

THE INFLUENCE OF THE EAST AFRICA COMMUNITY NON-TARIFF BARRIERS ACT 2017 ON THE KENYA-TANZANIA TRADE RELATIONS.

Mauya Atunga Eric

MIRD/2018/27495

Department of Humanities
Mount Kenya University

Dr. Martin Erixon Wamalwa, PhD

Lecturer, School of social sciences.

Department of Psychology, Languages & Humanities
Mt. Kenya University.

ABSTRACT

Before the Non-Tariff Barriers Act 2017 was enacted and adopted by EAC members, trade between them had tremendously declined due to imposition of Non-Tariff Barriers. For instance, between Kenya&Tanzania, there were import bans, unjustified quality requirements, long time for documentation and procedures, unharmonised working hours, unjustified delays at the weighbridges, entrance fee on trucks, discriminatory rules of origin, general or product quotas, state subsidies, export subsidies, unjustified sanitary conditions, excessive document requirements, import licenses, labelling product requirements, restrictive customs procedures, inadequate product classification or customs valuation. In 2017, EAC member countries adopted the Non-Tariff Barriers Act 2017, which was aimed at providing a framework in charge of monitoring and addressing NTBs in the region, by: providing a legal framework that will remove NTBs, to provide for an elaborate mechanism for identifying and cross examination of the NTBs, removing all restrictions that make importing and exporting difficult/costly. This study addressed the following specific objectives: First, it established the Non-Tariff Barriers that existed between Kenya and Tanzania, it assessed the achievements of the non-tariff barriers Act 2017, it assessed the impacts of the non-tariff barriers on Kenya-Tanzania trade. This study examined the influence East African NTBs Act 2017 has had on Kenya-Tanzania trade, being driven by the following research questions: first, what are the NTBs that exist between Kenya and the United Republic of Tanzania. Two, what are the achievements of NTBs Act 2017 and lastly, what is the impact of NTBs Act 2017 on Kenya- Tanzania trade. Since 2017, trade relationship performance has steadily risen hitherto, and that's why this study interrogated whether this rise is due to the Non- Tariff Barriers Act that was adopted in 2017. The findings shall encourage investors to invest in East Africa without fear of hindrance, and also it will serve as a model for regional blocs to imitate, like ECOWAS, SADC, COMESA & AU. The research chose Tanzania and Kenya because they are not landlocked and are the largest economies in EAC. This study encountered two challenges; language barrier since Tanzania uses mainly Kiswahili and Kenya uses English. Two, the challenge of time, since this study required many years to interrogate the trend. The issue of language barrier was overcome by involving translators, and the issue of time, the study stretched five years before and after the adoption of NTBs Act 2017 and drew a general conclusion from it. Two theories were used to give a conceptual framework; the Realism theory, which believes that politics is ever and necessarily a field of conflict among political actors pursuing wealth, fame and political power, the complex dependence theory which lays emphasis on myriad ways in which as a result of growing myriad interconnectedness & links, the various transnational actors become dependent on

one another, vulnerable to each other's wants and keen observant to each other's needs. Dependent variable was trade and independent variables was EAC NTBs Act 2017. The study employed descriptive design. It took place in Kenya and Tanzania broadly but particularly in Namanga, Oloitoktok and Isebania, with target population of 729 people. It interviewed 28 officers working in the EAC offices in Nairobi. Sample size of 337 people was used arrived at by using slovin's formula. Random sampling was used and data cleaned and analyzed. Validity and reliability of instruments was 0.812. Ethical considerations were followed, for instance keeping the informant anonymous. The researcher coded and fed data into statistical package for social sciences (SPSS) version 24. Findings indicated that several non-tariff barriers existed and that they negatively affected Kenya-Tanzania trade. The study ascertained that EAC NTBs Act 2017 helped in resolving non-tariff barriers, thus increasing trade within the aegis of EAC in general, and Kenya-Tanzania trade in particular.

CHAPTER ONE

INTRODUCTION

1.0 Background to the study

Before 2017 when the East Africa Community-Non Tariff Barriers Act was enacted and adopted, there was rampant imposition of Non-Tariff Barriers (NTB), thus affecting inter-trade relationship performance among EAC member states. Some of the noticeable impositions included but not limited to import bans, unjustified quality requirements, very long time for documentation and procedures, lack of harmonized working hours in both sides of the border, unjustifiable delays at the weighbridges, trucks judged entrance fee, discriminatory rules of origins, general or product quotas, presence of state subsidies, export subsidies, unjustified sanitary conditions, excessive document requirements, import licenses, determination of suitability of an exporting country by the importing, inadequate product classification or customs valuation, unjustified packaging, labeling product requirements and restrictive customs procedures. Brown, C & A. Kristen (2006:6).

Tanzania government, for instance on August 2017 denied entry of Kenya's duty-free cakes access to her market. Vehicles having Kenyan registered number plates were targeted by Tanzania authority, forcing traders to use Tanzania cars for effective transportation. The road to the immigration desk at the Namanga border was rendered impassable by local residents who were protesting.

Tanzania customs officers were accused of harassing Kenyan travelers and traders at the Isibania border post in Migori county of Kenya. Tanzania government confiscated day-old chicks and hens from Kenya claiming they had bird flu. Magufuli government also auctioned cows, sheep and goats belonging to Kenyans over territorial differences between the two countries. Kenya's exports to Tanzania in the 10 months to October 2017 hit to 10 year low of USD 280.2 million from the same period a year earlier (Kenya vision 2030, 2017:7).

These, among other factors, necessitated the EAC to come up with EAC elimination of NTB Act 2017 to provide a proper framework for monitoring and addressing legally NTBs in the region with three main objectives: First, to provide concrete means for the removal of Non-Tariff Barriers in the Community. Two, to provide for a vibrant mechanism for identifying and monitoring the removal of non-tariff barriers within the community, and lastly, removing restrictions by all standards that make importing and/or exporting within and outside the community hard. (EAC Act supplement, 2017: 5).

Inevitably, this NTB Act must have a profound impact on EAC trade relationship performance that this study seeks to find out. The government's foreign policy on commerce and trade tremendously affects business by making it more easier or more difficult to trade across the borders. (Carl 2020). This is evident in the following trade Agreements: First, World Trade Organization agreements that enacted rules that governs trade among its members, two, The Free Trade Agreement (FTAs) which built and provided more protection and rights to the U.S businesses, and lastly, the Bilateral investment Treaty (BITs) that helped to protect individual investment, develop market rules and regulations in the partner countries, and promote U.S. effective exportation.

Historically, Non-tariff barriers began to be imposed long when nation states were formed. Many countries had to come up with ways of raising money to finance their local projects and be able to finance recurrent expenditures. The way forward was to be the introduction of hard tariffs, which placed restrictions on goods. Other more developed nations shifted from tariff barriers to non-tariff barriers since they had built other sources of income.

Some years later, some of the industrialized countries did not introduce non-tariff barriers to regulate trade even when tariff barriers were not there. Also, they intended to support weak industries that had been affected by the reduction or withdrawal of tariff barriers.

Throughout the ages, nations have always come together to solve problems of mutual concern. In 1648 nations met in Osnabruck and Munster where they agreed and signed what was known as the Treaty of Westphalia, in October 24, 1648, Zamoyski (2007:9). This ended the long 30 years war and brought about peace to the Holy

Roman Empire, closing a calamitous and tragic period of European history that killed approximately 8 million civilians. These had been wars of religious schism between the Catholics and the Protestants. Unanimously, scholars in International relations and diplomacy have pointed the Peace of Westphalia as the genesis of principles crucial to Modern International Relations, collectively known as Westphalia Sovereignty. Westphalia now gives the genesis to the inviolability of all international borders and non-interference with the internal affairs of sovereign geo-political entities, Sonnino (2009:5).

In 1814, nations again met to discuss how to defeat the dreadful Napoleon Bonaparte who had become a thorn in the flesh in Europe, Chaired by Clemens Von Metternich in the capital Vienna (1814-1815), Mary (1984). Their main objective was to provide a long-term plan for peaceful co-existence in Europe by settling critical issues emanating from the French wars of revolution and Napoleonic wars without using force of arms. Stearns, P. N, Langer, W. Leonard (2001).

Later, in 1920, 10th January to be exact, nations worldwide met to jointly gain collective security and disarmament, after the destructive world war I. They were also to settle disputes through negotiations and arbitration, protect minorities in Europe, improve labor working conditions, prevent arms production and trade, drug trafficking, promote global health and protect war prisoners and enhance just and fair treatment of native inhabitants. After the League proved incapable to perform its duties, on April 25th 1945, in San Francisco USA, the UNO charter was drafted, with purposes of maintaining International order, peace and security, to develop friendly relations among nations, achieve international relations and cooperation and be a Centre for harmonizing universal global actions. Such efforts were also experienced and witnessed. In 1963 Africans came together and formed the Organization of African Union to enable them do things together and determine their own course. Later this OAU was replaced or strengthened to be African Union AU in 2002, in Durban, South Africa, by the exploits of leaders such as Colonel Muammar Al Gaddafi and Thabo Mbeki. There are many regional blocs including South African Development Community (SADC), Economy community of West African States, (ECOWAS), The Common Market for Eastern and Southern African, (COMESA), The East Africa Community (EAC).

SADC originated in the 1960s and 1970s, headquartered in Gaborone, in Botswana, when leaders of the already independent nations coordinated in their diplomatic, political and military struggles to eliminate colonial rule in Southern Africa states. The very immediate forerunner was the Frontline States (FLS) groups that was chaired by President Mwalim Julius Kambarage Nyerere. Its main goal has been to further regional socio-economic cooperation and integration including security cooperation among its 16 sovereign member countries. It has a total of 27 protocols that deals with issues such as, defense, illegal Drug Trade and Movement of People. It established protocol on Energy in 1996 with an intention of promoting development jointly on energy. It set out tangible development in energy such as wood fuel, petroleum, natural gas, coal, renewable energy and energy efficiency and proper conservation.

In 2001, it established protocol on politics, defense and security co-operation, with an intention to enhance regional security and provide defense cooperation, peace to warring nations, political stability and conflict eradication. The most crucial of them all was the SADC Free Trade Area that was formed in August 2008, immediately after the implementation of the SADC protocol on trade in the year 2000.

The common market for east and southern Africa (COMESA) is the vast economic bloc with 19 sovereign members, with a population of about 390 million people. It has a free trade area and launched a customs union in the year 2009. It has the ECOWAS Commission and the ECOWAS Bank for economic investment and Development meant to implement policies, pursue noble programs and carry out development projects such as intra-community road construction and telecommunications, and Agricultural energy and water resources development.

East Africa Community (EAC) is an intergovernmental Organization made up of seven sovereign countries in the Great Lakes region, including Kenya, Uganda, the United Republic Tanzania, Burundi, Rwanda, South Sudan, Democratic Republic of Congo, and Somalia has started showing interest. EAC is a precursor the what is likely to be The East African Federation. Already, it has started its own common market for goods and services, labor, and capital within the region, aiming at creating a common currency and finally a full political united federation.



1.0.1 Map of EAC Member States

The East African community was formed mainly to promote cooperation mainly in trade. One of the ways it has intended to promote trade is by elimination of Non-Tariff Trade Barriers. In 2017, EAC member countries signed a document called the EAC 2017 Act, that required them to remove NTB in order to promote trade. Non-Tariff Barriers diminish the benefits accrued from free trade, it makes the allocation of global economic resources impossible or difficult, it makes the profits accrued by one country a loss to another country, and it has proved incapable of generating revenue for the government as compared to tariff barriers.

No	Country	Year Joined E.A.C
1.	Kenya	June 1967
2.	Uganda	June 1967
3.	Tanzania	June 1967
4.	Rwanda	July 2007
5.	Burundi	July 2007
6.	South Sudan	September 2016
7.	D.R.C	July 2022

Table 1.1.1.EAC membership

1.2. Statement of Research Problem

Non-Tariff Barriers (NTBs) have been hindering trade relations between EAC member countries, particularly between Kenya and Tanzania. As a result, in 2017, EAC members adopted The EAC NTB Act 2017 to prohibit partner states from engaging in trade practices, custom procedures or imposing any measure that constitute Non-Tariff Barriers or any other discriminatory practices, Akinyi (2021:12)

In light of the above, the study seeks to find out the influence of Non- Tariff Barriers Act 2017 on Kenya Tanzania Trade.

1.3. Research Objectives

- i. To establish the Non-Tariff Barriers that existed between Kenya and Tanzania.
- ii. To assessthe achievements of The Non-Tariff Barriers Act2017 on trade.
- iii. To assess impact of The Non-Tariff Barriers on Kenya –Tanzania Trade.

1.4. Research Questions

- a) What are the Non-Tariff Barriers that existed between Kenya and the united republic of Tanzania?
- b) What are the achievements of The Non-Tariff Barriers Act 2017?
- c) What were the impact of The Non-Tariff Barriers on Kenya-Tanzania Trade?

1.5. Research assumptions

This research will operate on the assumptions that:

- 1) Non-Tariff Barriers affected trade relationship performance between Kenya and Tanzania.
- 2) Non-Tariff Barriers Act 2017 had impact on trade between Kenya and Tanzania.

1.6. Justification to the study

Throughout the ages, countries don't stay in isolation. The idea of interdependence has been key in explaining issues of International relations and the mandates of international organizations such as the EAC in the process of trade relations. Keohane (2002:8). This interdependence of nations involves linkages among nations, as EAC has brought under its aegis, Kenya, Uganda, Tanzania, Burundi, Rwanda and DRC. Interdependence among nations goes to the extent that changes in one state impacts in some meaningful ways on the attainment of needs. Introduction of Non-Tariff Barriers by one member for instance, resultantly affects other members in the bloc. East African Community's ultimate goal is to unite member countries into a political Federation, but first by starting with economic federation, through harmonizing trade. The political federation being the ultimate goal of EAC, which is the fourth step after the customs union, common market and monetary union. It is clearly provided for under Article 5 (2) of the Treaty that led to the establishment of EAC, founded on three pillars: Common Foreign and security policies, good governance and effective implementation of the prior stages of regional integration. EAC NTBs Act 2017 is one of the prior stages of regional integration aimed at improving trade relations within the bloc.

1.7. Significance of the study

This study shall assist the EAC members to find out whether the resolutions passed were really adhered to and whether they promoted the intended objectives. This is due to the nature of countries sometimes failing to comply due to political ill-will. Major challenge with EAC NTBs elimination measures is the possibility that such directives, such as to impose a sanction on non-complying party, can be ignored and assumed, Akinyi (2021: 9). The study shall also encourage investors to trade in East Africa without fear of NTBs. Finally, this study shall encourage other African regional blocs to follow-suit in enacting and adopting such Acts to facilitate free movement of goods and services.

1.8. Limitations of the study

The following challenges are likely to be met: First the challenge of language barrier. In Tanzania, Kiswahili is mainly used by many people. In Kenya, English is mainly used. Also there is a challenge of time limit. Trade relations between countries need to be studied for many years, not just two years of master's degree. Another challenge is finance due to hard economic situation in the country. However, the following remedies shall be applied to mitigate them: As to the challenge of language, a translator shall be sought to translate whenever such a challenge emerges. As to the challenge of time, the study shall cover up to a period of 5 years since its adoption, the trend of trade within this period shall be used to generally assess the impact of NTBs Act 2017. As to the challenge of finance, expensive means of travelling, expensive lifestyle during the study shall be minimized.

1.9. Scope of the study

The study shall cover five years after and five years before the adoption of the EAC NTBs Act 2017. Exactly, it will cover a span of 2012 to 2022. This will help in creating a picture how trade was before the Act and how trade is after the Act. Changes in trade shall be associated with the Influence of NTBs Act 2017. Two countries in East Africa shall be used: Kenya and Tanzania. The decision to choose Kenya and The United Republic of Tanzania has been driven by many considerations; economic and geographic. Kenya with Tanzania are the dual biggest economies under the aegis of EAC, Ogotu (2019:7). Geographically, Kenya and Tanzania are the only EAC countries with access to the coastal waters, as Somalia is yet to join, but it has shown interest. Mathuku (2022:5). The other members like Uganda are landlocked and depend on the two countries for importing and exporting goods and services. The study of other countries can also be done.

1.9. Definition of terms

Harambee-Self-help or pull together resources

Empowerment- Mechanisms put in place in order to make people to achieve their potential

Bilateral- Involving two groups of people or two countries, in this case its two countries

Multilateral-Involving more than two nations or countries.

CHAPTER TWO

2.0.LITERATURE REVIEW

2.1. Introduction

Non- Tariff Barriers has attracted the attention of scholars around the globe. Hangi (2010) examined NTB's implications on marketing, Gordeera (2012) examined the Implications of NTB measures on Firms International Business Operations. Brian(2017) did a comparison between Swiss corporations in South Korea and Japan, using NTB as a case study. Bowen (2018)examined impact of NTB on EAC trade,investigated consumer on the externality on the pattern of protection through NTB on trade across the USA. (Sanjoy and Falguni, 2019) also examined effects of NTB on Indian Trade Flows. Brian (2017) also examined the effects of NTB measures on Agro- Food Trade. Mutwiri (2021) also examined effects of NTBs on the commercial performance of automobiles Assemblers in Kenya. (Begin, John C. 2006) identified non-tariff barriers that exist in the world, among others.

2.2.Empirical Literature

Hangi, (2010), examined Non-tariff Barriers and entry strategy alternatives and its implications on marketing, after noting a significant drop in trade relationship performance. The study asserted that Non-Tariff Barriers may be one of the most important obstacles faced by small business exporters. This study focused on the implications of NTB but failed to examine the impact of its elimination of those NTB, which this study seeks to find out.

Gordeera(2012) examined the implications of Non-Tariff Measures on Firms International Business Operations. This attempt to explore the implications of NTM demonstrated that the firms have to cope with the complex set of NTMs while operating aboard and apparently these NTMs influence firms' international operations in many ways. This study however only focused on the implications of NTMs without examining implication of their removal, that this research intends to find out.

Brian (2017), conducted nearly a similar study on the challenges of Swiss corporations in South Korea, whereby a multiple case study on Non-Tariff Barriers in comparison with Tokyo-Japan was carried out. The findings suggested that differences to Japan exist in that Koreans seem to be more open towards foreign goods and companies, and less complex in their communication. This study was skewed towards comparing countries in the context of challenges of NTBs, without focusing implication on their relaxation or removal, that this

particular research intends to find out. Similarly, Bowen (2018) also examined the impact of NTB on Trade in the EAC, taking a case study of Kenyan exporters to Tanzania. The study found out that tariffs greatly affected trade, leading to decline in trade. The study recommended that NTB should be abolished. The study will now find out, the influence EAC NTBs Act 2017 have had on Kenya- Tanzania trade.

Lucia (2018) investigated the effect in lobbying and consumers' financial externality on the pattern of protection through Non-Tariff Barriers on trade across USA manufacturing sectors. The findings ascertain that both pressure from interest groups and concerns about safety and environmental issues lead to an increase in the patterns of protection across US manufacturing corporations. It is axiomatic that this study only dwelt only on the effects of NTB on manufacturing, forgetting to assess the impact NTBs Act 2017 would lead to that this study intends to find out.

(Sanjoy and Falguni, 2019), conducted a similar research on Non-Tariff Barriers on Indian Trade Flows. They found out that Non-Tariff Barriers have an impact on regular activities in trade. This study was conducted to determine a relationship between NTB and International trade in India. Eleven factors were identified. This study, only focused on the relationship between NTB and international trade, in India, but failed to examine the effect of the removal of NTBs.

Goldstein (2015) conducted a research on the effects of Non-Tariff Measures on Agriculture-Food trade. Since NTMs can influence trade, the research found out that the effects of NTMs vary across types of NTM proxies used for NTMs and levels of details of studies. This research restricted itself on Agro-food trade and further still, dwelt on effects of NTM and on Agricultural-food.

Mutwiri (2021) also examined effects of NTBs on the financial performance of automobile Assemblers in Kenya. The study found out that the performance of automobile assemblers is on a decline and that NTBs positively and significantly contribute to financial performance of vehicle assemblers in Kenya. This study dwelt on the effects of NTBs but failed to find out implications of the removal of NTBs.

(Begin C, John C. 2006) identified non-tariff barriers that exist worldwide as to include tariff gravity equations. The study noted that NTBs have gained importance as tariff levels have been reduced worldwide. This study succeeded in noting that NTBs are on the rise but failed to establish whether those barriers exist in EAC especially Kenya and Tanzania.

(Alan , V. , M. Robert, 1998) examined on how to measure NTBs. Asserts that accurate measures are required in order to address the issues involving the use of NTBs. This study assessed the currently available ways of quantifying such barriers. Recommendations were made as to those methods that can be used effectively. However, it failed to show the influence the EAC NTBs Act 2017 would have on the same NTBs.

Luisa, K. S. Alexander, E. Yalcin, (2019) examined the role of NTBs on trade. They asserted that different types of NTBs affect trade to a large extent. They significantly lower the importers market access. However, this study dwelt on the role of NTBs but failed to assess the impact NTBs Act 2017 had on Kenya Tanzania trade or any other member within the bloc.

Joseph (1990) examined cooperation among countries; Europe, America, and NTBs to trade. The study offered a provocative answer as to how does the lawlessness nature of the international system inhibit the willingness of states to work together even when they share common interests. Asserts that they often fail to cooperate because they fear that a joint endeavor, while producing positive gains for all participants, might also bring disparities in gains among partners involved. However, this study fails to establish the NTBs that exist among the EAC, particularly Kenya and Tanzania.

Marco, F. C. Jean (2008) Produced a quantification of the effects of NTBs at the global level. Asserts that serious estimation and modelling trials remain to be undertaken in order to make CGE modelling a useful policy tool to analyze NTBs. This is because NTBs poses many bottlenecks for the analyst because of their diverse and complex nature, and the lack of available tangible evidence. However, this study failed to establish whether these NTBs exist in East African Community. Mohammed A. &, D. Sebastian, (2008) assessed also the NTBs in Syria.

The study asserted that international trade in Syria is highly regulated through a combination of tariffs and NTBs. That NTBs to trade makes trade restiveness very high. This study however did not establish the NTBs that exist.

Judith M., Jose E, Rodney D, Michael J, (2009) estimated the cost effects of NTBs. Asserted that while NTBs appear to be complements to tariffs, in some sectors the presence of a tariff reduces the impact of price on NTBs. Findings suggest that in some sectors the restrictiveness of NTBs is highly correlated with income of a country. They showed the price effects of tariffs without establishing those NTBs. Also Edward (1987), examined the structure and effects of tariff and NTB. Found out that tariffs have relatively clear primary effects on prices of products and arguable secondary effects on earning, employment opportunities and profits. NTBs have unclear effects on the aforementioned entities. This study however failed to assess the impact of NTBs Act 2017 on trade

2.3. THEORETICAL LITERATURE

2.3.1. Complex Interdependence Theory

Complex interdependence theory on international relations was initiated by Robert Keohane and Joseph Nye in the year 1970s to explain the assurgency nature of the political economy. The idea entailed here is that relationship between various nations are becoming increasing myriad. It has 3 main characteristics which includes but not limited to the existence of many channels which connect societies, the unavailability of hierarchy of issues and the negligible role of military force.

Complex Interdependence is a theory of international relations which lays emphasis on myriad ways in which as an outcome of increasing interconnectedness and links, the transnational political participants become mutually dependent, vulnerable to each other's political actions and keen to each other's needs and wants, Keohane, R.O., & Nye, J.S. (1987). This theory has recognized the need of passing binding laws as opposed to the use of military force because military force is not that useful an instrument of policy under conditions of myriad interdependence. Its proponents are Robert Keohane and Joseph Nye. The General Agreement Tariffs and Trade (GATT) has been the pillar of International trade law since the end of world war 2, after nations signed the Havana charter on trade, subscribing to rules relating to 'unfair' trading practices signed in Geneva Switzerland, 1947 October. GATT is an Agreement legally binding many countries whose common agenda was to promote International trade by reducing or eliminating trade barriers such as tariffs or quotas. To eliminate preferences on a reciprocal and universal advantageous basis. Brown, c & A. Kristen (2006).

The behavior of one East African Community Member, say for instance Tanzania, affects other memberstates in matters of international relations. The introduction of Non –TariffsBarriers by one member, for example Tanzania affected trade within the aegis of East African Community. Broadly, this affects other nations within EAC and beyond.

2.3.2. Realism Theory of International Relations

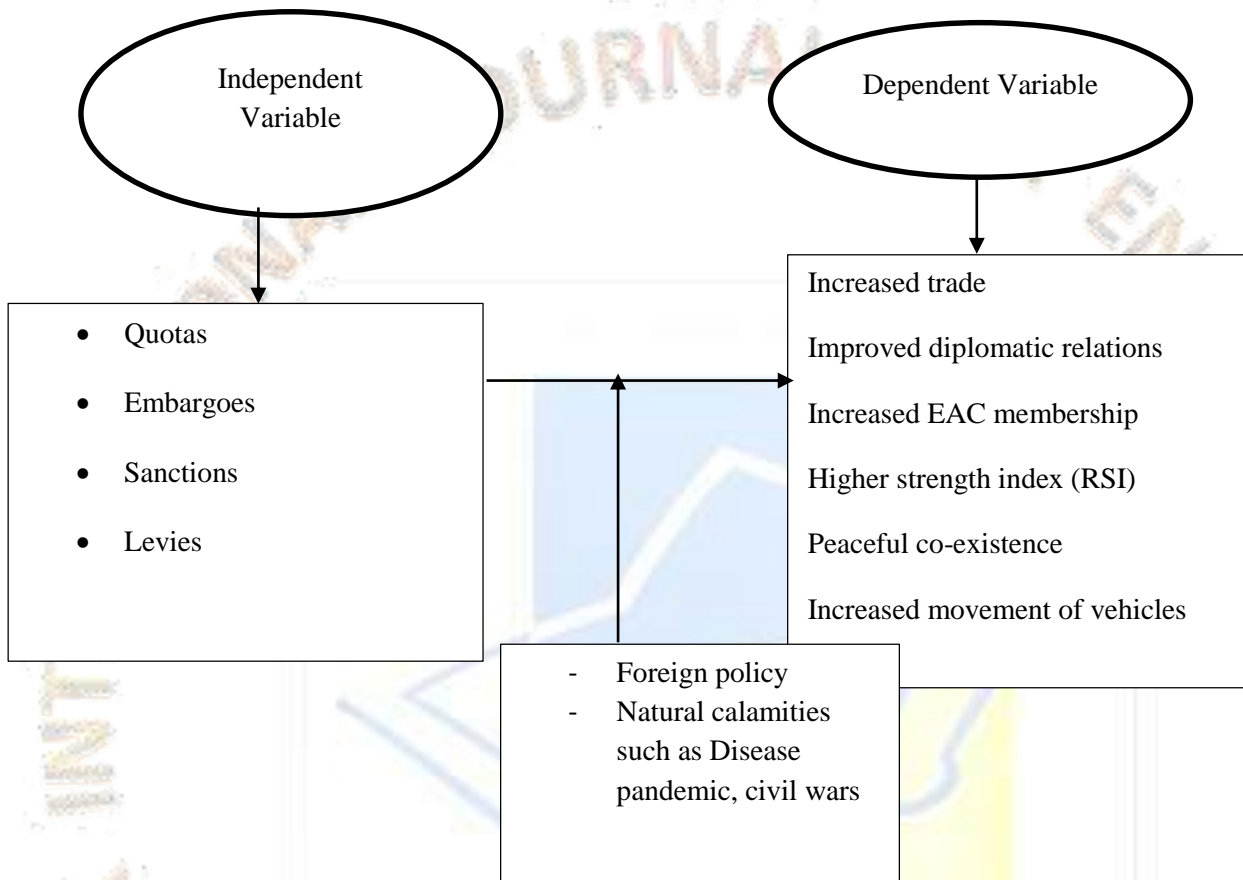
Realism theory was developed by Hans Morgenthau (1904-1980) with three assumptions which includes survival, statism and self-help and means that states are unitary and rational actors, in seeking to secure their survival through reliance on their own means.

This theory belief that world politics is full of conflict among political participants pursuing material wealth and power. It further believes that states are internally aggressive with security, Brown, C. & A. Kristen (2006) That territorial expansion is constrained by opposing powers, as was witnessed between Uganda and Tanzania war when Idi Amin wanted to annex Kagera Province. Realist tend to believe that there are no concrete universal principles with which all states may guide their actions. That, a state must always be aware of the actions of her neighboring state and therefore must use a pragmatic approach to resolve problems as they arise. A lack of knowledge on what a certain state intends to do leads to mistrust and competition between them, and this is what made East African Community countries to introduce NTBs. Realist also think that human beings are not inherently good but instead selfish and competitive. That the state lays emphasis on interest in accumulating power to ensure safety in an anarchic world. Power in this case is a concept basically thought of in terms of material resources necessary to induce harm or coerce other states to fight or win wars, Goldstein (2015) In a nutshell, states in East African Community tried to introduce NTBs due to the egocentric nature of states, for selfish gains.

The primary motivator for the introduction of Non-Tariff Barriers is for personal gain. Tanzania, for example, banned Kenya's confectionery to give way for her own confederation for selfish gain.

2.4. Conceptual framework

Dependent variable was trade, and Independent variable was the East Africa Community Non –Tariff Barriers Act 2017. Increase in Non-Tariff Barrier leads to decrease in trade. In this case, NTBs are inversely propositional to trade.



2.5. Recap of Literature Review.

Having gone through what other scholars have done, none of them has examined the influence East African Community Non- Tariff Barriers Act 2017 hashad on Trade among EAC member states. Hangi (2010) for instance, examined the implications of Non-Tariff Barriers on trade marketing, Gordeera (2012) carried a study on the implications of Non-Tariff Barriers measures on Firms International Business Operations, Brian (2017) who did a comparison between Swiss companies in South Korea and Japan, where the study investigated the effects during the lobbying and customers externality on the design of protection through Non-Tariff Barriers across the United States of America. Other studies, for instance that of (Sanjoy and Falguni, 2019) examined the

results of Non-Tariff Barriers on Indian Commerce Flows. Muturi (2021), carried a study on the outcomes of Non-Tariff Barriers on the monetary performance of automobile Assembling in Kenya.

Two theories have been employed to give a true picture of why and how events unfold the way they do. Complex Interdependence was a theory, that was put forth by two people; Robert Keohane and Joseph Nye has demonstrated that nations always dependent on one another, susceptible to each other's doings and keen to each other's wants. This helped in demonstrating that the behavior of one member of EAC, affects others in the bloc and even beyond. Realism theory demonstrated that politics in the globe is always a chaotic field of antagonisms among political actors. These conflicts have been witnessed when EAC introduced NTBs resultantly, leading to demonstrations and protests, especially in Namanga, Isebania and Oloitoktok borders of Kenya and Tanzania.

CHAPTER THREE

3.0. RESEARCH METHODOLOGY

3.1. Introduction

In this chapter, Research design shall be explained. Since this is not a lab-based experimental study, descriptive design was used. The study location shall be identified, being Kenya and Tanzania in a broad sense, but Namanga, Oloitoktok, Isebania in particular. The target population comprising of 625 people, with a sample size of 329 people through Slovin formula of getting a sample size, Taro (1967). The research instruments shall be discussed as to who and why they are going to be used. These research tools include Questionnaire and interviews. Data analysis and cleaning shall be discussed. Validity and reliability testing methods shall be highlighted. Then the procedure there search used and the ethical considerations shall be highlighted.

3.2. Research Design

The research employed descriptive design because it relied on historical narratives. Descriptive design was advantageous because it enabled the data collector to have insights prior into the why, when and how of research. This is a theory oriented and it is created by gathering, keen analyzing and proper presentation of the data collected. This design intended to accurately and step by step describe a given population, situation or occurrence. Mugenda & Mugenda (2003).

3.3. Study Locale

This study took place between Tanzania and Kenya broadly, but specifically, it took place on the borders of Kenya and Tanzania, namely Namanga border, Oloitoktok border and Isebania border. Namanga is situated in Kajiado County in Kenya and in Longido District in Tanzania, approx... 110km from Arusha, Tanzania. Its economy depends heavily on tourist, visiting nearby Amboseli National park. Namanga is surrounded by hills on both sides and Mt. Kilimanjaro. It is a scenic place for tourist who lodge there. It has a population of approx. 10, 000 in the urban, while the rural population is approx... 5500 people. Currently, Namanga, apart from tourism, it also depends on import and export from both countries, with the opening of EAC borders. Its main population is the Maasai, followed by Agikuyu due to intermarriages. There are other ethnic groups like the Akamba, Somalis and the Borana.



3.3.1 Map of Namanga/Isebania/Oloitoktok

Oloitoktok is a town in Kajiado county, Kajiado south constituency. It lies within the foothills of Mt. Kilimanjaro, the highest mountain in Africa, Tanzania in particular. It is 255km from Nairobi. It has approx. 10568 people (KNBS2019 census). Isebania/Isebania is found in Migori county of Kenya. It sits directly across the border. It is approx. 200km south of Kisumu. It has approx. population of 23891 people (KNBS 2019 census).

3.4. Target Population

This is any person who can give information. This research utilized 600 Truck drivers in Namanga border, 35 Immigration officers in Namanga Border, 40 Immigration officers in Oloitoktok border, and 26 money / currency exchangers in Isebania border. 28 East African Community officials in Nairobi. In total, the target population was 729 people, all of them adults.

3.5. Sample size and procedure

Sample size was 337 arrived at by using formula of slovin, which is a too generalizing equation that is used when you estimate the population which you have no idea about how that particular population is going to behave, Taro (1967).

$$S.S. = \frac{N}{1 + N * e^2}$$

(If N * e²)

E= error (4%)

$$\text{Sample size} = \frac{729}{1 + (729 \times 0.04)^2}$$

$$= \frac{729}{2.1644}$$

729

2.1644

=337

Random sampling was employed from the target population of 729 to the sample size of 337 respondents, both men and women, giving precedence to those who appeared more experienced in the cross border trade, (stayed longer in their service).

3.6. Research Instruments

The study used two research instrument:

3.6.1. Questionnaire

Questionnaire and Interviews. Questionnaire was used on truck- drivers from both sides of Kenya and Tanzania because they are effective in gathering a lot of information within a narrow time frame, Mugenda & Mugenda

(2003). Interviews as an instrument was used on Immigration officers and local currency exchangers on the borders because they are very busy and don't have time to fill questionnaires.

3.6.2. Interviews

Interviews was used purposely to justify questions in the questionnaire. Phone recording, audio and video were used to record interviews to save on time.

3.7. Validity plus Reliability

3.7.1. Validity.

Validity was tested using cross-validation method, where trial of the selected items on new groups are tested. It is where the prediction equation from one sample of information is invalidated on a second sample of subject from the same population. (Ryan, W., Phillip. K., Robin J., Lyle B. 2019).

3.7.2. Reliability

This refers to the continuous consistency of a given measure, that is to say, whether the findings can be produced again under similar conditions again and again, Mugenda & Mugenda (2003). Validity on the other hand refers to how accurate a measure is. Reliability was tested after seeking opinion from the supervisor, Dr. Wamalwa. The questionnaires were subjected to confirmatory factor analysis which gave out 0.812 as the reliability index against the standard of 0.7 (Kothari, 2004).

3.8. Data cleaning, Analyzing and Interpretation

This is a process of doing inspection to data collected, cleaning and changing it, aiming at discovering vital information, drawing sensible deductions and supporting the making of decision Joseph (2008:7). Data collected was analyzed to give the required information. Data was cleaned because some data was incomplete and contained duplicates or errors. Data cleaning is the process of preventing and correcting these errors. During data analysis, there is a likelihood of having cognitive bias that is likely to interfere data analysis adversely where individuals underrate information that does not go in harmony to their views and stand. Here the analyst was specific with the degree and source of the mistakes involved in drawing the final conclusions. Mugenda & Mugenda (2003).

3.9. Ethical Considerations

The following ethical considerations were observed: First, the name of the informant was kept anonymous, none of personal details that make the identity of the informant known was disclosed. Secondly, informants were elaborated on what they are asked if the question was not clear. These research participants were at liberty to withdraw from the research exercise at any time if they wanted to do so, Lynne (2014:9). The informant was told that these information was only needed for academic purposes. Polite language was used to inquire which language the informant was comfortable to use. Thirdly, participants' lives were not exposed to harm in any ways whatsoever. Fourthly, dignity of participants was given priority and upheld with their full consent obtained from the participants before the study began. Also, any deception or exaggeration will be avoided. Last but not least, all forms of communication, (verbal or written) was done with high level of honesty and transparency.

4.0 Conclusion

In conclusion, this chapter has dealt with Research design where descriptive design was used, the study location had been identified, as being between Kenya and Tanzania in general but Namanga border, Oloitoktok border and Isebania border. Target population of 729 was highlighted, including truck-drivers, immigration officers, border money exchangers and finally a sample size of 337 people was arrived at using Slovene's formula. Research instrument that were used were Questionnaire and interview. Data analysis techniques and cleaning has been discussed. Reliability and validity determination methods has been discussed and finally ethical considerations during the research.

CHAPTER FOUR

RESEARCH FINDINGS AND DISCUSSIONS

4.1. Introduction

Chapter four of this project presents data analysis, interpretation of data and discussions on the influence of the East African Community Non-Tariff Barriers Act 2017 on the Kenya-Tanzania trade relations.

4.2. Pilot Study Results

A sample size of 30 participants from Oloitoktok truck drivers were used for pilot testing. The researcher got 25 fully filled questionnaires which later were subjected to confirmatory factor analysis which gave a 0.812 reliability index against the standard 0.7 (Kothari, 2004).

4.3. Response Rate

The study focused on truck drivers driving trucks to and fro Kenya and Tanzania borders (Namanga, Oloitoktok and Isebania). It also focused on Immigration officers working on those aforementioned borders and East African Community officials in Nairobi. The study examined 337 respondents. 337 questionnaires were issued, whereby 334 were returned, 3 were never returned, and 3 were filled incomplete. This reduced the number to 331 completed and received questionnaires, indicating a 98% response rate as shown below:

Table 4.3: Rate of Response.

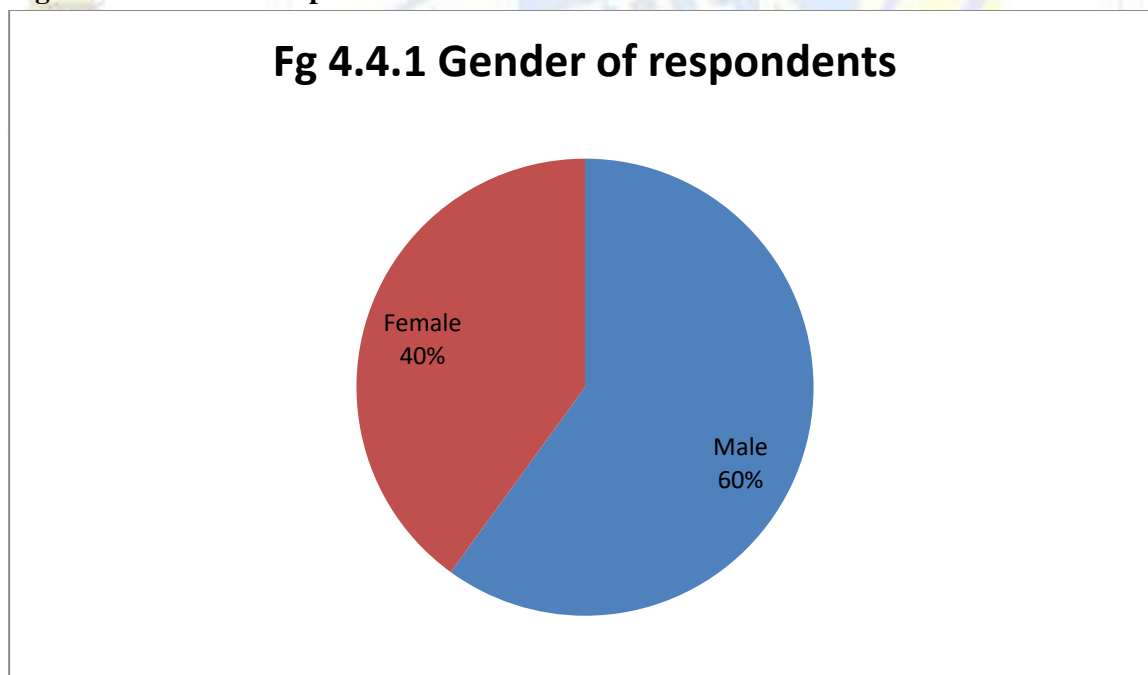
TotalNo a questionnaire issued out	Total No of returned questionnaires	Number of incomplete Questionnaires	Completed questionnaire received	Response Rate
337	334	3	331	98%

Source: Researcher 2023

4.4. Background Information of the respondents.

This is the information of those who responded in the study. This information is important for it gives a glimpse of mostly who participates in trade in terms of gender and age.

Fig. 4.4.1. Gender of respondents

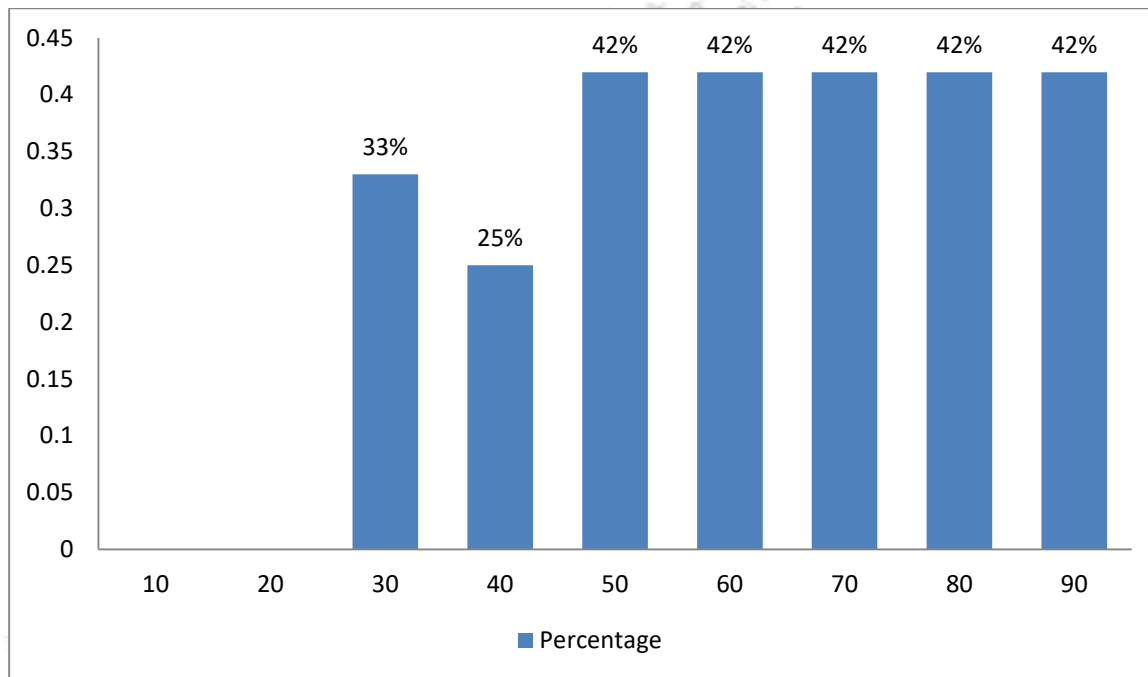


Source: Research 2023

Its axiomatic from the pie chart above that male respondents were the majority (197) representing 60%, and female respondents were (134) representing 40%. The study findings clearly indicate an almost equal representation of both genders, thus making the sample size a representative of the entire study population. This also indicates in microcosm, that both male and female participates in trade.

4.4.2. Age of Respondents

Fig.4.4.2: Age of respondents



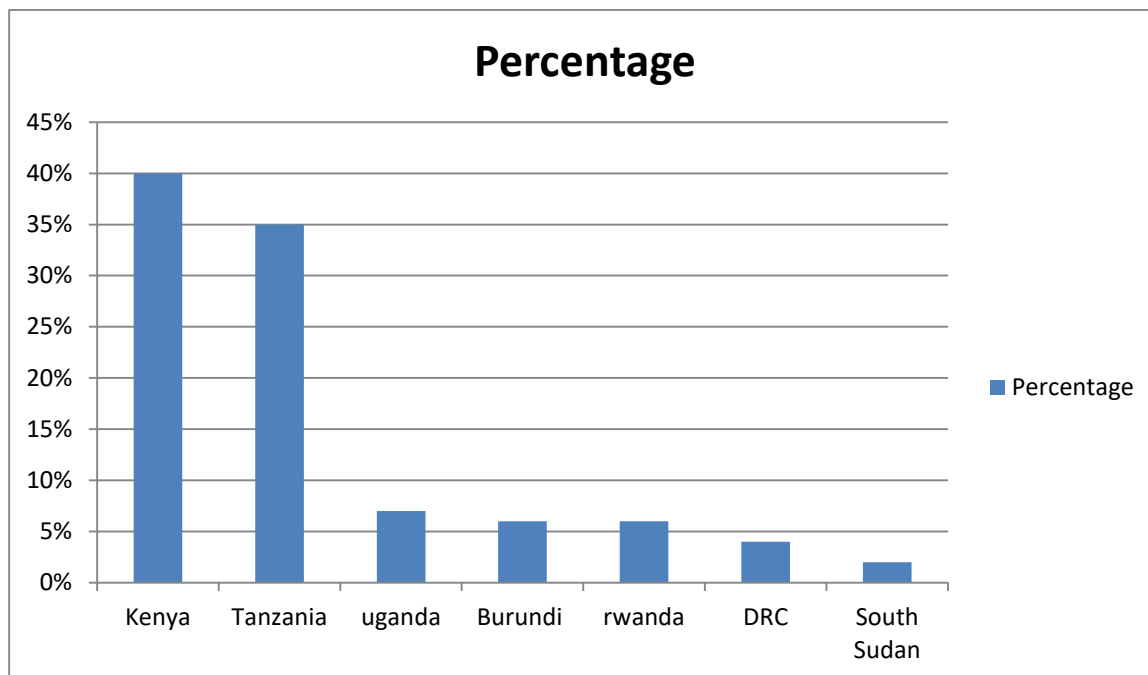
Source: Researcher 202

The bar graph above shows the study findings in relation to age. Respondents aged between 30-40 were 109 (33%), those between 40-50 were 83 (25%) and those above 50yrs of age were 139 (42%). Those above 50 years of age were the majority. Since age is directly proportional to experience, this implies that the sample selected had sufficient information pertaining trade between Kenya and Tanzania that this study required.

4.4.3 Nationality of Respondents

Fig.4.4.3: Nationality of respondents

Source: Researcher 2023



Most of the respondents were Kenyan citizens who were 132 (40%), followed by Tanzania citizens who were 116 (35%), Uganda citizens who were 23 (07%), Rwandese 20 (06%), Burundi 20 (06%), Democratic Republic of Congo 13 (04) and lastly SouthSudan 07 (02%). Since majority of sample selected were Kenyans and Tanzania, they had sufficient first-hand knowledge and experience to explain the dynamics and intrigue pertaining Kenya-Tanzania trade.

4.4.4. Duration of service of respondents

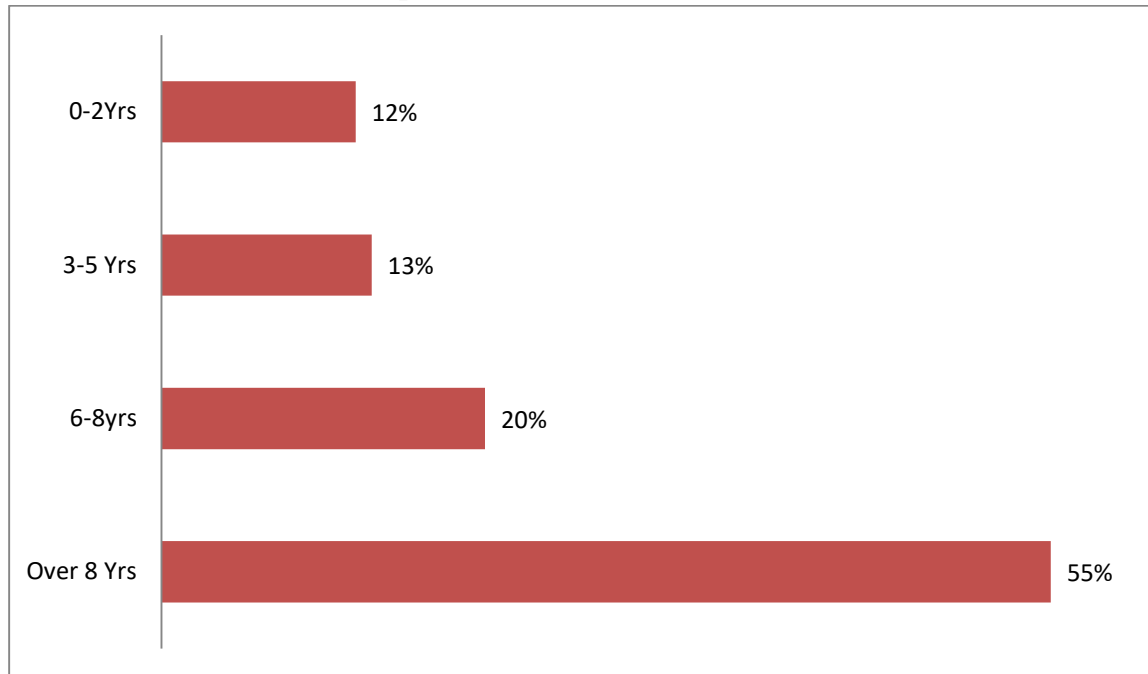
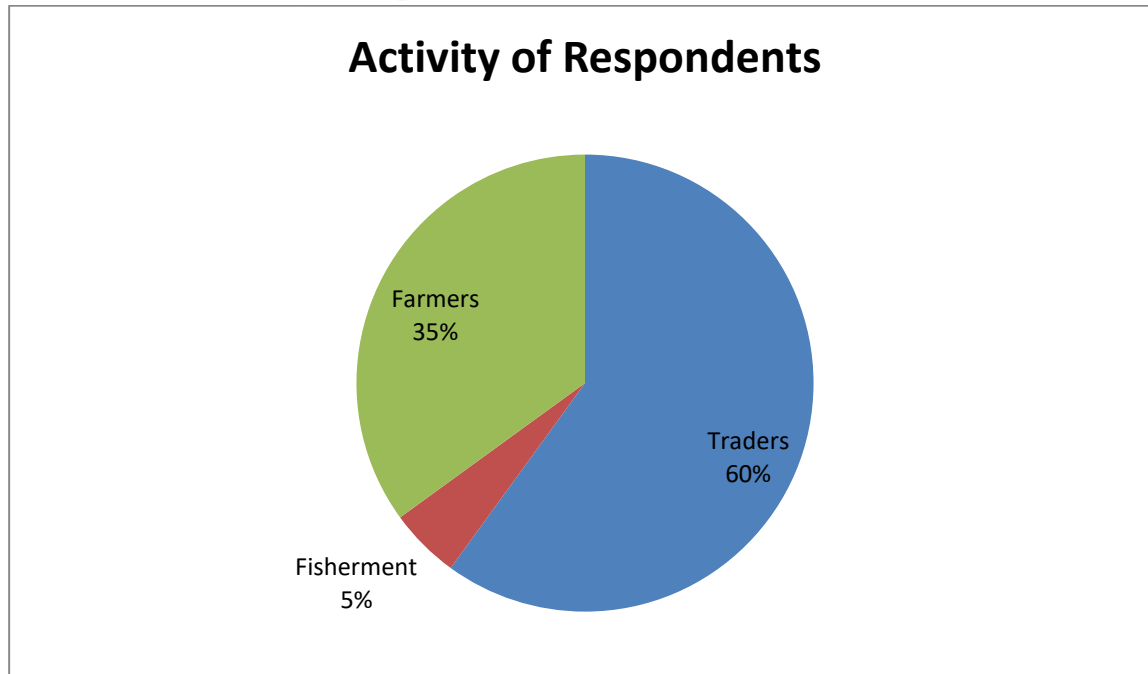


Fig. 4.3.4: Duration of service for workers

Source: Researcher 2023

Those who have worked between 0-2 years were 40 (12%), those between 3-5 years 43 (13%), those between 6-8 years 66(20%) and those over 8 years in service 182 (55%). Respondents who have served for a longer period of time are likely to give correct and detailed information based on their longer experience. This advantaged the study for because many of them had worked for more than four years before the adoption and enactment of the EAC Act 2017. Many of them appreciated the changes thus far.

4.4.5. Economic Activity of Respondents.



Source: Researcher 2023

Most respondents, 199 (60%) were traders. This implies that trade is at the very core of their lifestyle, therefore sensitive to dynamics in trade. This means that respondents were rich in information pertaining trade. They were followed by Farmers who were 116 (35%). This farming was Agri-business in nature which is equally trade. They kept good memory on how non-tariff barriers affected their trade especially when the administration of President John Pombe Magufuli burnt 6500 chicks claiming they had bird flu. The remaining 17 (05%) were fishers.

4.5 Descriptive analysis for the study variables.

Aside from the demographic description of the sample, the researcher also analyzed information from the respondents as far as research variables were concerned. This was achieved through questions that were both open-ended and closed-ended, as shown below.

4.5.1. Non-Tariff Barriers that existed between Kenya and Tanzania.

The study established that several non-tariff barriers existed between Kenya and Tanzania. These are some of the non-tariff barriers that were noted:

4.5.1.1. Unjustified Sanitary and Quality Conditions

Both governments put some sanitary and health requirements that were not medically justified. For instance, chicks from Kenya were termed by Tanzania to be infected by bird flu without medical justification. Kenya on the other side, claimed that Maize from Tanzania and Uganda had poisonous aflatoxins.

4.5.1.2. Excessive documents requirements

At the border, a lot of unnecessary documents were required before cargo is allowed to cross over the other side. This hampered trade because at times, failing to submit one of the documents led to disqualification from proceeding. Sometimes, Infact more often, this opened a leeway for corruption. Officials could get a chance to ask for what was called “Kahawa” which meant a bribe. For example, East Africa Community transit licenses for goods were required, hindering many traders from moving into and fro Kenya/Tanzania.

4.5.1.3. Very long time for documentation and procedures.

On the border, before the EAC NTBs Act 2017 was passed, it took a long time to register visa. The delays were intentional and deliberate, in order to limit the amount of goods from a foreign country. A lot of perishable goods got spoilt on the borders.

4.5.1.4. Import bans

Countries banned goods imported from foreign countries. This was aimed at diverting the attention of citizens from buying foreign goods, and rather buying locally manufactured goods. For example, the confectionary from Kenya was denied access to Tanzania market, claiming that it will flood Tanzania domestic market. Kenya also banned imports from Tanzania such as Maize and rice, claiming it had aflatoxins.

4.5.1.5. Unharmonised working hours in both sides

Working hours were not harmonious. A cargo could be cleared from Kenya side, once it proceeds to Tanzania, it delays because the officers perhaps are not on duty, and vice versa. This really hampered traders, by making them to stay for a longer period of time.

4.5.1.6. Trucks charged entrance fee

Entrance fee was levied at the borders for trucks. This fee was not fixed, it kept fluctuating. This further opened a way for corruption since officials could demand a certain amount that was not receipted. Indeed, Non-Tariff Barriers are less profitable than Tariff Barriers.

4.5.1.7. State subsidies

Both Kenya and Tanzania offered subsidies to their locally manufactured goods to entice citizens to buy from them and divert their taste from foreign goods.

4.5.1.8. Import subsidies

Both Kenya and Tanzania sought to entice /encourage traders to export more than they import. This was achieved by states subsidizing on the imports to encourage that enterprise. When a country exports more, the country earns more on foreign exchange.

4.5.2. Achievements of the Non-Tariff Barriers Act 2017 on trade.

4.5.2.1. Provided a mechanism for the removal of Non-Tariff Barriers in the East African community.

Through triangulating secondary sources and key informants, the study found out that since the enactment and adoption of Non-Tariff Barriers Act 2017, over 31 Non-Tariff Barriers have been resolved between Kenya and Tanzania alone. Trade statistics of EAC so far indicates that the intra-EAC trade accounting for imports and exports in the 7 EAC partner states (Kenya, Tanzania, Uganda, Rwanda, Burundi, DRC, South Sudan) grew as from as low as 13% in 2019 at an approximated value of \$ 7.1 billion to 15% in the year 2021 at a value of \$ 9.5 billion. The EAC value by the end of 2022 was recorded at \$10.17 billion representing a 20% of intra-trade to global trade

4.5.2.2. Removed restrictions that make importation or exportation difficult or costly.

The study found out that those hindrances that barred smooth importation and exportation of goods have been removed. The monetary value of goods ordered from Tanzania such as cereals, wood and edible vegetables, rose to a tune of sh. 18.29 billion in the review period, as per the Kenya Revenue Authority data published by the Central Bank of Kenya, CBK.

By 2022, reports indicated that nearly all the restrictions to trade had been cleared:

“The drop in the number of these trade barriers, which pushed the cumulative NTBs resolved and eliminated to 256.” [www. Businessdailyafrica.com](http://www.Businessdailyafrica.com)

4.5.2.3. Provided for a mechanism for identifying and monitoring the removal of non-tariff barriers within the community.

Through the East Africa community Secretariat report based in Arusha Tanzania, it recorded that about 13 Non-Tariff Barriers were resolved at EAC’s Regional Monitoring Committee meetings. Resultantly, Kenya’s export was pushed to Kshs.192.4 billion. Since then, there has been an upward trajectory in trade relationship performance.

“Intra-EAC trade hits the US \$ 10 billion mark as EAC readies to send out verification Mission Team to assess the willingness of Somalia to join the EAC” Dr. Peter Mathuku, EAC secretary General.

Through the exploits of EAC NTBs Act 2017, EABC trade facilitation forum was organized in Namanga border post. As a result, the border now clears 250 trucks daily, which is a 3-fold increase in comparison to a year earlier.

4.5.3. The Impact of the Non-Tariff Barriers on Kenya-Tanzania Trade.

Objective number three was to assess as to whether non-tariff barriers had affected trading activities between Kenya and Tanzania. All the 331 respondents unanimously agreed that non-tariff barriers had a profound impact on trade. It affected trade negatively, in the following ways:

4.5.3.1. Affects the flow of goods in and out of Tanzania/Kenya

On Wednesday November 2017, Tanzania government burned 6400 chicks to death, which the Tanzania government claimed had been imported from Kenya illegally, through Namanga border. The chicks were worth Tshs. 12.5 million (\$5570). Kenya also stopped importing Maize from both Tanzania and Uganda claiming that it had a chemical called aflatoxins.

4.5.3.2. Led to negative attitudes among traders and officials

Due to too much delays, there was negative attitude among traders and officials including the police. These 'hatred' was catalyzed by unharmonised working hours which appeared like a 'punishment' on traders. Long waiting for clearance at the weighbridges and too much checks. Infact, like in Tanzania, there were two roadblocks at every 1000km, and imagining how Tanzania is big.

4.5.3.3. Corruption

Due to excessive checks, clearance, long waiting, and payment for the cargo, the police and immigration officers got chance to be corrupt. Traders opted to bribe their way by giving out 'Kahawa' or 'tea' in order to fasten their way. These also gave border authorities motivation to be more slow and strict, to force traders to look for a faster option of corruption.

4.5.3.4. Led to unfair competition in trade.

The study found out that for a while, Kenyan authorities were silent as Tanzanians enjoyed favorable conditions for cross-border trade. Tanzania authorities started arresting vehicles bearing Kenyan number plates. Kenyans also started revenging by arresting tourist cars bearing Tanzania number plates. These practices were unfair practices in trade. A Kenyan business person tweeted by saying:

"We should build a wall along the border with Tanzania! I think this is the best time for Kenyans to wake up..."

4.5.3.5. It lowered quantities of supply of goods.

Despite the fact that East African Community Market Protocol provides for free movement of goods within East Africa, Tanzania declined to allow Kenyans Confectionery access to its market. There was also tobacco crisis, where Tanzania imposed 80% higher excise duty on cigarette transfers into Tanzania.

4.5.3.6. Increased the cost of doing business.

Since vehicles bearing Kenyan number plates were targeted by Tanzania police, traders were forced to hire Tanzania Vehicles for smooth transportation. This increased or raised the cost of doing business. It went against some aspects of human rights of traders. For example, on Tuesday November 2017, Mary Matia, a businesswoman based in Arusha was arrested for importing birds from Kenya.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS.

5.1. Summary of the findings

5.1.1. To establish the Non-Tariff Barriers that existed between Kenya and Tanzania.

In summary, research findings established that , before the enactment and adoption of non-tariff barriers Act 2017, the following NTBs existed between Kenya And Tanzania: State subsidies, unjustified sanitary and quality requirements, export and import subsidies, entrance fee on trucks moving to and fro Tanzania, unjustified delays at the weighbridges, unharmonised working hours on both sides of the border, extremely long time for documentation and procedures, excessive document requirements, import bans among others. These NTBs hindered EAC trade in general and Kenya-Tanzania trade in particular.

5.1.2. To assess the achievements of the NTB Act 2017 on trade.

The study found out that EAC NTBs Act 2017 has provided a mechanism for the removal of Non-Tariff Barriers in the community. It has helped in the removal of restrictions that make importation or exportation difficult and/or costly. Lastly, it has provided for mechanisms for identifying and monitoring the removal of non-tariff barriers within the community. By the end of 2022, 31 non-tariff barriers had been removed.

5.1.3. To assess the impact of the Non-Tariff Barriers on Kenya-Tanzania trade.

The study pinpointed out that NTBs had negatively affected Kenya-Tanzania trade in the following ways: It increased the cost of doing business, it opened a leeway for corruption, it led to unfair competition in trade, lowered the quantities of supply of goods in both countries. Lastly, it impacted on the flow of goods into and from Tanzania.

5.2. Conclusion

In light of the research findings, it's evident that several Non-Tariff existed, and that those NTBs negatively affected Kenya-Tanzania trade in particular and EAC trade in general, and finally EAC NTB Act 2017 helped in mitigating and resolving NTBs, thus positively reviving Kenya-Tanzania trade.

5.3. Recommendations of the study

As per the research findings, the researcher suggests:

First, EAC countries should have a uniform currency across the community. This will reduce the cumbersome exercise of currency exchange. It will also stabilize that currency as we see with the Euro or the US dollar.

Secondly, all vehicles in East Africa should bear the same number plate registration. This will give freedom to anybody travelling without being a victim of his/her car. From the study, it was evident that police were targeting vehicles bearing foreign registration, to an extent traders were forced to hire Tanzania registered cars to transact their business smoothly.

Lastly, East African Legislative Assembly members should be chosen on universal suffrage to give them legitimacy. Once that is done, legislations passed in EALA will have more impact than now. Further to this, they should reduce current boundaries to mere administrative boundaries.

5.4. Suggestion for further studies

Further studies should be done on the following areas:

1. The influence of EAC customs Management Act 2019 on Kenya Tanzania trade.
2. The Impact of EAC Appropriation Act 2019 on Kenya Diplomatic relations
3. Assessing the achievements of EAC Integration Appropriation Act 2019
4. Rethinking Idi Amin in the context of the Collapse of EAC
5. A comparative analysis between the performance of EAC-1963 and EAC-2001

5.5 Contribution to the body of Knowledge

This study contributes tremendously to the field of International relations and diplomacy by confirming that East African Community Non-Tariff Barriers Act 2017 was very fruitful in promoting Kenya-Tanzania trade relations in particular and EAC trade in general.

REFERENCES

Akinyi, J. (2021). *Non-Tariff Barriers and related dispute resolution: Is the East African Community all hat and no cattle?* 25 Jan 2021.

Alan V., & R. Deardorff (1998). *Measurement of Non-Tariff Barriers*. University of Michigan State. Michigan.

Beghin, John, C. (2006) *Non-Tariff Barriers. Discussion Paper*. 10.22004/eg.econ.18436. Iowa State University.

Bowen, P. (2018). *The Impact of Non-Tariff Barriers on Trade in the East African Community: A case study of Kenya exporters to Tanzania. Masters Project*: University of Nairobi.

Cooksey, Brian. *Tanzania and the East African Community: A comparative Political Economy*. European Centre for Development Policy Management. Discussion Paper 187 (May, 2016)

Daily Nation: <https://mobile.nation.co.ke/news/Tanzania-govt-renounces-coalition-of-the-willing/1950946-2041956-format-xhtml-jco1q32/index.html/>: Accessed 23rd April 2022.

Daily Nation : <https://mobile.nation.co.ke/news/Tanzania-govt-renounces-coalition-of-the-willing/1950946-2041956-format-xhtml-jco1q3z/index.html/>: Accessed 23rd April 2022.

Daily Nation : <https://www.nation.co.ke/news/1056-599052-k3g9f5z/index.html>. Accessed 22nd /April/2022.

EAC ACT Supplement, 2017: 5

East African Community secretariat- East Africa Business Council (EAC-EABC) “Highlights on increased regional trade and peace as the bloc’s key priorities: EAC Secretariat, Arusha. Tanzania 2022.”

Edward, J. (1987). *Changing Patterns of protectionism: The Fall in Tariffs and the rise in non-tariff barriers*. Ohio state university publishers. Ohio-USA

Gillian E. Metzger. “Congress, Article iv, and Interstate Relations.” Harvard Law Review vol. 120:1468 web.

Goldstein, J. (2015). *International Relations*. (9thEd.). Pavehouse publishers. New York.

- Hangi, M. (2010). *The Non-Tariff Barriers in Trading within the East African Community*. Economic & social Research Foundation. Nairobi.
- Keohane, R.O., & Nye, J.S. (1987). *Power and Interdependence. Revisited. International Organization*, 41 (41), 725-753.
- Keohane, R.O., & Nye, J.S. (1998). *Power and Interdependence in the Information Age. Foreign Affairs*, 77 (5), p.81.
- Luiza, K., A. Sand Kamp, E. Yalcin, (2019) *Review of World Economics*. Vol. 155, pages 603-643. (2019)
- Joseph, (1990). *Cooperation Among Nations: Europe, America and Non-Tariff Barriers to Trade*. Cornell University Press. Amazon.
- Judith M., Jose E., Robert M., Rodney D., Michael, J. (2009). *Estimating the Price Effects of Non -Tariff Barriers*. Journal of Economic Analysis and Policy. [https:// doi.org/](https://doi.org/10.2202/1935-1682.1972) Princeton. Longman/10.2202/1935-1682.1972
- Marco Fugazza, Jean Christophe (2008) *Non-Tariff Barriers in CGE Models: How Useful for policy?* Journal of Policy Modelling. Vol. 30, Issue3, May-June 2008, pgs., 475-490.
- Mohammed A. & D. Sebastian (2008) *Assessing Non-Tariff Barriers in Syria*. Journal of Policy Modelling. Vol. 30. Issue 5, Sep- Oct 2008, pgs. 917-928.
- Taro, Y (1967). *An Introductory Analysis*. (2nd ed.). Harper Raw publishers. New York
- Sonnino, P. (2009). *Mazarin's Quest. The Congress of Westphalia and the coming of the Fronde*. Harvad University Press. USA.
- Susan, M (1984) *The Congress Dances*. Harper & Raw publishers. New York.
- Brown, C. & A. Kristen (2006) *Understanding International Relations*, (4th ed.). New York. Palgrave Macmillan.

Kenya Vision 2030: *A Globally Competitive and Prosperous Kenya*. Retrieval from <https://www.research.ectafrika.net/countries//Kenya-vision-2030-2006.pdf>. Accessed on 24th/April//2022.

Mugenda, O.M and Mugenda, A.G. (2003) *Research Methods, Quantitative and Qualitative Approaches*. ACT. Nairobi.

Stearns, P. & N. Langer, W. Leonard (2001). *The Encyclopedia of World History: Ancient, Medieval and Modern* (6thed.). Houghton Mifflin. Harcourt.

Sending, OJ, Pouliot, V, Neumann, IB, eds., (2015), *Diplomacy and the Making of world politics*. (Cambridge University Press)

Tamara, Gordeera, "International Trade Disputes in modern Regulatory paradigm". IEP19 (2012): 97-110

Zamoyski, A. (2007). *Rites of Peace; the fall of Napoleon and the congress of Vienna*. Harper Collins Publishers.cw

WEBSITES

<https://www.eac.int/common-market>: Accessed on 21st /April/2022

<https://www.eala.org/documents/category/acts-of-the-community>: Accessed on 22nd /April/2022

<https://www.tanzaniainvest.com/kenya>: Accessed on 20th /April/2022

<https://www.eac.int/eac-organs>: Accessed on 23rd /April/ 2022

<https://data.worldbank.org/country/Kenya>. Accessed on 24th/April/2022

<https://www.eala.org/documents/category/resolutions/p30>. Accessed on 23rd /April/2022.

APPENDIX I: INTRODUCTION LETTER

Dear Respondents

Mauya Atunga Eric

REF: COLLECTION OF RESEARCH DATA

My name is Mauya Atunga Eric, a student in Mount Kenya University, pursuing a Master's degree in International relations and diplomacy. My research title is "THE INFLUENCE OF THE EAST AFRICAN COMMUNITY NON-TARIFF BARRIERS ACT 2017 ON THE KENYA-TANZANIA TRADE RELATIONS."

The assurance I give is that any data collected will be secretive, in that your name or that of your association will not be referenced in the last report. Since this is a scholarly study, research findings will profit those in need of it.

I look forward for your assistance

Any further information or clarification concerning this research, you can also contact,

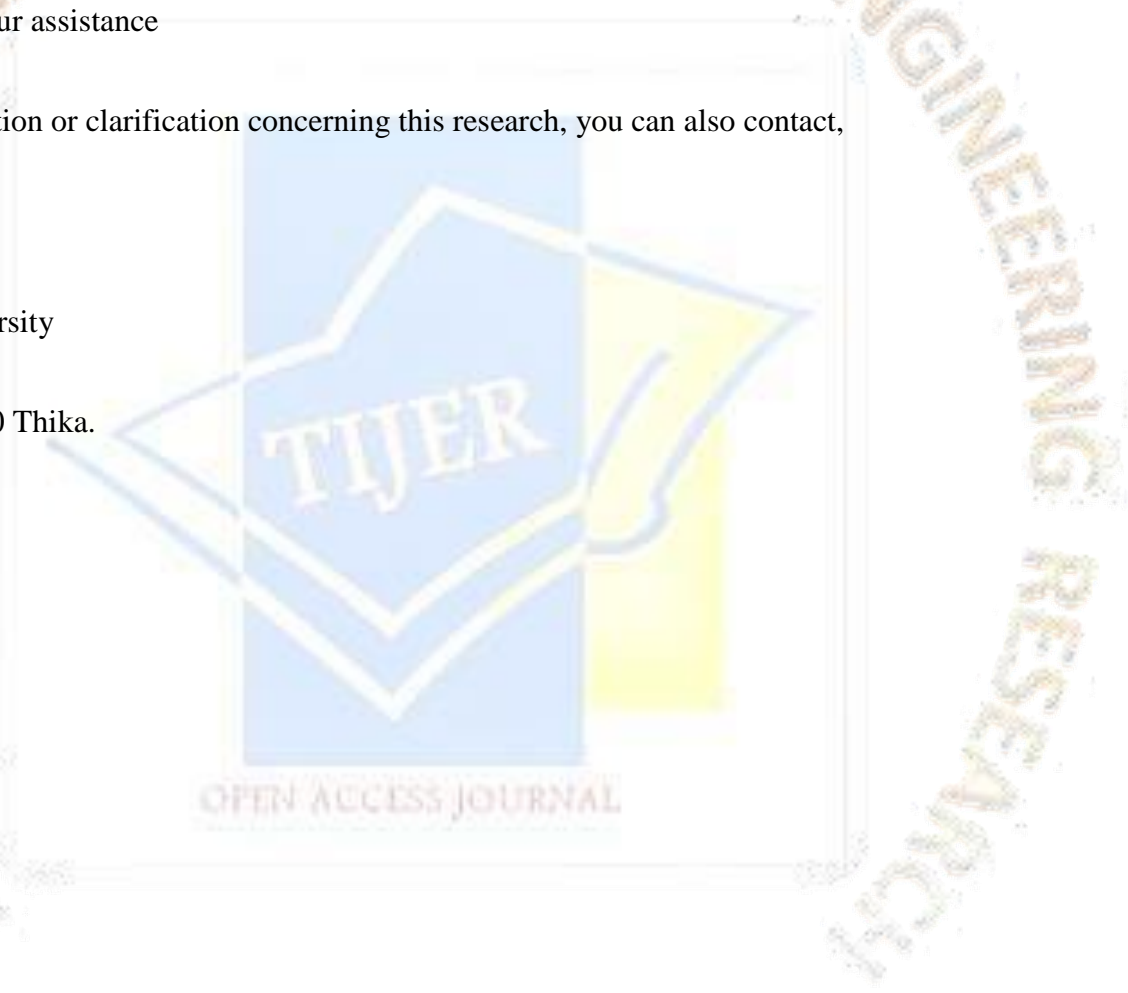
The Chairman, ERC

Mount Kenya University

P.O. BOX 342-01000 Thika.

Yours Faithfully

Mauya Atunga Eric.



APPENDIX II: CONSENT FORM FOR PARTICIPATION IN RESEARCH.

TITLE OF STUDY

THE INFLUENCE OF THE EAST AFRICAN COMMUNITY NON-TARIFF BARRIERS ACT 2017 ON THE KENYA-TANZANIA TRADE RELATIONS.

Dear Participant

I Mauya Atunga Eric invite you to participate in a research study titled above. I am currently enrolled in Mount Kenya University, studying Master of Arts in International Relations and Diplomacy. The purpose of the research is to determine the influence of East Africa Community Non-Tariff Barriers Act 2017 on the Kenya-Tanzania trade relations.

The enclosed questionnaire has been designed to collect information on the following specific objectives:

- 1). To establish the Non-Tariff Barriers that existed between Kenya and Tanzania.
- 2). To assess the achievements of the Non-Tariff Barriers Act 2017 on Trade,
- 3). To assess the Impact of Non-Tariff Barriers on Kenya –Tanzania Trade.

Your participation in this research project is completely voluntary. You may decline altogether, or leave blank any questions you don't wish to answer. There are no known risks to participation beyond those encountered in everyday life, your responses will remain confidential and anonymous. Data from this research will be kept under lock and key and reported only as a collective combined total. No one other than the researcher will know your individual answers to this questionnaire. There are no direct benefits to you for participation in this research

If you agree to participation in this project, please answer the questions on the questionnaire as best as you can. It should take approximately 20 minutes to complete. Please return the questionnaire as soon as possible to enable me complete the project report.

If you have further issues that need more clarification about this project, kindly contact Mauya Atunga Eric(P.O. BOX 514-40500 NYAMIRA) and Dr. Martin Wamalwa (P’O’BOX324-01000 THIKA) and The Chairman, Mount Kenya University, Ethical Review Committee, P.O. BOX 342-01000, THIKA.

Thank you for your assistance

CONSENT

I have read and I understand the provided information and have had the opportunity to ask questions. I understand that any participation is voluntary and that I am free to withdraw at any time I feel. I understand that I will be given a copy of this consent form, I agree to take part in this study voluntarily.

Participant’s signature.....Date.....

Investigator signature.....Date.....

Appendix III: Work Pan 2022 - 2023

Description	Sept	Oct	Nov	Dec	April	May	June	July
Chapter one								
Literature Review								
Chapter three								
Defense								
Data Collection								
Data Analysis								
Final Draft								
Graduation								

Appendix IV KREJCIES ROBERT V.MORGAN DARYLE W.TABLE

N	S	N	S	N	S	N	S	N	S
10	10	100	80	280	162	800	260	2800	338
15	14	110	86	290	165	850	265	3000	341
20	19	120	92	300	169	900	269	3500	246
25	24	130	97	320	175	950	274	4000	351
30	28	140	103	340	181	1000	278	4500	351
35	32	150	108	360	186	1100	285	5000	357
40	36	160	113	380	181	1200	291	6000	361
45	40	180	118	400	196	1300	297	7000	364
50	44	190	123	420	201	1400	302	8000	367
55	48	200	127	440	203	1500	306	9000	368
60	52	210	132	460	210	1600	310	10000	373
65	56	220	136	480	214	1700	313	15000	375
70	59	230	140	500	217	1800	317	20000	377
75	63	240	144	550	225	1900	320	30000	379
80	66	250	148	600	234	2000	322	40000	380
85	70	260	152	650	242	2200	327	50000	381
90	73	270	155	700	248	2400	331	75000	382
95	76	270	159	750	256	2600	335	100000	384

KEY

S=Sample size

N=Population

Source: Krejcie, Robert V, Morgan Daryle w (1970)

APPENDIX V: QUESTIONNAIRE

Iam delighted and glad for taking your time in this study that aims at assessing the impact of non-tariff barriers act 2017 on Kenya-Tanzania trade relation. Information gathered here will be entirely for academic purposes.

Demographic Information

Gender (m) (f)

Nationality

() Kenyan

() Tanzanian

() South Sudan

() Burundi

() Rwanda

Main Economic activity

[] Trade

[] Farming

[] Mining

[] None specify.....

Duration of trading within the aegis of East African Community

1-2.5 years []

2.5-5 years []

5.5-8 years []

Over 8 years []

Have you encountered barriers during your usual activity during business?

If Yes which ones [.....]

No []

Has time for documentation and procedures reduced since 2018?

Yes []

No []

Has working hours been harmonized at the border posts

Yes []

No []

Sometimes []

Is verification for transit cargo to Tanzania or to Kenya still applicable since 2018?

Yes []

No []

Has working hours been harmonized at the border posts?

Yes []

No []

Sometimes []

Are there any unjustifiable delays at the weighbridges in Tanzania or in Kenya today?

Yes []

No []

Do both countries ask for East African Community goods transit licenses?

Yes []

No []

Sometimes []

Are trucks charged entrance fees and given grace periods?

Yes []

No []

Sometimes []

How long does it take nowadays for a business to be registered at the border?

0-1 hours []

2-5 hours []

Above 6 hours []

How long does visa registration take?

0-1 hours []

2-5 hours []

Above 6hrs []

Are the police /border officers corrupt?

Yes []

No []

Give instances.....

Is there anything that unnecessarily delays trade?

.....

What is the Tanzania government doing to protect Kenya traders and vice versa?.....

Has the number of trucks entering or leaving Tanzania increased in the last recent past, after corona pandemic?

.....

(For EAC officials only) So far, in your office reports, has trade relationship performance increased since the adoption of EACNTBs Act 2017?.....

(For EAC Officials) Are there reports in Arusha, indicating positive results from EAC NTBs Act 2017?..... If Yes, what are they indicating?..... (if possible supply copies).

(For EAC officials only) Are there NTBs that have not been resolved through NTBs Act 2017?.....

Which ones?

APPENDIX VI:KEY INFORMANT INTERVIEW GUIDE

- 1). Kindly describe the Non-Tariff Barriers which you noted existed between Kenya and Tanzania.
- 2). Basing your observation over time, has trade relations between Kenya and Tanzania increased or decreased since 2017?
- 3). Describe how Tanzania and Kenya are now relating in trade since 2017?

Appendix V: Work Pan 2022 - 2023

Description	Sept 2022	Oct 2022	Nov 2022	Dec 2022	April 2023	May 2023	June 2023	July 2023
Chapter one								
Literature Review								
Chapter three								
defense								
Data Collection								
Data Analysis								
Final Draft								
Graduation								

OPEN ACCESS JOURNAL

Appendix VI: KREJCIES ROBERT V.MORGAN DARYLE W.TABLE

N	S	N	S	N	S	N	S	N	S
10	10	100	80	280	162	800	260	2800	338
15	14	110	86	290	165	850	265	3000	341
20	19	120	92	300	169	900	269	3500	246
25	24	130	97	320	175	950	274	4000	351
30	28	140	103	340	181	1000	278	4500	351
35	32	150	108	360	186	1100	285	5000	357
40	36	160	113	380	181	1200	291	6000	361
45	40	180	118	400	196	1300	297	7000	364
50	44	190	123	420	201	1400	302	8000	367
55	48	200	127	440	203	1500	306	9000	368
60	52	210	132	460	210	1600	310	10000	373
65	56	220	136	480	214	1700	313	15000	375
70	59	230	140	500	217	1800	317	20000	377
75	63	240	144	550	225	1900	320	30000	379
80	66	250	148	600	234	2000	322	40000	380
85	70	260	152	650	242	2200	327	50000	381
90	73	270	155	700	248	2400	331	75000	382
95	76	270	159	750	256	2600	335	100000	384

KEY

S=Sample she

N=Population

Some: Krejcie, Robert V, Morgan Daryle w (1970)

Mount Kenya University

DIRECTORATE OF GRADUATE STUDIES

MIRD/2018/27495

4th April, 2023

*National Commission for Science Technology & Innovation (NACOSTI)
Off Waiyaki, Upper Kabete
P.O Box 30623- 00100
NAIROBI, KENYA*

Dear Sir/Madam,

RE: MAUYA ATUNGA ERIC - REGISTRATION NO. MIRD/2018/27495

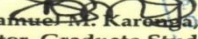
The purpose of this letter is to introduce the above named student who is pursuing **Master Arts in International Relations and Diplomacy** in the **Institute of Security Studies, Justice and Ethics** in the school of **Social Sciences**.

The title of the research is **"The Influence of the East Africa Community Non-Tariff Barriers Act 2017 on the Kenya-Tanzania Trade Relations."**

It has been cleared by the University's Ethics Review Committee (Certificate attached) and now has to proceed to the field to collect data between **April, 2023 and June, 2023**.

Any assistance accorded to the student will be highly appreciated.

Thank you.



Dr. Samuel M. Karunga, Ph.D
Director, Graduate Studies
Enc.

Mount Kenya University
P.O. Box 342 - 01000, THIKA
Office of the Director
Graduate Studies

Main Campus, General Kago Road, P.O. Box 342-01000 Thika.
Tel: 020-2878 000, Cell: +254 709 153 000

OPEN ACCESS JOURNAL

APPENDIX VIII: University Ethics Review Committee (ERC) Letter



Mount Kenya University

REF: MKU/ISERC/2698 Date: 04 April 2023

TO: MAUYA ATUNGA ERIC

REG: MIRD/2018/27495

Dear Sir/Madam,

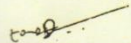
RE: THE INFLUENCE OF THE EAST AFRICA COMMUNITY NON-TARIFF BARRIERS ACT 2017 ON THE KENYA-TANZANIA TRADE RELATIONS.

This is to inform you that **Mount Kenya University** has reviewed and approved your above research proposal. Your application approval number is **1742**. The approval period is **04/04/2023 - 03/04/2024**.

This approval is subject to compliance with the following requirements;


- i. Only approved documents including informed consents, study instruments, MTA will be used
- ii. All changes including amendments, deviations and violations are submitted for review and approval by **Mount Kenya University**
- iii. Death and life-threatening problems and serious adverse events or unexpected adverse events whether related or unrelated to the study must be reported to **Mount Kenya University** within 72 hours of notification
- iv. Any changes, anticipated or otherwise that may increase the risks or affect the safety or welfare of study participants and others or affect the integrity of the research must be reported to **Mount Kenya University** within 72 hours
- v. Clearance for export of biological specimens must be obtained from relevant institutions
- vi. Submission of a request for renewal of approval at least 60 days prior to expiry of the approval period. Attach a comprehensive progress report to support the renewal
- vii. Submission of an executive summary report within 90 days upon completion of the study to **Mount Kenya University**

Prior to commencing your study, you will be expected to obtain a research license from National Commission for Science, Technology and Innovation (NACOSTI) <https://research-portal.nacosti.go.ke> and also obtain other clearances needed.


Yours sincerely,  **The Chairman**
Mount Kenya University
Ethics Review Committee
P. O. Box 342 - 0100, Thika

Dr. Peter G. Kirira
Chairman, Mount Kenya University ISERC

Main Campus, General Kago Road, P.O. Box 342-01000 Thika.
Tel: 020-2878 000, Cell: +254 709 153 000




 REPUBLIC OF KENYA



 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION

Ref No: **812683**
Date of Issue: **25/April/2023**


RESEARCH LICENSE




This is to Certify that Mr. mauya Atunga eric of Mount Kenya University, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Kajiado on the topic: THE INFLUENCE OF THE EAST AFRICAN COMMUNITY NON-TARIFF BARRIERS ACT 2017 ON THE KENYA-TANZANIA TRADE RELATIONS for the period ending : 25/April/2024.

License No: **NACOSTI/P/23/25234**

Applicant Identification Number: **812683**


 Director General
 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION

Verification QR Code



NOTE: This is a computer generated License. To verify the authenticity of this document, Scan the QR Code using QR scanner application.

See overleaf for conditions

APPENDIX IX: INTERNATIONAL RESEARCH JOURNAL

APPENDIX X: Similarity Index

THE INFLUENCE OF THE EAST AFRICA COMMUNITY NON-TARIFF BARRIERS ACT 2017 ON THE KENYA-TANZANIA TRADE RELATIONS.

ORIGINALITY REPORT



PRIMARY SOURCES

1	erepository.uonbi.ac.ke Internet Source	2%
2	ir-library.ku.ac.ke Internet Source	1%
3	www.tralac.org Internet Source	1%
4	en.wikipedia.org Internet Source	1%
5	www.researchgate.net Internet Source	1%
6	Submitted to Rwanda Defence Forces Command and Staff College Student Paper	1%
7	Submitted to Kenyatta University Student Paper	1%
8	worldcat.org Internet Source	1%