of the ex-factory cost of the goods; or
  4. The goods should be produced in Member States and be classified, after the process of production, under a tariff heading other than the tariff heading under which they were imported; or
  5. The goods should be designated by Council as “goods of particular importance to the economic development of Member States” and should contain not less than 25% of value added, notwithstanding the provisions in paragraph (iii)
- ☒ Potential Loss of Revenue: Trade taxes still constitute a large share of Government revenue in most African countries. And so tariff reductions and elimination can lead to loss of revenue. It may be that this loss of revenue is a short – term loss which can be compensated by increased revenues collected in other taxes on large volumes of traded goods, such as Value Added Tax (VAT) and Excise duties.
  - ☒ Competitiveness: The effects trade liberalization has on competitiveness of industry and the productive sector in general is an issue of major interest to both industry and governments in COMESA. There is a genuine fear amongst some private sector operators that a reduction in tariffs would make their goods less competitive and result in further de-industrialization of the poorer countries
  - ☒ Continued tariff reform: How to cope with the implementation of a Free Trade Area and at the same time continue to implement further reform measures, including harmonizing external tariffs so that there is a smooth transition to a Common External Tariff.
  - ☒ Costly and inefficient infrastructure utilities (Roads, rail, ports, Communication) are also poorly provided and maintained. High fuel costs leading to high cost of production and costly freight charges
  - ☒ Major manufacturing activities are outside export schemes and thus do not enjoy export incentives
  - ☒ Given the bureaucratic customs procedure at the border points, there have been delays in clearing goods especially when a trade requires multiple licenses. One consequence of the bureaucracies is the rise in corruption where security and customs agents ask for bribes in order to speed up the goods clearance process. The cost of corruption in most cases is transferred to the final price of a product.
  - ☒ There are many porous borders that encourage illegal imports. The illegal products tend to be sub-standard and counterfeits. The imports usually reduce the

market share of local goods and also bring in unfair competition into the markets.

- ✘ There are no clear trade and export promotion policies that can help develop an export financing framework. This has resulted in increased production costs
- ✘ Certain countries impose tariff and non tariff barriers to their COMESA trading partners in order to e.g. excise duty and other non-tariff barriers by countries in COMESA to protect their local manufacturers. Unfortunately, the COMESA secretariat has inadequate mechanism to expeditiously resolve tariff and non-tariff barriers problems within the FTA.

## DISPUTE SETTLEMENT IN REGIONAL TRADE AGREEMENTS: THE CASE OF COMESA

The implementation of the FTA has not been without its problems and there have been a number of disputes which taken place between countries. COMESA does, however, have a dispute settlement mechanism in place. The first stage of resolving a dispute is taken at bilateral level between the two countries in dispute. If this fails the two parties may choose to bring in the COMESA secretariat. The ultimate level of the dispute settlement mechanism is the COMESA Court of Justice.

Some of the disputes which have taken place involve the export of cooking oil from Kenya to Sudan, imports of sugar from the FTA countries into Kenya; exports of wheat flour from Zimbabwe to Zambia, Egypt to Kenya, exports of milk product from Zambia to Zimbabwe and Kenya to Zambia, exports of tyres from Egypt to Kenya and Sudan, exports of paper and cement bags from Egypt to Kenya.

### *Functions of the COMESA Court:*

- Litigation on matters referred to it pursuant to the treaty
- Providing security and predictability to the regional trading system
- Preserving the rights and obligations of COMESA members
- Clarification of the rights and obligations through

interpretation

- Promoting amicable and timely dispute settlement with the common market
- Other roles include advisory jurisdiction and arbitral role.

The court can be approached for conflict resolution by: Member states; the secretary general; Legal and natural persons and /or organs of COMESA.

The main challenges with the COMESA court is that very few individuals or organizations are aware of the role the court can play in resolving trade disputes. Secondly, most countries do not have the political will to take another trading partner to court in order to settle a trade dispute as this would result in retaliatory trade wars. Third, there is no coordination between the COMESA court of justice and our legal courts making it hard to implement decisions reached by the COMESA court. Lastly, very few lawyers are engaged in trade law.

## CONCLUSIONS

Kenya's performance under COMESA is commendable however, the challenge of export driven development goes beyond policy formulation; it requires fine-tuning of administrative structures as well as firm continuing commitment. In this regard, reduction of duties and tariffs should go hand in hand with the formulation of simple rules and minimal discretionary powers in the export and import channels. It is important to note that, regardless of trade agreements, it is particularly critical that Kenyan products are fully competitive in terms of quality and price with those available from the rest of the world. The Ministry of Trade and Industry which is Kenya's COMESA focal point must endeavor to secure solutions to NTBs that member countries impose on Kenya's products.

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