



Case Study

National Committee on Trade Facilitation Kenya

Article 23.2 of the WTO TFA: “Each Member shall establish and/or maintain a national committee on trade facilitation or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of this Agreement.”

1. Introduction

Kenya established a NCTF in March 2014. The Committee is modelled on the National Committee on the WTO (NWTO) and is, therefore, not a newly established Committee.

2. Structure of the Committee

There are 32 members of the Committee; these include Customs and the Ministry of Trade. The Committee has meetings more than twice and less than five times per year.

The Ministry of Foreign Affairs and International Trade, the Implementing Ministry, and the private sector all report to it.

3. Role of Customs and Level of Participants

Customs is the Deputy Chair of the Committee, and the Ministry of Foreign Affairs and International Trade is the Chair and Secretariat of the Committee. The level of participants is director-level.

4. Challenges and Solutions

The biggest challenges the Committee has dealt with are categorization of TF measures, and being able to notify WTO on CAT A measures and needs assessment carried out with the assistance of consultants.

The Committee is working towards a legal mandate to have its own financial resources for its own operations. The Committee has been gazetted in accordance with Kenyan laws, and now has a legal mandate to:

- coordinate and facilitate the preparation of required notifications to the WTO Committee on Trade Facilitation;
- coordinate and facilitate the implementation of trade facilitation measures in line with Kenya’s obligations under the WTO Agreement on Trade Facilitation;
- provide technical advice on trade facilitation negotiations at the national, regional, interregional and multilateral levels;
- collect and disseminate information on trade facilitation, and sensitize stakeholders on the implications of trade facilitation negotiation measures adopted following different rounds of negotiations;
- monitor and evaluate the implementation of trade facilitation measures arising from different rounds of negotiations and from trade facilitation measures adopted by other WTO Members;



- collaborate with regional and international organizations bodies on trade facilitation issues;
- identify capacity building needs, and seek assistance from development partners/donor assistance for the implementation of trade facilitation;
- collaborate with National Monitoring Committee on Non-Tariff Barriers to Trade (NTBS);
- analyse barriers and challenges to trade facilitation and make policy recommendations on reform.

5. Relevant Documentation such as Terms of References

The Terms of Reference of the Committee are to:

- (a) set up a Monitoring and Evaluation System on Trade Implementation in Kenya;
- (b) identify policy gaps, give guidance and advise the Government on the way forward on Trade Facilitation;
- (c) seek the co-operation of trade-facilitating bodies on any measure(s) that affect trade;
- (d) formulate project proposals for Category C measures and any other measures deemed necessary;
- (e) identify best practices and integrate them into the National Trade Facilitation Committee working process;
- (f) submit reports and recommendations to relevant East African Community organs and other regional economic groupings in which Kenya is a member;
- (g) participate in multilateral, regional and bilateral Trade Facilitation matters;
- (h) coordinate and facilitate the preparation of required notifications to the WTO Committee on Trade Facilitation;
- (i) provide technical advice on trade facilitation negotiations at the national, regional, interregional and multilateral levels;
- (j) collaborate with the National Monitoring Committee on Non-Tariff Barriers to Trade (NTBS) to enhance the smooth movement of goods and services;
- (k) develop fundraising strategies and organize donor roundtables;
- (l) maintain close contact with other international organizations in the field of trade facilitation, such as the World Customs Organization, with the objective of securing the best available advice for the implementation and administration of the Agreement on Trade Facilitation;
- (m) facilitate domestic coordination and implementation of the Agreement on Trade Facilitation;
- (n) review the operation and implementation of the Agreement on Trade Facilitation four years from entry into force of the Agreement, and periodically thereafter;
- (o) encourage and facilitate ad-hoc discussions on specific issues under the Agreement on Trade Facilitation;
- (p) establish such subsidiary bodies/working groups as may be required for the facilitation of trade;
- (q) develop procedures for relevant information and best practices as appropriate for the facilitation of trade.

6. Contact person for the NCTF

Pamela Ahago: pamela.ahago@kra.go.ke

