

Error	Original Quote	TMSA Correction or Supplementation	Tralac Reply
1. Factual Error	“OSBPs differ from ordinary border posts in that a bilateral agreement between the bordering countries gives each country authority to enact its rule on the other country’s side of the border...”	This is Incorrect / unclear. The bilateral agreement provides for extra territorial authority which enables agreeing countries to apply their country Laws in the other state within a confined border area called the Common Control Zone (CCZ). It is not the entire border and it is not enacting its rule. It is existing national laws but within the OSBP legal provisions.	This description of an OSBP is derived almost verbatim from the TMSA article referenced in the tralac discussion note (see <a href="http://trademarksa.org/about_us/programme_news/chirundu-one-stop-border-post-saves-us600-000-day">http://trademarksa.org/about_us/programme_news/chirundu-one-stop-border-post-saves-us600-000-day</a> )
2. Factual Error	“At Chirundu OSBP those travelling from Zambia to Zimbabwe complete all their formalities on the Zimbabwean side, and those travelling from Zimbabwe to Zambia complete all their formalities on the Zambian side.”	This is Incorrect. It is actually the exact opposite. South bound traffic completes formalities in Zimbabwe and North bound completes in Zambia. This was designed in order to accommodate revenue interests of Zambia and Zimbabwe.	The TMSA ‘correction’ indicates the same facts as the tralac quote, namely that vehicles travelling from Zambia to Zimbabwe (‘southbound’) complete formalities on the Zimbabwean side, while vehicles travelling from Zimbabwe to Zambia (‘northbound’) complete formalities on the Zambian side.
3. Misleading information	“ <b>Sources suggest</b> that since the implementation of the OSBP, clearance times at Chirundu have been reduced to a <b>matter of hours</b> and that most vehicles are now cleared within a day.”	This is misleading. “A matter of hours” makes it sound like 3 or 4 hours when it is more for commercial traffic. Please be exact on this issue - latest available data indicates that clearance times at Chirundu have been reduced to an average of 32 hours for commercial vehicles, with most commercial vehicles now cleared within 24 hours. Also – please be explicit and say which “sources suggest” what.	<p>The sources surveyed give very different estimates for post-OSBP clearance times. For example:</p> <p>“Commercial trucks which arrive at the border overnight and in the morning are now cleared within the following or same day respectively with those cleared under the fast lane facility taking at most five hours at the border”</p> <ul style="list-style-type: none"> <li>- Shonhiwa, A (2011) Chirundu OSBP: A Regional Trade Facilitation Programme. [<a href="http://www.oecd.org/aidfortrade/47750237.pdf">http://www.oecd.org/aidfortrade/47750237.pdf</a>]</li> </ul> <p>“The time taken by a truck to cross the border has been reduced from 2–3 days to just 2 hours, and the fast-track preclearance process takes only 15 minutes”</p> <ul style="list-style-type: none"> <li>- AfDB. 2012. Border Posts, Checkpoints, and Intra-African Trade: Challenges and Solutions. [<a href="http://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/INTRA%20AFRICAN%20TRADE_INTRA%20AFRICAN%20TRADE.pdf">http://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/INTRA%20AFRICAN%20TRADE_INTRA%20AFRICAN%20TRADE.pdf</a>]</li> </ul> <p>“most vehicles now cross the border within 24 hours”</p>

			<p>- TMSA (2013) “Chirundu One-Stop Border Post saves US\$600 000 per day” [<a href="http://trademarksa.org/about_us/programme_news/chirundu-one-stop-border-post-saves-us600-000-day">http://trademarksa.org/about_us/programme_news/chirundu-one-stop-border-post-saves-us600-000-day</a>]</p> <p>For this reason, the authors did not feel comfortable trying to “be exact on this issue” and instead chose to use ‘matter of hours’ as this appears to be more accurate than the ‘matter of days’ that many sources give for the pre-OSBP establishment clearance times.</p>
4. Factual Error & Incomplete / misleading Information	“In July this year, Chirundu experienced similar scenes as congestion at the border resulted in queues of commercial trucks extending more than five kilometres.”	<p>Firstly, this Happened in April, not July. It is also vitally important to give correct background on this issue, as it had nothing to do with faulty design or functioning of the border (a full report was produced by TMSA on the issue).</p> <p>The background is that this happened when there was instability in Lubumbashi and over 500 trucks returning from the DRC got stranded there. At the same time, there were some disputes between big transporters and DRC officials relating to payments. When this situation resolved, all the trucks were released at the same time and Chirundu ended up with unprecedented volumes to clear.</p> <p>This prompted TMSA to start talking to ZRA and ZIMRA on developing a response strategy to sudden unexpected rises in traffic. Stakeholders have now recommended that this issue must be tabled at the Steering Committee Meeting so that the two parties (Zambia and Zimbabwe) can agree on contingency measures that should be part of the agreed OSBP procedures for dealing with unpredictable rises in traffic.</p>	<p>There was similar congestion at Chirundu in mid-March and possibly also in April, but the incident referred to in the tralac note actually did occur in July. See the <i>Herald</i> article referenced in the piece (‘Extend business hours at Chirundu’, July 9, 2013. <a href="http://www.herald.co.zw/extend-business-hours-at-chirundu/">http://www.herald.co.zw/extend-business-hours-at-chirundu/</a>) or ‘Chirundu Congestion Update’, 9 July 2013. <a href="http://www.transportworldafrica.co.za/2013/07/09/chirundu-congestion-update/">http://www.transportworldafrica.co.za/2013/07/09/chirundu-congestion-update/</a>).</p> <p>As to the TMSA comment that “the parties involved are dealing with this <b>risk</b> proactively”, the authors of the tralac piece are not of the opinion that calling meetings to develop a response strategy to sudden rises in traffic <i>in response to</i> a sudden rise in traffic is in fact ‘proactive’.</p> <p>The tralac note does not suggest that any of the faults it highlights are “permanent” or “irreparable” design faults.</p> <p>The tralac note also does not say that “traffic volumes do not provide a sufficient explanation for the delays mentioned” or that these delays are “due to additional challenges”. Instead the note makes a slightly different claim that “regardless of how big a role increased traffic and insufficient opening hours have played in recent delays at Chirundu... the smooth functioning of the border post faces additional challenges”, and that these additional challenges “stem largely from the fact that the Chirundu border post was not originally designed as an OSBP”.</p> <p>In other words, the authors of the note did not make any claims about what</p>

		<p>Potential initiatives which might be considered include manual clearing (data to be captured later), release of trucks to inland facilities on report orders and convoying, among others.</p> <p>So the parties involved are dealing with this <b>risk</b> proactively – which is not something you can glean from the original article, which makes it seem like the delays were due to permanent design faults rather than unpredictable risks.</p> <p>Let me recap the logic to make my point - In the article you first say the traffic volumes do not provide a sufficient explanation for the delays mentioned, and then go on to say that it is due to “additional challenges” stemming “largely” from the fact that Chirundu was not originally designed as an OSBP. You therefore say, in essence, that the delays of that specific event were due to the fact that Chirundu was not designed as a OSBP. This is clearly not an accurate reflection of the real events and challenges related to that event.</p>	<p>caused the delays – beyond noting that some sources have questioned the official line that these delays were due to traffic increases at the border post (for more on this see below) – instead they simply noted that increased traffic flows and relatively short operating hours are not the only challenges facing operations at Chirundu.</p> <p>This is not the same as saying – as TMSA claims the note does – that “the delays of that specific event were due to the fact that Chirundu was not designed as a OSBP”.</p> <p>Finally, regardless of whether or not TMSA is actually referring to the same incident as the tralac note, the reason that the note does not give a full description of the background to the issue is due to the fact that the note is not meant to provide a comprehensive study of Chirundu OSBP, but rather to highlight a topical trade-related issue and stimulate discussion and debate on that issue.</p>
<p>5. Incomplete or outdated information</p>	<p>The joint committee established at this meeting found that the delays at the border were a result of increased commercial traffic passing through the border and the fact that <b>Chirundu OSBP was only open to commercial traffic between 8am and 5pm, and not 24 hours a day like Beitbridge border post.</b></p>	<p>If you are going to mention the 24-hour operation issue, it is important to give updated information on this issue – which has been on the agenda of stakeholders for a while. The latest update is that, at a recent National Consultative Meeting held on 5 September 2013 in Lusaka, stakeholders reviewed the report done by TMSA in 2011 and unanimously agreed with TMSA recommendation to implement the increase in working hours gradually. They also agreed that before change in legislation which would allow for 24 hour operation is made, government agencies in the meantime should be made to comply with the current 6 to 6 opening hours catered for by</p>	<p>It is true that the tralac note does not go into much detail on the issue of 24-hour operations at Chirundu. The authors felt that it was sufficient to merely flag the fact that Chirundu’s operating hours are currently shorter than those of other border posts in the region, as – again – the point of tralac’s Hot Seat Comments is to generate discussion and debate on a topical issue.</p>

		<p>law, for both passenger and commercial terminals.</p> <p>Consultations with Zimbabwe on this issue will take place leading up to the steering committee meeting.</p>	
6. Factual Error	<p>“Nevertheless, regardless of how big a role increased traffic and insufficient opening hours have played in recent delays at Chirundu OSBP – and <b>anecdotal</b> data does not provide strong support for the increased traffic argument – the smooth functioning of the border post faces additional challenges.”</p>	<p>This is untrue – the data for increased traffic is <b>not</b> anecdotal. There is data available from Zambia Revenue Authority to support the claim that traffic has significantly increased. The official statistic is that, over the past four years, traffic volumes at the border post have increased by 65% to more than 8500 commercial vehicles per month. Also, as highlighted in detail in error 4 above, the real facts of this event should be communicated to avoid being misleading – the general increase in traffic is well documented, but this event was triggered by unprecedented traffic volumes related to another unpredictable event – also well documented and also not anecdotal.</p>	<p>The tralac note was not denying that there has been an increase in traffic at Chirundu in recent years, as this has been well documented. What the note was suggesting in passing – and perhaps this does not come through so clearly in reading – is that it is disingenuous to blame increased traffic flows for 3 or 4 separate incidents involving significant congestion over a few days, when the traffic increases represent a four year trend. Indeed, TMSA concedes this point by noting that the crisis was not caused by the general increase in traffic flows, but by a sudden surge due to events elsewhere.</p> <p>The anecdotal data referred to in the tralac note pertains to information obtained from sources on the ground, including the Shipping and Forwarding Agents Association of Zimbabwe (SFAAZ). This data suggests that the number of commercial vehicles that transited through the border during the crisis was not significantly higher than the average daily numbers in the post-OSBP implementation period.</p>
7. False Statement	<p>These stem <b>largely from the fact that the Chirundu border post was not originally designed as an OSBP</b> and was instead modified so as to incorporate the main features of an OSBP.</p>	<p>This is false. Challenges at Chirundu do not stem from the fact that it was not originally designed as an OSBP, although this is obviously ideal – as highlighted by TMSA in their original case study on Chirundu, published in 2011. Infrastructure modifications were made to accommodate changes. The fact that the OSBP was not originally designed as such is, in fact, a challenge that was overcome in the design of the OSBP and is certainly not what the current challenge and the delays in April 2013 “largely” stem from. The two issues are totally unrelated.</p>	<p>Again, it should be noted that the tralac note was not referring to an isolated incident in April 2013, but to the fact that such incidents appear to have occurred repeatedly over the past 9 months. This would suggest that there are very real infrastructural or operational challenges hampering the smooth running of Chirundu OSBP.</p> <p>The tralac note did not say that all challenges facing Chirundu stem “largely” from design faults, nor that recent delays at the border stem from these design faults, but rather that, in addition to traffic increases and relatively short operating hours, the border post faces certain additional challenges and that these additional challenges – some of which are elaborated on in the note – stem largely from the fact that the border post was not originally designed as an OSBP. This is a much weaker claim than TMSA seems to think it is.</p>

			<p>It also seems unlikely that recurring congestion is – as TMSA claims – “totally unrelated” to infrastructural problems arising from poor design and planning at Chirundu. Indeed, on 3 October 2013, following a meeting with the Commissioner of Customs and Excise (ZIMRA) aimed at identifying the real cause of congestion at Chirundu, the SFAAZ Secretariat updated its members on the challenges facing Chirundu. In particular it noted that the meeting had highlighted the following issues:</p> <ul style="list-style-type: none"> <li>- The infrastructural set-up at Chirundu, such as the traffic flow design and positioning of the scanners does not facilitate the smooth movement of trucks</li> <li>- There is a lack of parking space for trucks on the Zambian side of the border (before they proceed to the Zambian scanner)</li> <li>- The bridge is narrow and allows passage of a limited number of trucks</li> <li>- Only 4-6 trucks can be accommodated in the holding bay after the bridge on the Zambian side pending physical release of the truck by ZIMRA</li> <li>- The Zambian scanner breaks down frequently in hot weather</li> <li>- The main bottleneck in traffic flow is caused by the positioning of the ZIMRA truck release desk immediately after the bridge on the Zambian side</li> </ul> <p>This appears to suggest that infrastructural design faults are at least ‘partly’ to blame for some of the challenges currently hampering the smooth running of Chirundu OSBP, and that the two issues are not “totally unrelated”.</p>
8. Outdated information	<p>“One of the most significant challenges currently facing operations at Chirundu is the lack of information and communications technology (ICT) connectivity between the Zambian and Zimbabwe .... The lack of connectivity between the two sides of the border has also prevented the designated ‘fast track’</p>	<p>This was certainly one of the major challenges which had been resolved due to efforts by all stakeholders involved. TMSA facilitated and paid for fiber optic connection in the entire Common Control Zone in 2012. The gates and the fast track booth have been connected to the fibre optic cable. Currently ZRA and ZIMRA are working on procurement of hardware. Discussions on the use of the FAST LANE booth has been finalized with ZRA, following establishment of connectivity, at a recent National Consultative Meeting held on 5 September 2013 in Lusaka and</p>	<p>TMSA’s claim that the statement that the “lack of connectivity between the two sides of the border has also prevented the designated ‘fast track’ lane from becoming fully functional” is outdated, is not supported by the TMSA concession that “ZRA and ZIMRA are working on procurement of hardware” and “steps are being taken to make sure the booth becomes fully operational <i>soon</i>” – in other words, that the booth is not yet fully functional.</p> <p>The fact that ICT connectivity issues continue to be a serious challenge at Chirundu was confirmed by a SFAAZ representative who noted the following challenges at Chirundu:</p> <ul style="list-style-type: none"> <li>- An absence of ICT connectivity between the Zimbabwean and Zambian</li> </ul>

	lane from becoming fully functional.”	steps are being taken to make sure the booth becomes fully operational soon.	<p>sides of the border leading to the duplication of activities</p> <ul style="list-style-type: none"> <li>- The fast track lane not being fully functional due to a lack of connectivity in the booths on the Zambian side</li> <li>- The absence of Zambian clearing agents on the Zimbabwean side of the border due to a lack of connectivity</li> <li>- No ASYCUDA connectivity for Zimbabwean clearing agents on the Zambian side</li> </ul> <p>The authors of the tralac note are aware that the ZRA are working on rolling out ASYCUDA World at Chirundu, and that this may serve to address some of the challenges highlighted in the note. At this stage, however, efforts to address ICT issues at Chirundu remain a work in progress.</p>
9. False and Outdated information without any clarification about sources.	Other challenges facing operations at Chirundu include a need for training of new border agency staff, significant downtime of the electronic customs systems, insufficient office space on either side of the border for officers from the other country and a lack of appropriate signage on the approach to the OSBP and inside the customs control zone	<p>This is false. There is plenty of office space in both facilities after OSBP modifications. For example, in the Zim facility, only one side is being used. TMSA trained trainers at the beginning of the OSBP and ZRA and ZIMRA have made OSBP operations part of the subjects on which they train staff.</p> <p>Transferring staff in and out of Chirundu is a necessary integrity promotion strategy by authorities but these officers are now being properly trained and oriented.</p> <p>Both internal and external signage has been done and paid for by TMSA. This was finalized in July 2013.</p> <p>Also – these “observations” are not backed up by any references or information sources. If you have observations of real issues at Chirundu, please clearly indicate your sources. If these are real issues, then they should be brought to the attention of relevant authorities and institutions dealing with</p>	<p>The SFAAZ representative mentioned above also communicated to the authors of the tralac note that there is a lack of adequate office facilities on both sides of the border and a lack of appropriate signage approaching the OSBP and inside the customs control zone.</p> <p>With regard to signage, it is certainly possible that this information was already outdated when it was communicated to the authors or that it became so shortly afterwards. However, the fact that TMSA indicates that signage work was completed two months before the note was published and four years after the implementation of the OSBP, suggests that signage issues may indeed have been an obstacle to the smooth functioning of the OSBP in recent months and years, and may also have been relevant during recent periods of congestion at Chirundu, even if, as TMSA claim, this issue has now been resolved.</p> <p>SFAAZ Secretariat noted in January 2013, that downtime of ASYCUDA at Chirundu totaled approximately 512 hours in 2012.</p> <p>With regard to training, the note was simply trying to make the point that given the need to transfer staff “in and out of Chirundu”, ensuring new staff are properly trained becomes a critical issue.</p>

		Chirundu.	
10.	It is very important that, in the rush to proclaim the 'success' of Chirundu and to use Chirundu OSBP as a model for similar OSBPs throughout the region, these and other defects in the current operation of Chirundu OSBP are not simply glossed over.	<p>The conclusion here is unfairly negative as it is based on the various factually incorrect premises of the article. The word "defect" seems to suggest that the problems are due to irreparable design faults implying that Chirundu would not be a good model for other OSBPs. This is clearly not true.</p> <p>The conclusion also makes no mention of the ongoing efforts to address issues that arise from time to time and prevent issues through better risk management, and does not mention the various mechanism in place for this purpose. This omission makes it seem like the stakeholders are unaware of these "shortcomings" and are not doing anything to address them. This is misleading as meetings and consultations to resolves issues that arise are ongoing. Many issues have been resolved, as is clear from our responses to the article. No on is attempting to "gloss over" issues – in fact - there is an active and ongoing attempt by stakeholders to resolve the issues and to constantly learn lessons – which make Chirundu an excellent model for other OSBP in the region.</p>	<p>The authors do not feel that their conclusion is "unfairly negative". In fact, TMSA appears to have misunderstood the overall point and conclusion of the tralac note, which certainly does not make the claim that "Chirundu would not be a good model for other OSBPs". Instead, the note makes the relatively uncontroversial claim that <i>if Chirundu is to serve as a model for other OSBPs in the region – something which much of the literature on Chirundu OSBP is keen to emphasise - then it becomes very important that design faults and other challenges at Chirundu are made explicit, so that whatever mistakes have been made, either in the OSBP's design or functioning, are not simply repeated elsewhere.</i></p> <p>Also, the use of the word 'defect' does not suggest "irreparable design faults", but rather simply 'design faults' – which TMSA concedes do exist.</p>
11. Omission	When mentioning Chirundu successes, it's important to not only focus on large traders but to also mention how the OSBP has affected smaller traders. This is in fact one of the OSBPs greatest successes.	<p>We suggest you use the following text:</p> <p>"The Simplified Trade Regime (STR) implemented at the border post has also helped improve the trade environment for smaller traders. The implementation of STR at Chirundu means that, depending on what small traders are moving across borders, they can enjoy duty free access with simplified documents.</p>	<p>The authors do not believe that it would be appropriate to include the text submitted by TMSA for the following reasons:</p> <ol style="list-style-type: none"> <li>1) It does not add anything to the main point the discussion note is trying to make</li> <li>2) The note is intended as critical take on what the authors perceive to be the dominant narrative of Chirundu OSBP as a 'success story' and to probe this narrative by highlighting recent challenges faced by the OSBP.</li> <li>3) Given that the aim of the discussion note is to stimulate debate on a particular issue, tralac is happy to adopt a transparent approach and publish – as it has done – feedback received in response to its discussion</li> </ol>

		<p>“Exemptions covering the commercial side were in place, and STR now brings some of these benefits to small traders. It has impacted them very heavily,” says Clement Mulenga, Senior Collector at the border post. As evidence, he cites an increase in legal cross-border trade and revenue and, a decrease in transit times for small traders travelling by foot or by bus; waiting time at the border now rarely exceeds two hours, whereas before, it could take a whole day.</p>	<p>notes.</p>
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