Meeting Minutes, 23 November 2022

Somalia Logistics Cluster: Technical Working Group on Customs Clearance

LOCATION
Mogadishu, Online

DATE
23 November 2022

CHAIR
Logistics Cluster

PARTICIPANTS
Danish Refugee Council (DRC), Food and Agriculture Organization (FAO), ImPortation and Custom Clearance Together (IMPACCT), International Committee of the Red Cross (ICRC), International Medical Corps, Medair, Somaus Help., United Nations High Commissioner for Refugees (UNHCR) and World Food Programme (WFP).

ACTION POINTS
• Continue Technical Working Group Meetings on a bi-weekly basis in cooperation with IMPACCT and partners to deep dive into the Import and Customs Clearance Processes and start drafting recommendations for areas of attention.

AGENDA
1. Terms of Reference (TOR)
2. Customs Clearance Technical Working Group Participating Organizations
3. Scope of Work
4. Mapping the key stakeholders involved in the Customs Clearance Process
5. Mapping the key constraints in the Customs Clearance Process
6. AOB

1. Terms of Reference (TOR)

Main Tasks
• To map the end-to-end processes to import and export humanitarian goods in Somalia, including identifying governmental stakeholders involved in the processes.
• To continually generate data, analyses and products regarding customs and tax exemptions that can be used to inform partners on how to import and export products for the response regarding importation and customs. The analyses will continue to utilise data collected from partners every six months, rather than on real time data, to ensure validity and reliability.
• Provide recommendations to the Logistics Cluster members on key advocacy messages and areas of attention to be used for coordinated efforts with the wider humanitarian system.
• Analyse and collectively engage relevant stakeholders and national entities involved in the processes to import and export humanitarian aid.
• Convene monthly or bi-monthly virtual calls with the participating organizations. Present the outcomes of importation, exportation and customs discussions to the Logistics Cluster coordination meeting.

https://logcluster.org/ops/som20a
Guiding Principles

- Regular updates shall be shared on the status of the work-in-progress and the final outputs/recommendations of the Technical Working Group shall be shared to stakeholders in oral and written form for feedback and comment.
- Technical Working Group membership shall be representatives of the wider sector stakeholder groups, and with relevant technical skill-sets.
- In-country experiences and where relevant, external feedback, shall be captured and iteratively addressed in developing the outputs of the Technical Working Group.
- All sector stakeholders shall have the opportunity to provide feedback to the work of the Technical Working Group prior to its presentation in plenary for validation.
- Participating organizations shall aim to speak with one voice and find a common solution to improve importation, exportation and customs clearance processes for humanitarian cargo.

2. Customs Clearance Technical Working Group Participating Organizations

- International Medical Corps (IMC)
- The World Health Organization (WHO)
- The United Nations High Commissioner for Refugees (UNHCR)
- The United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
- Save the Children
- International Committee of Red Cross (ICRC)
- Medicines Sans Frontiers (MSF)
- International Organization for Migration (IOM)
- The Food and Agriculture Organization (FAO)
- The United Nations International Children’s Emergency Fund (UNICEF)
- Medair
- The World Food Programme (WFP)

3. Scope of Work

- The below table displays the scope of work of the Customs Clearance Technical Working Group
4. Mapping the key stakeholders involved in the Customs Clearance Processes

The following Government entities have been mentioned by partners to be involved in the processes to import Humanitarian cargo:

1. Somali Disaster Management Agency (SODMA); the role of SODMA has yet to be clarified.
3. Port/Airport Customs Office: responsible for giving final clearance of the goods.
5. Ministry of Internal Security: responsible for approving the request from the MoFA to import goods into Somalia (e.g. the import of armoured vehicles).
6. The Ministry of Security and the Ministry of Communication are responsible for delivering a permit for communication equipments.
7. Ministry of Health: responsible for issuing a document for the Ministry of Finance to import medicines and medical equipment and also issue a non-objection letter.
9. The Ministry of Foreign Affairs is the first point of contact for the tax exemption certificate and is responsible for sending a letter to the Ministry of Internal Security for approval to import goods into Somalia.
11. The Office of the Prime Minister is no longer involved in import processes.
12. National Intelligence and Security Agency (NISA): responsible to give green light for armoured vehicles and all security equipments (radios, helmets, electronic equipment etc.). Partners to share more information on the responsibility of NISA and its duplication to the Ministry of Internal Security.
5. Mapping the key constraints involved in the Customs Clearance Processes

The following constraints have been shared by partners in the pre-arrival, on-arrival and post-arrival processes:

- **Pre-arrival:**
  - Some NGOs are not recognized by the host Government of Somalia.
  - The completion of the required set of documents, including Proforma Invoice (PI), Packing List, Airway Bill (AWB), Certificate of Analysis from the exported country and a Certificate of Origin, takes a significant amount of time.

- **On-arrival:**
  - During the shipment: it is not possible to submit a tax exemption request if Bill of Loading (BL) is missing.
  - For the goods that are not on the list for the Ministry of Internal Security and when the Line Ministry have the tax exemption certificate, they send the 'no objection' letter to the Ministry of Finance.
  - For goods that are on the list for the Ministry of Internal Security, the humanitarian organizations must send a letter to the Ministry of Internal Security to request to import telecom equipment or an armored vehicle.
  - Long processing of receiving the green light from NISA

- **Post-arrival:**
  - The tax exemption process is not consistent and no priority is given to humanitarian aid.

The following recommendations has been shared by partners:

- Goods should not be shipped until a tax exemption certificate is received.

6. AOB

- The Technical Working Group will meet again on the **14 December 2022 at 11:00 am EAT**.

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