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THE CHALLENGES OF IMPORT CLEARANCE PROCEDURE ON TRADE FACILITATION: THE CASE OF JIGJIGA BRANCH CUSTOMS OFFICE

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ABSTRACT

The collected data was analysed using descriptive statistics. The findings of the study showed that the most common challenges of Import clearance procedure on Trade facilitation are more delay, cost, goods damage and missing of market opportunities, while lack of proper implementation of time standard and Risk management Techniques; lack of Import clearance team employees competency and cooperativeness, insignificant use of information technology; weak cooperation among Customs and other regulatory bodies for Import; lack of enough professional man power; lack of customer education and support; Complexity of Import clearance procedure. Finally the study recommended that in order to minimize the above mentioned challenges ERCA should implement time standard and Risk management techniques properly and cooperate to other regulatory bodies for Import. At the same time also it has to upgrade the capacity of its employees and the customers and use information technology properly. The importers should be also loyal and submit correct and complete information about their goods. The challenges of Import clearance procedure vary depending on the nature of the imported.

KEYWORDS

Challenges, Import, Clearance-Procedure, Trade-Facilitation, Customs, Clearing Agent etc.

INTRODUCTION

African countries have acknowledged the importance of trade facilitation through transparent and predictable customs procedures, sub-Sahara African countries' customs administrations are characterized by, complex customs laws and regulations; lack of automation and insignificant use of information technology; lack of proper risk management techniques; lack of transparency, predictability and consistency; lack of cooperation with other government agencies; lack of professional man power; lack of customer education; as well as corruption. This results in the waste of enormous amount of time and money (ECA, 2004). Like other sub-Sahara African countries, the Ethiopian customs administration has similar features and faced the same challenges. Hence, the aim of this study is to assess the challenges of import clearance procedure on trade facilitation focused on risk management, customer education, customs automation, human resource developments and management, as well as cooperation among customs and other regulatory bodies for Import.

OBJECTIVES OF STUDY

Following are the objectives of the study:

To identify the challenges of import clearance procedure in Jigjiga customs Office

To recommend possible solutions that may reduce those procedural challenges of on trade facilitation.

RESEARCH QUESTIONS

The study more specifically will try to find for the following questions:

What are the challenges of import clearance procedure at Jigjiga Customs Branch office?

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What are the possible solutions to overcome those challenges?

JUSTIFICATIONS OF STUDY

The study will have significance for ERCA's strategic management to design proper import clearance procedure that can fit the current global trade environment. It will benefit also to the business communities and legitimate traders in such a way that clearance related transaction cost and time will be reduced significantly. It will help the researcher to acquire knowledge and experience relating to import clearance procedure on trade facilitation. Finally, it will also serve as a base for future and further research in this area of by other researchers and play significant role in reducing the existing empirical literature gap.

LITERATURE REVIEW

Theoretical Literature

Customs organizations throughout the world hold a unique position within the country's government and the international community. From a national point of view, border protection, revenue collection and the operation of a customs administration are uniquely sovereign responsibilities. Customs administrations also have a special alignment with the international community to provide service. Customs are often the first contact with foreign business and travelers have with the government. A satisfactory encounter with customs at the border has a potential to encourage continued commercial activities (Michel, 1998, pp.).

The World Customs Organization (WCO) defines Customs as "the government service which is responsible for the administration of customs law and the collection of import and export duties and taxes and which also has responsibility for the application of other laws and regulations relating, inter alia, to the importation, transit and exportation of goods" (Ethiopian customs guide, 2017).

Customs Procedures

According to Puengpradit (2010), Customs procedures are a significant factor that needs to be taken into consideration in relation to trade facilitation. Customs administrations should strengthen their customs operations by simplifying customs procedures and implementing risk management and audit-based control in order to enhance the capacity for revenue collection, improve the efficiency of customs clearance, and reduce the time and costs for customs administrations and the trading community.

Customs Clearance

Customs clearance relates to Article VIII of GATT 1994, in particular Art.VIII.1(c): "The contracting parties also recognize the need for minimizing the incidence and complexity of import and export formalities and for decreasing and simplifying import and export documentation requirements". Release in the Customs context means the action by Customs to permit goods undergoing clearance to be placed at the disposal of the persons concerned. Clearance means the accomplishment of the Customs formalities necessary to allow goods to enter home use, to be exported or to be placed under another customs procedure (RKC, 1999). The key measures proposed aim to expedite the clearance and release of goods at the borders. These measures include, inter alia, pre-arrival clearance, separate release from clearance, authorized trader schemes, risk management, and post-clearance audit. Customs modernization through automation and ICT use is a useful step in implementing such procedures (UNCTAD,

2008). Likewise, the WCO revised Kyoto convention also defines customs clearance as "the accomplishment of the customs formalities necessary to allow goods to enter the home as to be exported or to be placed under another customs procedure". In addition, release as "the action by the customs to permit goods undergoing clearance to be at the disposal of the person concerned (UNCTAD, 2006).



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Trade Facilitation

Trade facilitation is the simplification, harmonization, standardization and modernization of trade procedures. It seeks to reduce trade transaction costs at the interface between business and government and is an agenda item within many customs related activities (Andrew Grainger, 2007). In the context of economic globalization, security and facilitation of international trade are exerting a profound influence on the stability and progress of the international community. In international trade activities, security underpins the realization of facilitation. Without security, trade facilitation cannot be achieved in a real sense whereas without trade facilitation, security will lose its essence. Security and facilitation are interdependent and complementary. In other words, they exist in an inseparable whole that none of them can be dispensed with. With this, having regarded security and facilitation as two major tasks of world's customs administrations, Customs must attach great importance to both by taking effective measures to ensure their realizations and at the same time strike a balance between the two (Yibiao, 2004, p.2).

Empirical Literature

A Study of Express Consignment Operations in Thailand by Puengpradit (2011), recognizes that conditions and circumstances vary considerably across countries, particularly in relation to levels of customs development and fundamental issues such as customs infrastructures, human resources development, customer education, risk management, efficient utilization of customs automation, customs cooperation with governmental agencies and stakeholders play important roles in trade facilitation and customs regulatory control. Hence, trade facilitation is receiving unprecedented attention and has become a feature in WTO negotiations, supply chain security, capacity building and customs modernization programs. Many other government agencies have a stake in the facilitation of legitimate trade, too. The research also reveals a clear link between human resource development and five other key elements outlined in the framework for trade facilitation and custom regulatory control risk management, legislation, customs procedures, information technology and cooperation. Even though these elements are considered integral parts of the framework for facilitation and control, the elements alone are insufficient to bring about an effective approach to the accommodation of trade facilitation and customs regulatory control. Support in the form of effective management of human resources is required to make facilitation and control achievable (Puengpradit, 2011:p.164).

A survey conducted by the World Bank (WB) in 1999-2000 and involving more than 10,000 companies in 80 countries found that companies in many parts of the world still find ineffective customs (and foreign trade regulations) a major obstacle to trade. The survey also shows that companies in most developing countries perceive these procedures as a serious impediment to growth and similar research by OECD finds that Customs procedures have substantial effects on international trade and cumbersome Customs procedures have been found to be a challenge for developing countries in exporting to developed and other developing countries (OECD, 2005).

After discussing of all these articles and related literatures, the researcher has taken challenges of importer of Jigjig as research topic.

RESEARCH DESIGN AND METHODOLOGIES

Sources of Data: Primary data was collected from Importers, employees of Import clearance team and employees of Customs clearing agents. To collect the primary data, questionnaire and interview was used as primary data collection tools.

Area of Sampling: This study was conducted in Jigjiga Customs Branch office only, especially in Import clearance procedure team with the title of "Assessment of the Challenges of Import Clearance Procedure on Trade Facilitation".

Sample Size: Even though, there are different methods for determining a sample size, the study adopted Yemeni (1967) formula for sample proportion. Here the target population of 325. Researcher takes 179 as a sample size. However, the respondents returned only 178 questionnaires.

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Method for Data Collection: The research used structured, open and closed ended questionnaire in order to save time, finance, and offer greater anonymity. Interviews were also conducted in line with the research questions and objectives and used to gather information from employees of import clearance team and customs clearing agents about the challenges of import clearance procedure on trade facilitation in the branch office.

Data Analysis: to analyze the data, everyone for answering the research questions uses descriptive statistics as data analysis like percentage and tabulation to make the data easily identifiable and understandable.

RESULTS AND DISCUSSION

Delay faced During Import Clearance

Business communities always face delay during import clearance procedure. Here, in Ethiopian Revenue and Customs Authority delay means more than the standard time, which is eight hours legally or in other words delay means more than one day (working hours). Therefore, table-1 is depicted the delay faced during Import clearance in Jigjiga customs office.

Table-1: Delays Faced During Import Clearance

S. No.	Time Required	Number of Respondents		
1	Less than the Standard Time	86 (48)		
2	More than the Standard Time	92 (58)		
	Total	178 (100)		

Sources: Authors Compilation

Note: Figures in bracket indicate percentages.

According to the above table, 92 (52%) of the respondents agree that they face delay during import clearance procedure, whereas the remaining 86 (48%) of the respondents response that they do not face any delay or more than the standard time during import clearance procedure. Therefore, the result shows that although the percentage is almost around equal, the importers face delay during import clearance procedure.

Import Clearance Costs Incurred by Importers

The import clearance costs incurred by the importers of Ethiopian Revenue and Customs Authority, particularly Jigjiga customs office are presented in table-2.

Table-2: Import Clearance Costs Incurred By Importers

S. No.	Import Clearance Costs Incurred	arance Costs Incurred Number of Respondents		
1	High Cost	123 (69)		
2	Low Cost	55 (31)		
	Total	178 (100)		

Sources: Authors Compilation

Note: Figures in bracket indicate percentages.

According to the above table, 123 (69%) of the respondents agrees that they face high costs and the remaining 55 (31%) of the respondents' response that they face low costs during import goods clearance. Therefore, this result shows that majority of the importers faced high transaction cost during import goods clearance procedure. This cost comes from different types like inconsistence or unpredictable duties and taxes, Transport cost, rent of car, house and port space, live and also bribe cost; as well as audit findings. This result is in line with the finding of the interview of the two relevant key stakeholders -employees of import clearance team and customs clearing agents.



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Goods Damaged During Clearance

Goods damage is the injury of the imported goods during import clearance procedure. Most of the vulnerable goods face this problem during physical examination of the imported goods. In order to identify the damage of the imported goods during import clearance procedure; customs importers were asked to express their opinion and the result is shown in the table below.

Table-3: Goods Damaged During Clearance

S. No.	Condition Goods During Clearance	rance Number of Respondents		
1	Damaged	107 (60)		
2	Un-damaged	71 (40)		
	Total	178 (100)		

Sources: Authors Compilation

Note: Figures in bracket indicate percentages.

Based on the above table, 60% of the respondents agree that they face goods damage during import goods clearance procedure and the remaining 40% response that they do not face any goods damage during Import goods clearance procedure. Therefore, this means that majority of the importers face goods damage during import goods clearance procedure. Normally, nature of goods vary; some goods are vulnerable and easily breaking during loading and unloading like some Machines, Furniture, Spare parts and other related goods. The 40% may be the importers who import less vulnerable goods like cars; these importers might face less goods damage challenge during import goods.

Competitive Disadvantage faced by the Importers

Competitive disadvantage is a factor, which places a business at risk for losing customers to a competitor, or it is unfavorable circumstance or condition that causes a firm to underperform. In order to collect data about the competitive disadvantage faced by the importers of the branch because of Import clearance procedure; branch importers were asked to questions concerning this issue and the result is summarized as follows.

Table-4: Competitive Disadvantage Faced by the Importers

S. No.	Competition	Number of Respondents
1	Low	62 (35)
2	High	116 (65)
	Total	178 (100)

Sources: Authors Compilation

Note: Figures in bracket indicate percentages.

As shown in the above table, 65% of the respondents face high competitive disadvantage or miss market opportunities, while the remaining 35% face low competitive disadvantage because of import clearance procedure. This means that most of the Importers are missing market opportunities because of import goods clearance procedure.

Most Challenging Procedure

There are nine common import clearance procedures (steps) in the Ethiopian customs operations from registration and preparation of the goods declaration up to the clearance or release of the goods. Among these nine steps one-step may be has more challenge on trade facilitation than the other procedures. Therefore, in order to assess the most challenging steps; customs importers were asked to express their opinion and the result is given in the table below.

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Table-5: Most Challenging Area

Level of Agreement	Frequency	Percent
Examination of the Goods	45	25
Acceptance or Rejection of the Declaration	21	12
Risk Level Identification	23	13
Assessment of the Goods	89	50
Other	0	0
Total	178	100

Sources: Authors Compilation

As a result the above table shows that the most challenging area (procedure) of import clearance is the assessment of the goods, 89 (50%), while 45 (25%) of the respondents response that examination of the goods is the most challenging area (procedure) of import clearance. Therefore, most of the respondents agree that assessment and examination of the goods are the first and second most challenging areas (procedures) of import clearance respectively.

Degree of Contribution by Stakeholders for Import Clearance Procedure Challenges

Different stakeholders contribute for the import clearance procedure challenges. This contribution is depending on the nature of the product, some products more stakeholders may contribute, while another product less may contribute. The common stakeholders for import clearance procedure challenges of Ethiopian Revenue and Customs Authority with their contribution are demonstrated in the table given below.

Table-6: Degree of Contribution by Stakeholders for Import Clearance Procedure Challenges

S. No.	Contributors for Import Clearance Procedure Challenges	The Degree of Contributing for Import Clearance Procedure Challenges			
		High	Very High	Low	Very Low
1	Ministry of Trade (MOT)	55%	18%	14%	13%
2	Customs Office	19%	54%	17%	10%
3	Investment Commission (IC)	15%	4%	59%	22%
4	Importers	24%	60%	11%	5%
5	Clearing Agents	18%	63%	13%	6%
6	Banks	55%	24%	14%	7%
7	Transport Authority (TA)	59%	19%	13%	9%
8	Food, Medicine and Health Care Administration	18%	64%	9%	9%
	and Control Authority (FMHACA)				
9	Ministry of Communication and Information Technology (MOT)	56%	27%	13%	4%
10	Ministry of Industry (MOI)	24%	12%	59%	5%

Sources: Authors Compilation

As can be seen from the above table, the degree of contribution by stakeholders for import clearance procedure challenges can be categorize in to three-High contributors (Ministry of Trade, Banks, Transport Authority and Ministry of Communication and Information Technology), very high contributors (Customs Office, Importers, Clearing agents and Food, Medicine and Health Care Administration and Control Authority) and low contributors (Investment Commission and Ministry of industry).



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CONCLUSION AND RECOMMENDATION

Conclusion

Customs has been described for a century as one of a gate keeper, with customs authorities representing a barrier through which international trade must pass. However, currently customs play a critical role in the implementation of a range of trade, economic and social policies and contribute to the achievement of national development objective focusing on trade facilitation. Trade facilitation is regarded as one of the major requirements for both government and the business community in pursuing their national and international trade in the competitive environment of today. However, enormous amount of time and money wasted due to long delays, high cost, and goods damage at Customs in most sub-Sahara African countries like Ethiopia. This study was conducted to assess the challenges of import clearance procedure on trade facilitation, the case of 'Jigjiga Customs Branch Office. To achieve the research objectives, the study employed a descriptive research methodology and used both quantitative and qualitative research approaches. Primary data were collected from Importers of Ethiopian Revenue and Customs authorities, Jigjiga Branch using questionnaire and for crosschecking purpose interview were conducted from employees of Import clearance team and clearing agents. Accordingly, 179 questionnaires were distributed and unstructured interview was made. The collected data was analyzed using descriptive statistics. The findings of the study showed that the most common challenges of import clearance procedure on Trade facilitation are more delay, cost, goods damage and missing of market opportunities, while lack of proper implementation of time standard and Risk management Techniques; lack of Import clearance team employees competency and cooperativeness, insignificant use of information technology; weak cooperation among customs and other regulatory bodies for import; lack of enough professional man power; lack of customer education and support. Finally, the study recommended that in order to minimize the above-mentioned challenges ERCA should implement time standard, Risk management techniques properly, and cooperate to other regulatory bodies for import. At the same time, also it has to upgrade the capacity of its employees and the customers and use information technology properly. The importers should be also loyal and submit correct and complete information about their goods. The challenges of import clearance procedure vary depending on the nature of the imported. This study entirely delimited to study the issues of Jigjiga Import clearance procedure it does not represent the scene in other branches and other clearance procedures. Thus, further research needs to be conduct to address the challenges of Export Clearance Procedure on Trade facilitation.

Recommendations

The contribution of Importers in the clearance procedure challenges are undeniable, because Importers they are the first people who start the Import clearance procedure and they are a reference for the remaining two stakeholders, but unfortunately they are always submitting incorrect and incomplete commercial invoice to the clearing agents. Therefore, to play a positive role in minimizing the Import clearance procedure challenges, they should be loyal to disclose any needed information related to the imported goods and submit correct and complete information about their goods. As far as they are importing goods to Ethiopia, it is profitable also for them to know the laws of Import clearance procedure clearly.

As indicated in the finding part that more delay, cost, goods damage and competitive disadvantage are the most common challenges that the Importers faces; while lack of proper implementation of Time standard and Risk management Techniques; lack of Import clearance team employees competency and cooperativeness; insignificant use of information technology; weak cooperation among Customs and other regulatory bodies for Import; lack of enough professional man power in the team; lack of customer education and support in the Branch; Complexity of Import clearance procedure Laws, and discrepancy between the written

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