

Botswana

ARTICLE 8: BORDER AGENCY COOPERATION

Botswana Unified Revenue Service (BURS) has legal framework that provide the basis for cooperation with other border agencies and other foreign Customs administration. The main framework is the Customs Act of 2018 which incorporates all aspects of WTO's TFA Article 8 and RKC principle under standard 3.35. Under section 5 of the same Act, it gives the Commissioner General powers to initiate co-operation with other border agencies for purposes of enhance Customs mission, service delivery and operations controls. This has enabled BURS to work in collaboration with various government agencies to ensure alignment of working days and hours, alignment of procedures and formalities, development and sharing of common facilities, joint controls and establishment of one stop border post control.

As a strategy to reduce number of agencies at the ports of entries BURS has signed various Service Level Agreements and Memorandum of Understandings (MoUs) with other agencies for the purposes of performing border related functions on their behalf. Furthermore, BURS has established collaboration with other border agencies at different levels as an effort to coordinates and tackle border issues efficiently and in an effective manner. Established strategic and operational committees such Heads of Border Agencies Committees which provide leadership and direction on border policy issues. One of their key roles is ensuring that all the resources including manpower, facilities, required agencies, instruments, and all the requirements to opening and operating a border are available for a smooth operation and service delivery. At border level, there are joint operational committees made up of various agencies at the border, and their roles and responsibilities are to seek solutions and resolving operational matters through various strategies such as patrols and operations for enforcement, sharing scanning equipment, joint inspections, shift working arrangement etc.

Kazungula Bridge One Stop Border Post

The One Stop Border Post (OSBP) between Botswana and Zambia was commissioned in May 2021 by the two Member states. The OSBP has integrated border functions and brought together all the border agencies for an improved efficiency through streamlined, coordinated and harmonized operations.

(i) Hardware Infrastructure:

A Juxtaposed model border facility was adopted which combines two stops for national border control processing into one and consolidates border control functions in a shared space for exiting one country and entering another. Facilities such as offices for border officials, operational equipment such as cargo scanners, warehouses are under one roof and shared among border agencies from both member states. As supported by the infrastructure facilities Botswana is the host state at one side where exportations and importations procedures are done at once, and likewise Zambia is the host state for same processes at the Zambian side.

(ii) Standard Operating Procedures

Developing of standard operating procedures was part of the initial stages of operationalizing the OSBP. The process of reviewing and aligning procedures is continuous in order to ensure that

the OSBP operate with border crossing procedures that are not only effective but also facilitative and relevant to the prevailing circumstances. Most border procedures and activities such as Customs clearance, immigration formalities, inspections and physical examinations, cargo scanning and image analysis, working days and hours are aligned in order to expedite release of goods and reduce duplications and redundancies.

(iii) Legal and Institutional Framework

A detailed analysis of the legislative, regulatory and institutional framework governing the operations of border agencies was undertaken with a consideration that there are several government agencies that are responsible for border controls. Therefore, a principle of extraterritorial application of laws was adopted which allows each member state to extend the application of specific national laws outside its own territory.