TRALAC ANNUAL CONFERENCE

Regulation of Cross-Border Road Transport in SADC and Interventions Implemented during COVID-19

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C-BRTA: Our Mandate

We are an Agency of the National Department of Transport established in terms of the Cross-Border Road Transport Act (Act No. 4 of 1998) as amended.

We exist to facilitate efficient and seamless cross-border road transport movements with a view to enhance intra-regional trade, regional integration and socio-economic development.

**Vision:** To be the leading economic cross border road transport regulator.

**Mission:** To drive an integrated African continent through excellence in cross border road transport economic regulation, law enforcement, advisory and facilitation of unimpeded flow of goods and people.
Cross-border road transport plays a critical role towards facilitating trade, fostering regional integration and enhancing socio-economic development in SADC.

It is regulated through a number of instruments:
- SADC Protocol on Transport, Communications and Meteorology.
- Bilateral Agreements on Road Freight and Passenger Transport.
- Other instruments concluded by certain member states at corridor level such as TKC and SACU MoUs and treaties.

The key objectives of these instruments are to:
- Facilitate access, harmonise regulatory requirements, standards and systems.
- Facilitate seamless movements, enhance trade and market integration.

Regulatory authorities
- Member states established consultative structures such as the CBRT-RF, Bilateral Forums, Route Management Committees for consultative engagements and referrals.
- Member states closely work with SADC Secretariat.
Long-standing Issues Affecting Cross-Border Road Transport

- **Fragmentation of the regulatory instruments** – transport legislations and regulations between countries are not harmonized.

- **Unharmonised standards** such as vehicle standards, axle load, regulatory standards, weighbridges.

- **Unharmonised cross-border authorisation systems**, which are used to issue permits, often characterized by unharmonised permit conditions.

- **Lack of coordination**, physical and uncoordinated law enforcement operations in corridors and at border posts.

- **Unharmonised customs systems**, unharmonised border operating times, delays, long transit times and high logistics costs.

- Some countries in the region are beginning to implement measures aimed at restricting market access and protecting certain domestic transport markets for locally registered operators, which is retrogressive.
The Covid19 pandemic added more challenges to cross-border road transport owing to the following:

- At time of implementing lockdowns and Covid 19 regulations by countries, there was no plan on how cross-border transportation of goods was to be conducted during the time of lockdown.
- EAC-SADC-COMESA RECs implemented separate unharmonised regulations on cross-border road transport.
- The unharmonised response affected cross-border road transport movements, movement of persons and goods between countries.

As a result the following challenges were experienced:

- Cross-border operators were not sure of regulatory requirements in different countries.
- Operators got stuck in foreign countries and drivers and vehicles detained;
- Extensive delays and long transit times.
- Trade flow and supply chains were disrupted.
Interventions Implemented During Covid 19

Short-term Interventions

- **Guidelines on Harmonisation and Facilitation** of cross-border road transport operations during Covid 19.
- **Tripartite Trade and Transport facilitation guidelines** for safe, efficient and cost-effective movement of goods and services during the covid-19 pandemic.
- **Standard Operating Procedures** taking into account regulations implemented by respective countries.
- **Driver Testing** at border posts and **Corridor Trip Monitoring System**.

There are also long-term interventions being implemented:

- The **Linking Africa Plan** – a Trade and Transport Plan aimed at transforming the performance of the cross-border transport system and intra-Africa trade towards realization of the objectives of the AfCFTA.
- **Tripartite Transport Transit Facilitation Programme/ Multilateral Cross-Border Road Transport Agreement**.
- **Risk-based regulatory systems** and tools such as the **Operator Compliance Accreditation System**.
- Corridor performance monitoring systems.
- **Cross-Border Road Transport Regulators Forum**.
Concluding Remarks

- To increase intra-Africa trade, we should **address transport** challenges.

- Cross-border transport challenges will **derail achievement** of the **objectives of the AfCFTA**.

- **Negotiations** of trade in services need to look at **transport and trade** as twin partners.

- Despite its negative impact, **Covid 19 has given us the opportunity** to reset, **remodel, re-engineer** and **harmonise** the cross-border road transport regulatory environment for now and beyond.

- **Reforms** should be underpinned by the **need for harmonization** and **improved coordination**.