

Policy Briefing: Port Operations in Dar es Salaam



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Written by Ashley Elliot

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Key Messages

- The port of Dar es Salaam is a major gateway to East and Southern Africa, and an important source of revenue for Tanzania. There have been some major improvements in the port, which have brought dwell times for containerised trade down, to approximately 2 days on average, as of early 2016, this has reduced congestion and improved overall performance. Additional planned investments in the Dar es Salaam Maritime Gateway Project (DMGP) looks promising for further addressing the poor intermodal interface with road and railway transport links, and a more streamlined processing of permits.
- However, the short-term trend is less positive; containerised traffic through Dar es Salaam port was actually down by 15% year-on-year during the first four months of the 2016. This drop-off in container throughput reflects Tanzania's diminishing competitiveness in the regional contest among Indian Ocean and Atlantic sea ports.
- There are many challenges facing the port, chief among these are the cost facing port users. Studies show that Dar es Salaam Port is more expensive than key regional competitors. In addition the tax regime is not as competitive as other ports - numerous taxes and levies are applied, including a 'double taxation' on cargo storage by TPA and TRA and Value Added Tax (VAT) imposed on transit cargo passing through Dar es Salaam Port for inward shipment to neighbouring countries.
- Wharfage charges are also higher than other ports in the region, which is troubling due to the lengthy clearance times at the Dar es Salaam port, which includes multiple agencies – each with their own set of meetings, negotiations, paperwork, and payments. The introduction of the Integrated Electronic Payment System (IEPS) for taxes and clearing related paperwork, and the ongoing move to electronic systems has been beneficial to clearance times, and is welcomed by port users.
- Related to lengthy clearance times, Dar es Salaam port users face heavy bureaucracy including a multiplicity of government agencies involved in the certification, verification and processing of goods. This creates duplication, inefficiencies, and opportunities for abuse of office. The inspection regime has a tendency to be heavier than necessary and the pre-declaration of the value of cargo is not accepted by regulatory authorities as per global standards. The gradual move towards electronic systems is beneficial in this regard, as is the government crackdown on corruption more generally.



1. Introduction

Home to one of Africa's busiest deep sea ports and bordering on eight countries, Tanzania is a natural trade hub and gateway to east and central Africa. However, the cost of doing cross-border business in Tanzania is high due to a range of challenges in the ports sector – from procedural uncertainties to corruption and a lack of supporting infrastructure.

Dwell times for containers moving through the Dar es Salaam Port have historically been lengthy– in 2014 the average dwell time was 9 days – but this has been improved over the past 18 months, with dwell times for containerised trade down to approximately 2 days on average as of early 2016.¹ This has greatly reduced congestion in the port. However, the fees facing port users remain high: studies by the Shipping Council of Eastern Africa and the Confederation of Tanzania Industries (CTI) have both demonstrated that Dar Port is notably more expensive than key regional competitors such as Mombasa (Kenya) and, especially, Durban (South Africa).² These challenges are reflected in Tanzania's lacklustre ranking in the World Bank's 2015 Ease of Doing Business survey, which places Tanzania 180th out of 189 countries for the 'ease of trading across borders' category.³

This Policy Briefing identifies the main causes of delay and cost escalation in the clearance of goods at Tanzanian ports and sets out recommendations for how best to address them. The Briefing focuses on Tanzania's principle port facility, Dar es Salaam Port, which alone handles 95% of Tanzanian international trade and represents the country's most important infrastructure asset.

2. Dar es Salaam port

Beyond Tanzania's fast-growing domestic economy, Dar es Salaam Port serves the landlocked countries of Malawi, Zambia, Democratic Republic of Congo, Burundi, Rwanda and Uganda. Annual throughput at Dar es Salaam Port stands at 14.26 million tonnes of cargo, a figure that has grown by 9% on average in the past half-decade, according to the Tanzania Ports Authority (TPA).⁴ As of 2015, 34% of the volume of cargo handled at Dar es Salaam Port was transit trade destined for eastern Congo and Zambia (which together account for nearly 4 million tonnes annually) and Rwanda and Burundi (which account for roughly 1 million tonnes).⁵

The growth in traffic at Dar es Salaam Port over in the recent years has been driven by several factors, including increases in dry bulk cargoes (such as wheat, rice, flour, sugar, maize, fertiliser and cement) and liquid cargo, largely to meet Tanzania's petroleum product and heavy fuel oil import needs. As in most ports worldwide, a growing share of throughput is now containerised, with break bulk cargo⁶ gradually decreasing in importance.

However, despite the growth witnessed over the past decade, the short-term trend is less positive: containerised traffic through Dar Port was actually down by 15% year-on-year during the first four months of the 2016. This drop-off in container throughput reflects Tanzania's diminishing competitiveness in the regional contest among Indian Ocean and Atlantic sea ports to secure transit trade to landlocked Zambia and DR Congo. By early 2016, the high cost associated with importing and exporting through Dar Port was diverting a growing share of transit trade to other regional ports such as Durban (South Africa), Beira (Mozambique), Lobito (Angola) and Walvis Bay (Namibia), all of which have transport corridors connecting to Zambia and DRC.

1 Interview with port sector stakeholder, Dar es Salaam, April 2016.

2 East Africa Business Week 'Dar es Salaam port becomes Rwanda favourite', June 2015; see also: <https://www.trademarka.com/news/importing-goods-to-east-africa-mombasa-port-is-your-best-bet/>; and <http://entrepreneurs.or.tz/wp-content/uploads/2016/02/PORT-CHARGES-SITUATION-ANALYSIS-FINAL-REPORT-2.pdf>

3 See: <http://www.doingbusiness.org/rankings>.

4 The figures in this paragraph relate to the 2013/2014 year.

5 Daily News, 'Inefficiency, trade barriers undermine Dar es Salaam Port' November 2015

6 Cargo which is not in a container

Dar es Salaam Port layout

The port has 11 berths totalling approximately 2,000m in length, two of which are at an adjacent oil jetty. 14.26 million tons of cargo was handled at the port last year, of which the majority is containerised traffic delivered by roughly 450 container ships each year. The TPA operates berths 1 to 7 which are used for handling break bulk, containers, 'RoRo' (roll-on/roll-off) and dry bulk cargo; while berths 8 to 11 comprise the container terminal and are managed by a private company, Tanzania International Container Terminal Services Ltd (TICTS), under a 25-year concession agreement signed in 2000.⁷

The TICTS terminal has a 725m continuous quay along which three ships can be accommodated simultaneously. Five ship-to-shore gantry cranes (each with a capacity of 45 tonnes) operate along the four berths, and a further two cranes will be added in late 2016. Access from the open sea is by way of a 140m channel. Nearby, a 19 hectare area is set aside for container stacking, serviced by gantry cranes with rubber tyres and other yard equipment.

TICTS, which is owned by Hong Kong-based Hutchison Port Holdings (HPH), currently handles around 500,000 Twenty-foot Equivalent Units (TEUs) per year, a number that has been growing by 10% annually in recent years.⁸ This equates to nearly 80% of all throughput at Dar es Salaam Port. The company also manages Inland Container Depots (ICDs) at Kurasini and Ubungo, 1.6km and 16km away respectively, which help to ease congestion at the main port by accommodating up to 2,500 TEU. Many containers are cleared for inland transshipment by customs at these ICDs to free up space in the main port.

The main entrance to Dar es Salaam Port can be accessed through a 3.5 km channel which caters to vessels of up to 10.5m in depth and 230m in length at all states of the tide, though larger vessels may navigate the channel only at high tide.

98% of containers leave the port by road, with more than 800 vehicles leaving and entering the facility daily. This causes significant road congestion in Dar es Salaam and is one cause of the port's slow turn-around times. Going forward, the TPA aspires to make greater use of rail for handling freight, as well as reducing congestion by releasing vehicles at off peak times.



Source: The 2016-17 Tanzania Ports Handbook, published February 2016, Land & Marine Publishing

⁷ This section draws on African Development Bank, 'Tanzania: Transport Sector Review' September 2013; and other sources.

⁸ It should be noted, however, that a proportion of the containers handled by TPA in previous years are now handled by TICTS, meaning that growth in container traffic handled by TICTS does not equate to net growth in overall container traffic.

3. Key challenges

Private sector interviewees for this Briefing observed the following overarching challenges in the ports sector:

- The multiplicity of government agencies involved in the certification, verification and processing of goods, which creates duplication, inefficiencies and opportunities for abuse of office.
- The presence of corrupt practices and extortion in some instances.
- Heavy terminal congestion due to over-administration and the poor intermodal interface with road and railway transport links, which has a knock-on effect on quayside and shipping operations.
- Lack of private sector consultation and involvement in decisions around port sector reform and planning.
- An over-zealous inspection regime and non-acceptance of the pre-declaration of the value of cargo by regulatory authorities.
- An unfavourable tax regime in which numerous taxes and levies are applied, including a 'double taxation' on cargo storage by TPA and TRA and Value Added Tax (VAT) imposed on transit cargo passing through Dar es Salaam Port for inward shipment to neighbouring countries – a levy that has been introduced in mid-2015 without industry consultation.⁹

Taken together, these challenges lead to substantial welfare losses for all users and beneficiaries of the Dar es Salaam Port. According to the World Bank's 2013 report 'Opening the Gates: How the port of Dar es Salaam can transform Tanzania'.

"By mid-2012, the costs associated with inefficiencies at the port of Dar es Salaam were equivalent to a tariff of 22% on containerized imports and 5% on bulk imports. Inefficiencies at the port contribute to a reduction in the value of imported goods by an estimated \$2.4 billion, or 25% of the total volume of imports. This lost potential also reduces tariff revenues for Tanzania and reduces benefits for port operators, who handle a lower volume of merchandise.

*In 2012, the total welfare loss resulting from inefficiencies at the port was estimated to reach a value of \$1,759 million for the Tanzanian economy and \$830 million for the economies of neighbouring countries. It is estimated that Tanzanian households could have saved 8.5% of total expenditures if the port of Dar es Salaam had been as efficient as Mombasa's."*¹⁰

It should be noted that a sizable proportion of the welfare losses identified by the World Bank's 2013 study have now been ameliorated by the recent reduction in waiting time for vessels in 2015/2016. Nevertheless, the multiplicity of challenges that port operators are facing – including high tax rates and port user fees – continues to undermine the competitiveness for the Port of Dar es Salaam compared to its key regional competitors. One interviewee for this briefing observed that transit trade through Dar es Salaam Port had fallen by 22% in the opening months of 2016 with a reduction in trade to DR Congo and Zambia accounting for the vast majority of the decrease. This drop off is a direct result of regional competition from Indian Ocean and Atlantic sea ports that have transport corridors connecting to Zambia and DRC, including Durban (South Africa), Beira (Mozambique), Lobito (Angola) and Walvis Bay (Namibia).

These regional ports may be situated further from landlocked markets such as Zambia but their inland transportation corridors are significantly more efficient and cost effective (those linked to Durban and Walvis Bay in particular) and none of them impose VAT on transit trade as the Tanzania Revenue Authority (TRA) does.¹¹ Importers will almost always take the safest and most affordable route to end markets, and Tanzania's complex and frequently changing tax regime is currently deterring them, reportedly leaving as many as 10,000 trucks idle in Tanzania as of April 2016.¹²

The following sections address the key challenges in detail and assess the progress of on-going reform initiatives designed to address them.

⁹ See: <http://www.ipppmedia.com/news/why-dar-port-losing-out>

¹⁰ World Bank, 'Opening the Gates: How the port of Dar es Salaam can transform Tanzania', 2013. All parties suffer losses as a result of the higher final prices and the lower volumes of imports. For example, the port inefficiency increases the cost of imported fertilizers that will be therefore less used by farmers.

¹¹ See: <http://www.ipppmedia.com/news/why-dar-port-losing-out>. Note that VAT is only applied on ancillary services and not on road transportation itself; but this levy is still sufficient to deter many businesses who prefer the greater certainty afforded by South African or Namibian rules (which do not levy VAT).

¹² Interview, port sector stakeholder, Dar es Salaam, April 2016. Note that an additional reason for South Africa's gain in the share of regional transit trade is the recent depreciation in the South African Rand, which makes costs at Durban Port more competitive in relation to Dar es Salaam Port where all costs are priced in US dollars.

3.1. Key Challenge: Cargo clearance at the port of Dar es Salaam

The cargo clearance system at Dar es Salaam Port is overly complex and burdensome. Navigating the process involves an array of documentation requirements, dealing with a multiplicity of regulatory institutions and consenting to the discretionary inspection of cargo by customs officials and other government agents.

A key problem for businesses is the delayed release of cargo by the Customs Department, which falls under the authority of the Tanzania Revenue Authority (TRA). Delayed release of cargo has a direct cost implication to exporters and importers in the form of demurrage charges, as well as an indirect cost through loss of business.

Oil and gas prospecting companies have voiced particular concern that capital-intensive equipment for prospecting and drilling operations have at times been delayed at the port, thereby attracting significant demurrage costs and causing delays to meticulously planned offshore drilling and exploration campaigns. For example, a rig used by UK-based

BG Group costs approximately \$1M per day to run, creating significant financial losses for every day of delay caused by related equipment being held up at the Port.

Fees and wharfage charges

According to the World Bank, storage fees, which are applied during the dwell time, were estimated in 2013 to be around \$5.4 per ton, given a storage cost of \$20 per day for a 20ft container (after a free storage period of seven days for local imports and 15 days for transit). The costs of storage and other fees imposed by state agencies at Dar es Salaam Port are also significantly higher – roughly 75% higher – than in Mombasa in Kenya. This is largely a result of higher wharfage charges resulting from Dar es Salaam Port's policy of charging fees in proportion to the value of merchandise, in contrast to the simple flat fees charged at the port of Mombasa.¹³

The introduction of the Tanzania Customs Integrated System (TANCIS) in 2014 (see text box) has gone some way to improving cargo clearance times and reducing fees, though the underlying challenge persists.

Tanzania Customs Integrated System (TANCIS)

In 2014, a simplified customs clearing system, the Tanzania Customs Integrated System (TANCIS), was introduced by the TRA in partnership with the Investment Climate Facility (ICF). TANCIS, which replaces the old ASYCUDA++ manual system, has reduced clearing times by providing a single platform through which all stakeholders involved in the importation and exportation process can handle necessary documentation online.

Companies can submit all documentation through the platform, and government agencies involved in clearing – such as the Tanzania Bureau of Standards and Tanzania Food and Drugs Authority – can process these documents together and issue the necessary permits and clearances. Clearing agents no longer have to move from one office to another to obtain clearances – the entire process, including payment, can be done from their laptop.¹⁴

The introduction of TANCIS has not been entirely smooth. One major issue is the failure, to date, to integrate TANCIS with other modernisation initiatives at Dar es Salaam Port such as the electronic Single Window System (eSWS), a system designed to eliminate the requirement for physical cargo clearance by integrating all port activities and stakeholders into a single ICT interface.

Nevertheless, according to the 2016-17 Tanzania Ports Handbook, TANCIS has reduced expected clearance times with “export clearance reduced from five days to less than half that amount.”¹⁵ By comparison, in Europe and North America, the Average Turnaround Time (ATT) for container/cargo ships is 1.078 and 1.117 days respectively.

¹³ This section draws directly on the World Bank Group's 'Opening the Gates How the port of Dar es Salaam can transform Tanzania' report from 2013. Note that some fee structures have changed since this World Bank analysis was published 2013. These costs do not include unofficial payments made by shippers and clearing agents, which in the port of Dar es Salaam may be significant.

¹⁴ Investment Climate Facility for Africa, 'TRA and ICF to speed up goods clearance at Tanzania borders', April 2014

¹⁵ 2016-17 Tanzania Ports Handbook, published February 2016 by Land & Marine Publishing

3.2. Key Challenge: Shift to electronic online payments

In November 2015, TPA introduced a new online payment processing system intended to streamline operations at Dar es Salaam Port and to allow for 24/7 services. The Integrated Electronic Payment System (IEPS), which forms part of the \$10 million Electronic Single Window project, is overseen by the TRA and allows TPA customers to make online and branch payments for port fees using Visa cards or cards from NMB and CRDB, Tanzania's two largest domestic retail banks. A wider range of payment channels will be added to the e-payment system over time, with the eventual aim of allowing payment via mobile banking facilities such as M-Pesa, TigoPesa or Airtel Money. To register with The IEPS system, agents can visit TPA revenue offices where a username and password will be issued.

The system, which is operated independently and allows for monitoring and tracking of all payments, aims to address longstanding customer concerns around slow payment processing and overpricing. Several layers of bureaucracy and paperwork are removed with the introduction of the real-time IEPS, and though TPA has some distance still to go before achieving 'e-port' status, this progress will be welcomed by port users who previously were required to navigate a process that included printed invoices, manual processing of payments by cash or cheque and substandard record keeping.¹⁶

Under the new, more efficient and lower cost system payments are immediate and invoices can be accessed electronically by Payment Reference Number (PRN), invoice number or Bill of Lading number (see: www.tpapayments.com). As soon as the payment is reconciled against the invoice, the cargo is cleared. As this system becomes more embedded during 2016, cargo clearance times are likely to fall further as the physical/manual elements of the process are stripped away.

Electronic Single Window System (eSWS)

The eSWS system has faced teething problems. The system was intended to be introduced in 2010 with World Bank support but faced opposition from vested interests. More recently, in 2014, a Belgian contractor, Phaeros BVBA, was contracted by international tender to install the system but reportedly faced significant opposition from government agents in the port, some of whom have argued that the eSWS is unnecessary in the presence of the TANCIS system installed in 2014 by South Korean firm Korea Trade Network as the latter already allows for customs clearance payment to be settled online.¹⁷ Indeed, most port users agree that there is no need for two separate electronic systems – a better alternative would be to have a unified system based on the existing TANCIS platform.¹⁸

3.3. Key Challenge: One Stop Centre

In the first quarter of 2016, cargo clearance at the Dar es Salaam Port will be transformed by the introduction of a new One Stop Centre (OSC) adjacent to the port facility in Dar es Salaam. The 35-story building will bring all government agencies involved in cargo clearance under a single roof, allowing for greater efficiency in documentation processing and closer engagement with port users. The building will accommodate the head office of TPA and the offices of other cargo inspection agents from the Ministry of Works, Transport and Communication, Government Chemist Laboratory Agency, Atomic Energy Commission, Food and Drug Authority, and Weights and Measures Agency.

With the launch of the OSC, the traditional requirement for agents to travel many kilometres across the city to complete cargo clearance at multiple government offices will disappear. The modernised and more automated 'one stop' system will improve TPA's customer service and will feature new technology that allows for electronic payments. This will further reduce dwell times, providing an immediate benefit to port users for whom the cost of one day of additional dwell time at Dar es Salaam Port can be high.

¹⁶ Ibid.

¹⁷ IPP media 'TRA Says Cooperating in Dar es Salaam Port's Single Window Project' February 2016

¹⁸ Interview, port sector stakeholder, Dar es Salaam, April 2016

3.4. Key Challenge: Import procedures

The introduction of the TANCIS system has changed the nature of the import procedures at Dar es Salaam Port. The process begins with the appointment of a clearing or forwarding agent. Custom agents and importers then complete a declaration and self-assessment process online through TANCIS (see: customs.tra.go.tz) and attach all relevant documents at least 7 days prior to the arrival of the vessel in port. Required documentation includes:

- A commercial invoice;
- An authorisation letter from importer to agent;
- Necessary import permits;
- Exemption documents (if applicable);
- Packing list;
- Bill of lading and other transportation documents; and
- A certificate of origin.

Government agents at the port will then ensure that all other requirements have been met. Agencies involved in this checking process include, as applicable:

- Ministry of Agriculture, Livestock and Fisheries
- Ministry of Home Affairs (Immigration and Police)
- Department of Forestry
- TRA
- Tanzania Bureau of Standards (TBS)
- Security agencies

Once all checks have been completed, the cargo is released.¹⁹

Certification and verification

Importers and exporters must notify the relevant regulatory institutions if they intend to import/export restricted or regulated items and an import or export permit must be obtained once compliance requirements (including the

submission of technical information) have been met.

The government agencies responsible for certification and verification of imports/exports include:

- Tanzania Food and Drugs Authority (TFDA)
- Tanzania Bureau of Standards (TBS)
- Atomic Energy Commission (TAEC) - (radiation)
- Ministry of Agriculture, Livestock and Fisheries
- Ministry of Home Affairs (Immigration and Police)
- Ministry of Natural Resources and Tourism (Department of Forestry issues)
- Government Chemist and Tanzania Pesticides Research Institute (TPRI) – chemical import verification

Clearance certificates from the above institutions are obtained before goods are imported into the country. Upon arrival of such items at the port, representatives of the relevant regulatory body typically conduct an inspection (roughly 50% of all containers are manually checked, with their content unloaded and physically inspected). This can lead to delays in the clearance of the goods, causing companies to incur unnecessary costs. According to several interviewees, the frequency of inspection by regulatory bodies is unnecessarily high, in particular when the importer is a reputable multinational companies importing or exporting well known products in bulk. Where companies have an established and unblemished track record, the requirement for frequent and lengthy physical inspection – as opposed to a more efficient combination of periodic 'light touch' spot checks and automated monitoring and scanning – is questionable.

The table below summarizes the current import and export stages – including the corresponding number of days for each stage – through Dar es Salaam Port.

Stages to Export	Days	Stages to Import	Days
Customs clearance & inspections	4	Customs clearance & inspections	5
Documents preparation	8	Documents preparation	13
Inland transportation & handling	2	Inland transportation & handling	1
Ports and terminal handling	4	Ports and terminal handling	7
Total	18	Total	26
Note: Some of these stages happen in parallel with, or prior to, the arrival of cargo so that average dwell time is not 26 days. Source: http://openknowledge.worldbank.org/handle/10986/20997			

¹⁹ This section draws on the 2016-17 Tanzania Ports Handbook, published in February 2016 by Land & Marine Publishing

3.5. Key Challenge: Port infrastructure

Several of the historic bottlenecks at the Dar es Salaam Port are set to ease thanks to a flagship \$750mn upgrade scheduled for completion in 2020 as part of the Dar es Salaam Maritime Gateway Project (DMGP). The upgrade, which is funded by the World Bank, UK Department for International Development and others, will include the following:

- **Phase 1:** The first phase of the upgrade began in mid-2015 with the demolition of Sheds 2 and 3 in the port in order to create more space to accommodate containers. A further five sheds will be demolished and relocated to decrease congestion, in addition to an upgrade of the roads leading to Gates 4,5 and 8. A single traffic flow system and an integrated security and scanning system will also be installed.
- **Phase 2:** The second phase will include dredging of the channel and turning basin in the port as well as the strengthening, widening and modernisation of Berths 1 to 7 to allow for the handling of larger vessels.²⁰ This will allow Dar es Salaam Port to cater for a global shipping industry that increasingly favours the use of fewer, larger vessels (each carrying more containers) for reasons of economy of scale²¹.

The DMGP also envisages the construction of two new berths to cater for continued container trade growth. These will reportedly be a direct extension of berth 11 and – by removing an existing pipeline – they will allow larger vessels to enter the port. In combination, the various elements of the upgrade project are set to double capacity to 28 million tonnes by 2020 and more than triple it to 34 million tonnes by 2025.²²

In a separate initiative, the World Bank and its partners have committed to investment in the access infrastructure around the Dar es Salaam Port, including upgrades to three access roads; the Kilwa, Nyerere and Mandela roads together with a proposed Southern bypass between Dar es Salaam Port and Kibaha.

As Dar es Salaam Port is situated in the middle of a fast-growing urban area, the scope for physical expansion is limited. Nevertheless, the upgrades planned under the DMGP will address the worst of the current capacity constraints by making better use of existing space and by improving connections between the port and nearby road and rail infrastructure, thus enhancing the port's backward linkages with inland transport networks.²³

Private investment

Meanwhile, complimentary private investment will be injected into the port. In the short-term, TICTS plans to invest at least TSH 30bn/- for facility expansion, purchasing new quay and yard equipment as well as two new ship-to-shore cranes to cope with increasing cargo throughput. A supplier, Terex Port Solutions, has been formally contracted to manufacture these new double boom box shipyard cranes at its site in Xiamen, China, in March 2016 for commissioning by end-2016. TICTS intends to invest a further \$300mn to \$400mn over the next five years.²⁴

Performance turning point

Even before the benefits of the DMGP have kicked in, Dar es Salaam Port's core performance indicators have been improved moderately in 2014 and 2015 thanks to incremental investment in supporting infrastructure. Truck processing and container dwell times are now both lower than Mombasa, while crane productivity is higher. Reflecting these gains, Dar es Salaam Port was named 'Best for Performance in East Africa' in 2015 by the Shippers Council of Eastern Africa (SCEA), a business membership organization formed to improve the policy and trade environment in East Africa.²⁵ However, the port's services remain expensive – the cost of using Dar es Salaam Port is a quarter higher than the average for African port facilities and 50% higher than the global average – and the level of government bureaucracy remains daunting, as the following sections demonstrate.²⁶

20 The Citizen 'Sh1 trillion plan for Dar es Salaam Port upgrade' April 2015

21 The increase in the size of vessels could increase the competitiveness, reduce costs, and thus improve the 'Ease of doing business' ranking for Tanzania.

22 The project is being funded by a combination of grant funding, World Bank loans and private investment. See: <https://www.trademarka.com/>

23 Radcliffe, Verity, 'Tanzania aims for big results with Dar es Salaam port expansion' The National, May 2015. Other on-going improvements to the Dar es Salaam Port include implementation of Integrated Electronic Payment System (IePS) for all port dues, an Integrated Security System (ISS) to enhance security and installation of 24/7 CCTV.

24 See Tanzania Daily News 'Tanzania: TICTS Plans to Invest 30bn/- At Dar es Salaam Port' April 2015

25 See http://www.tanzaniainvest.com/economy/dar-es-salaam-port-named-best-performer-in-east-africa-in-2015?utm_source=TanzaniaInvest&utm_campaign=473197dd79-TI_RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_f01c7f3637-473197dd79-254610417

26 PricewaterhouseCoopers (PwC), 'Africa Gearing Up: Tanzania Chapter' 2013

3.6. Key Challenge: Transparency and accountability in port sector agencies

Dar es Salaam Port is perceived to lack transparency and accountability, with officials frequently abusing their positions of office. Many of the businesses interviewed for this Briefing, as well as other stakeholders including the Confederation of Tanzania Industries, cited smuggling and a proliferation of counterfeit products in the domestic market as an indication on the Port's weak controls and standards.

Smuggling creates an uneven playing field for local industries and distorts the local market. It is indicative of two failures of accountability: first, at the individual level, whereby government officials are not prosecuted for – and deterred from – engaging in corrupt practices; and second, at the institutional level, where the absence of a single, well-resourced institution responsible for actively combatting trade in counterfeit or undeclared goods leaves no institution fully accountable for the tackling the problem. According to the World Bank,

“Corruption is both a source of inefficiency and a direct result of inefficiency [at Dar es Salaam Port], with non-official payments becoming necessary to facilitate processes. The magnitude of the potential for corruption within the port can be illustrated by estimating how much an importer would be ready to pay to reduce delays. In principle, an importer with merchandise valued at \$1,358 per ton may be prepared to pay up to \$17.4 per ton to speed up the process of its container by one day, given that this is equivalent to the cost associated with an extra day's waiting time.

Another way to estimate the possible level of corruption in the port is to examine the variations in the valuation of import invoices at customs. Data from the TRA show that the customs values associated with a set of relatively homogenous goods varied significantly [For example] stated customs value for one kilogram of imported fertilizer ranged from \$0.39 to \$5 per kilogram, while global prices for this commodity ranged around \$0.6–0.8 per kilogram. The ratio between the highest and lowest reported customs value was 152 for rice and 33 for palm oil [...] it is reasonable to suspect that such wide-ranging

variations may be the result of poor reporting or corrupt behaviour.”²⁷

The issue of variability over the valuation of certain products by TRA also creates uncertainties and unnecessary costs for importing companies.

Government anti-corruption drive at Dar es Salaam Port

Since entering office in November 2015, the government of President John Pombe Magufuli has taken decisive steps to improve performance and accountability at Dar es Salaam Port. The facility has become the focus of national attention with tours by the President and Prime Minister as part of a public campaign to address corruption.

In late 2015, President Magufuli sacked the TPA's director-general and dissolved the authority's entire board of directors following the disappearance from the TRA system of over 2,700 shipping containers at the port. Eight officials at the TRA were also indicted on charges of economic sabotage and tax evasion over the missing container scandal, including the head of Customs and the Commissioner for Customs and Excise Duty.

In February 2016, the Prime Minister's Office announced the suspension of the Chief Executive Officer of the Weights and Measures Agency (WMA), Ms Magadalena Chuwa, to pave the way for an investigation into the agency's decision not to use oil flow meters to verify import volumes.²⁸ The Prevention and Combating of Corruption Bureau (PCCB) and police have been ordered to pursue the investigation.

Meanwhile, the Tanzania Bureau of Standards (TBS), in collaboration with the TRA, in early 2016 uncovered a smuggling operation in which refined cooking oil was being imported through Dar es Salaam Port under a 'crude oil' label in order to evade taxes applicable to refined products.²⁹ These efforts form part of a wider crack down on contraband that has included the successful impounding of smuggled goods by the TRA's anti-smuggling unit at the Port of Tanga and elsewhere.

²⁷ World Bank 'Opening the Gates: How the port of Dar es Salaam can transform Tanzania' 2013. Variations in the actual price of these commodities may be partly attributable to volatility in international prices and to variations in quality, though this is unlikely to account for the full extent of the variation.

²⁸ Tanzanian Daily News, 'Weights and Measures Boss Suspended,' February 2016. A second WMA official was also suspended.

²⁹ Tanzania Daily News, 'TBS nets smugglers of 30 cooking oil containers in Dar' February 2016

Temporary suspension of clearing and forwarding agents

In a separate development, the TPA in February 2016 temporarily suspended a number of clearing and forwarding agents for their failure to submit evidence of payment of duty for cargo containers at Dar es Salaam Port.³⁰

The results of a special audit into the port ordered by Prime Minister Kassim Majaliwa revealed that several thousand containers were cleared without payment of wharfage fees to the government between 2014 and 2015, leading to state revenue losses of TSH 48.5bn.³¹

In response, the Tanzania Freight Forwarders Association (TAFFA), through its Chairman Stephen Ngatunga, released a public statement claiming that the TPA's IT department was to blame for the missing revenues, having manipulated the computerised invoice records. TAFFA, which intends to launch a High Court case to expose the matter, also provided two practical suggestions for avoiding the risk of manipulation in future: first, payments should be routed through Surface and Marine Transport Authority (SUMATRA) rather than the TPA; and second, the TPA invoice system should be linked with SUMATRA and the Tanzania Revenue Authority (TRA) for transparency.

Enhanced security at Dar es Salaam Port

As a compliment to the government's anti-corruption drive, TPA announced in February 2016 that a new \$6mn Integrated Security System (ISS), complete with a 486-strong CCTV camera network and control room, would be installed at Dar es Salaam Port.³² The system will include installation of new electronic fencing, 180 high-powered lights in the quayside and yards, and access control gates.

Going forward, employees and visitors will only be able to enter and exit using electronically-identified ID cards, making it easier to monitor activity on site. In addition, all License Plate Numbers for vehicles entering the facility will be recorded. Finally, scanners have been introduced at all main

building entrances and gates to check for prohibited items in visitors' bags. The system, which is scheduled to become operational in the first quarter of 2016, should substantially reduce the historically high incidence of theft and illegal business activity at the port.

3.7. Key Challenge: Non acceptance of pre-declaration of the value of cargo

In many port jurisdictions, including the major West African ports, cargo clearance is conducted on the basis of the value advised by the shipper, otherwise known as "acceptance of pre-declaration of the value of cargo". In contrast to this standard global practice, the value of cargo imported in containers to Dar es Salaam is only determined after arrival at the port, which lengthens the cargo clearing period considerably.

The cargo clearing system practised at Dar es Salaam Port creates mistrust between business operators and the TRA and port authorities. Up to 5 days' worth of time is wasted in many instances. In line with global best practice, pre-declaration of cargo value from the port of shipment would be far preferable: it would speed up the cargo clearance process, as well minimizing opportunities for abuse of office.³³

A strong argument in-favour of this switch in approach is that Dar es Salaam Port now has scanners which are capable of identifying, with certainty, what is contained inside a container. The scanners can ascertain the exact weight, quantity or size of the cargo inside a container, which can help the TRA in establishing the value of the cargo without opening the container. The use of scanners to conduct risk-adjusted sampling of containers – with a higher frequency of sampling for higher risk cargo, and limited sampling of cargo deemed low risk – should be the basis for ending TRA's labour-intensive cargo inspection regime, allowing for the adoption of "acceptance of pre-declaration of the value of cargo" in tandem with a 'light touch' inspection regime.

30 Examples of firms suspended include: Bakhresa Food Products Ltd, METL, Korufreight (T) Ltd, Arusha Cargo Clearing and Forwarding Ltd, Arusha Freight, Afritel System Ltd, Babylon Freight Ltd and 21st Century Freight Forwarders; Uwanji General Traders Ltd, Sangare Express Ltd, Freight 24/7 Ltd, Full Cargo Support Ltd, Efficient Freighters, Khan's C and F Ltd, Tanga Cargo and Trust Ltd, Upland Freight Ltd.

31 Tanzania Daily News, '200 Agents Suspended At Ports' February 2016. All of the agents were subsequently permitted to resume activities at the port upon proof of payment for the wharfage fees owed.

32 IRIN (Middle East), 'Tanzania: TPA implements 9.8bn/- ISS project to tighten port security' IRIN (Middle East)', February 2016

33 The value of cargo coming to the port is in fact known by the port authorities and TRA long before the arrival of a ship. This information – together with shipping documents, such as bill of lading, proof of insurance and export permit – is provided by the shipper of the cargo at the time the ship carrying the cargo leaves the port of shipment.

3.8. Key Challenge: Lack of stakeholder engagement

The businesses interviewed for this Briefing noted that they had not been involved in the implementation of major operational decisions at the port.

For example, when ASYCUDA++, a port operations management system which both the Dar es Salaam Port and key stakeholders were comfortable using, was replaced by TRA in January 2014 with the TANCIS system, businesses were not consulted beforehand. No sensitization or training was undertaken prior to the installation of TANCIS, which caused considerable challenges for port users such as clearing and forwarding companies and dry port operators.

A second example is the issuance of tenders by TPA, which often lack supporting documentation and explanation and are not communicated to the private sector in a clear, timely manner.

Going forward, similar disruption can be avoided if TRA, TPA and other government agencies engage with private sector stakeholders and consult with them on major decisions made at the port in order to mitigate the negative impact of abrupt changes in approach.

3.9. Key Challenge: Multiplicity of institutions and regulations

A key challenge for port users is the high number of ministries, departments and agencies (MDAs) that importers and exporters are required to engage with, as well as the large amount of paperwork and different fees which need to be paid when utilising the port.

For example, a mining equipment importer would, at a minimum, have five MDAs to engage with in the process of importation of equipment and parts, as outlined in the table below:

A multitude of institutions are charged with the responsibility of enforcing regulations in Tanzania's ports. The plethora of agencies – including TRA, Government Chemist Laboratory Agency, Atomic Agency, TDFA, Weight and Measure Agency and the Tanzania Bureau of Standards – creates excessively complicated procedures and delays in the processing of goods. Larger companies can, though reluctantly, afford the time and money required to navigate such complexity but for smaller companies the compliance hurdles can deter engagement with the port altogether. Indeed, some South African companies interviewed for this briefing noted that they prefer to import into Tanzania overland by road from Johannesburg rather than using the port to import their products.

Interviewees therefore highlighted the need for a simplification of procedures and a reduction in time to complete procedures at Dar es Salaam Port. This would raise the level of compliance and increase the level of trade activity.

Importation of mining equipment and parts - minimum MDA interactions		
Item/activity	MDA	Comment
Equipment import authorization	Ministry of Energy and Minerals (MEM)	Would involve several meetings with MEM
License to import equipment	Ministry of Industry, Trade and Investment (MITI)	Would involve several meetings with MITI
Bureau of Standards permit	Tanzania Bureau of Standards (TBS)	Would involve several meetings with TBS; TBS may physically inspect equipment at the time of arrival
TRA / Customs duty settlement	Tanzania Revenue Authority (TRA)	Would require several rounds of discussions, to agree on payment amount
Port charges payment	Tanzania Ports Authority (TPA)	Payment
Verification of equipment	TRA / Customs and possibly TBS	Physical verification

3.10. On-going reforms: The BRN action plan

To address the challenges in the ports sector, the GoT conducted a Big Results Now Transport Lab in March 2014, focusing on identification of priority areas to be addressed. The multi-stakeholder lab – whose participants included representatives of the public and the private sectors, development partners and CSOs – identified the following key priorities:

- Realignment (and rationalisation) of regulations and institutions;
- Port operations improvement;
- Curbing corruption; and
- Addressing taxation, including reducing the multiplicity of levies and fees.

The above priority areas were formalised in the “Big Results, Now!” Transport Sector National Key Results Area (NKRA)’ work plan, and now form part of the permanent agenda of items covered by the Tanzania National Business Council (TNBC), an apex public-private sector forum established to facilitate the development of the private sector in Tanzania by addressing obstacles to growth. They also underpin the upgrade work described on Page 4 of this Briefing.

Guided by the “Big Results, Now!” Transport NKRA, Dar es Salaam Port has embarked on an action plan to achieve efficiency improvements and throughput growth. Key targets include the reduction of the average ship turnaround time to three days. The plan, which has been under implementation since 2013, includes the following:

- Implementation of 24/7 port operations (introduced in February 2014)³⁴. This has significantly improved efficiency levels.
- Harmonization of port operating systems with other users of port facilities through use of an integrated automated documentation and payment system (TANCIS), under which all actions taken in different places of the port are electronically shared with relevant port players, (introduced in 2014, as described on page 4).

- Installation of a “New Standard Operating Procedure” system which includes regular review of Key Performance Indicators (KPIs) and tariffs for cargo management. It is envisaged that the system will result in faster cargo clearance processes as well as instilling a performance-based culture to port employees³⁵.
- To enable a 24/7 tax payment system at the port, the Bank of Tanzania and the Tanzania Revenue Authority introduced a new system under which banking services are available 24/7, including on weekends and public holidays (introduced in August 2015).
- Port authorities are furthermore developing a service charter that will include public commitments regarding the quality and timeliness of service delivery.

To ensure alignment, port authorities have also signed a Memorandum of Understanding according to which all port users will be consulted in the course of implementation of major port reform indicatives and decisions.

4. Longer-term reforms to address governance issues

While the BRN initiative has catalysed a number of positive changes at Dar es Salaam Port, a number of underlying governance issues remain unaddressed. This section highlights the challenges and presents recommendations for addressing them:

4.1. Improve access to information regarding costs and productivity at Dar es Salaam port

By quantifying and improving awareness of the costs related to port inefficiency among all port users (including consumers and businesses across Tanzania), a stronger coalition for reform can be mobilised.

As the World Bank observes, “the Government of Tanzania should take the lead in facilitating economic studies, mobilizing consumer groups and small business associations, conducting end-user surveys and creating a public awareness

³⁴ In practice, ‘24/7’ means commencing operations on Saturdays and keeping Inland Container Depos open on Saturdays rather than functioning 24 hours a day, seven days a week.

³⁵ It is unclear whether this has yet been implemented.

campaign including an information booklet setting out key processes and describing who is responsible for each of these processes.”³⁶

4.2. Non-acceptance of pre-declaration of the value of cargo

As discussed on Page 4, the port currently operates under a system of “Non-acceptance of pre-declaration of the value of cargo” which causes unnecessary cargo clearance delays. This challenge can be addressed straightforwardly by switching to the more common practice of “acceptance of pre-declaration of the value of cargo” which, combined with the use of scanners and a risk-based sampling approach, could achieve the same level of rigour without incurring the long delays associated with physical cargo inspection. Instead of inspecting of roughly 50% of all containers, the use of a risk framework to identify cargo likely to be higher risk would necessitate only a small fraction of containers to undergo physical inspection.

4.3. Slow or inconsistent decision making at the port

A failure to make timely decisions at Dar es Salaam Port – for example, related to clearance of cargo – has been an area of major concern for businesses in view of the delays caused and the costs incurred.

This challenge can be addressed by developing a more transparent and accountable framework for decision-making by port authorities. For example, clear targets should be agreed and set for clearance of cargo and where these deadlines are missed, companies and/or their agents should be able to raise their concerns immediately with senior port authorities.

In addition, the imposition of discretionary rules – whereby custom duties, invoice valuations, and port rules are frequently modified by agencies without any detailed explanations – should be discouraged in all circumstances by the government, as this can lead to rent-seeking behaviour by port officials.

Finally, greater internal and external supervision of the cargo clearing process is required.

4.4. Anti-corruption measures

At source, the only answer to endemic corruption at Dar es Salaam Port is the imposition of a zero-tolerance policy through a clear commitment from the highest levels of government. The steps undertaken by President Magufuli’s government during its opening months in office are highly encouraging in this regard. However, to secure these early gains for the long term, several further initiatives will be required including:

- Continuous monitoring (using benchmarks through an automated system), in addition to stronger internal and external controls and - when needed - credible sanctions.
- Simplifying procedures via effective implementation of the One Stop Centre (see page 5), which will help reduce opportunities for abuse of office.
- Reducing the overall number of taxes and – in particular – the award of tax exemptions.
- Providing port users with easy access to independent and inexpensive appeal mechanisms.
- Reducing the need for discretion and negotiation between the TPA and customers, for example by modifying the methodology used to calculate wharfage from a value-based system to a fixed-rate system or by revising the structure of storage fees to ensure that importers aren’t penalized if the cause of delay is due to lengthy clearance processes.³⁷
- Introducing performance-based incentives for TPA and TRA staff, similar to the approach adopted in 2010 at Douala Port in Cameroon which led to an increase in the number of transactions cleared by tax and customs administration by more than 10% and boosted tax revenues by \$16.5 million.³⁸

³⁶ World Bank, ‘Opening the Gates: How the port of Dar es Salaam can transform Tanzania’, 2013

³⁷ Ibid.

³⁸ World Bank, ‘Opening the Gates: How the port of Dar es Salaam can transform Tanzania’, 2013

4.5. TPA reform

The current dual role played by the TPA – whereby the authority is both land lord and operator of Dar es Salaam Port – contributes to inefficiency and corruption risk at the facility. In most large-scale ports, the roles are separated with only the role of land lord being retained by the state.

In the long run, this issue can be addressed if the GoT gradually steps back from directly operating in most areas of the Dar es Salaam Port, instead adopting an enabling role by providing support to private sector terminal operators to take over the operating arm of TPA (i.e. the handling operations and maintenance arm). The experience of TICTS, which has been positive overall, suggests that a model in which the government steps back from direct operations – but still works closely with private terminal operators and holds them to a high standard of performance – can work well.

In January 2016, TradeMark East Africa Chairman Ali Mufuruki supported this view by stating that TPA should be split into two separate companies, one a landlord entity and facilities regulator and the other a commercial cargo handling entity – in order to improve efficiency and avoid conflicts of interest. Mufuruki, who is also the CEO Roundtable of Tanzania chairman stated that *"I am a strong believer in good corporate governance as a critical success factor in managing companies, including those owned by the state. One thing that*

must be avoided at all costs in a well-managed company is conflict of interest,"

This proposal, which is backed by the Tanzania Shipping Agents Association (TASAA), could include provisions for the GoT to retain a shareholding and board membership in – and therefore a degree of control over – private companies entrusted to run port operations, as is the case in Ghana and elsewhere.³⁹

Clearly, the reforms outlined above are a long-term proposition. In the short to medium term, European investors and the business community in general should work to encourage the TPA and its government partners to put in place best practice operational systems and internal controls at Dar es Salaam Port; develop a more transparent and competitive procurement and financial accounting system; prepare its accounts in accordance with international accounting standards; and ensure that effective internal and external auditors are held properly accountable.

In addition, ahead of long term structural reform of TPA, greater competition could be introduced into the ports sector by reforming SUMATRA's overly rigid local content requirements and the regulations preventing shipping companies from acting as clearing and forwarding agents.

The West African example

The concession-based privatisation approach to port sector reform has a clear precedent for success. In West Africa, for example, the privatisation of major ports during the 2000s had delivered impressive results. In Nigeria, from 2003 onward, port operations – which until then had been managed by the Nigerian Ports Authority (NPA) – were placed in the hands of private companies to free the federal government from the costs of managing port operations, and to enable an injection of private-sector capital and technical knowledge.

The privatisation process – known as the 'landlord' model – covered 24 concessions across ten of Nigeria's seaports, and included both bulk cargo and general cargo operations. Under the new arrangements, the NPA is tasked with management of all operations from quay-side to offshore (including dredging) as well as providing a regulatory role, while the operators were expected to manage port operations at no cost to the government and to invest 30% of the agreed concession fees into infrastructural development of the port.

This division of responsibility has worked well, with cargo clearance and container turn-around times dropping significantly since private operators took over the flagship Apapa port in Lagos and other facilities. Much larger vessels can now be accommodated and security at the main ports has also been drastically improved.

³⁹ IPP Media, 'TMEA Chairman advocates for ports authority splitting', January 2016

Annex 1. Other port sector initiatives

New Bagamoyo port

In October 2014, a tripartite agreement was signed between former president Jakaya Kikwete's government, China Merchants Holdings International (CMHI), and the Omani State Government Reserve Fund (SGRF) for the construction of a large-scale deep sea port at Bagamoyo, 50km north of Dar es Salaam. If completed, the mega-project would handle a container throughput of 20-million twenty-foot equivalent units (TEUs) annually, rivalling the largest ports in Africa.

However, in January 2016, Minister for Works Makame Mbarawa, stated that construction of the estimated \$11 billion mega-project at Bagamoyo would be suspended until mid-2016 pending negotiations with the project financing partners. Media reports stated that the project had been suspended indefinitely but the GoT clarified that the decision was temporary and reflected a decision to prioritise refurbishment of Dar es Salaam and Mtwara ports in the short term, amid budgetary constraints.⁴⁰

Mtwara port

Tanzania's third largest port, Mtwara Port is located on the southern border with Mozambique. The facility includes a deep water quay, dredged to -9.8 metres, and a quay wall of 385 metres which can accommodate two ships and one coastal vessel at a time. There is also sheltered anchorage in the inner bay/basin which can accommodate six vessels of 175 metres. Four transit sheds exist with a total storage capacity of about 15,000 tons. Cargo handling equipment, including three mobile cranes, is available but the port does not have specialized equipment for handling container traffic. The facility has an overall capacity of 400,000 metric tonnes of imports and exports per annum.⁴¹

At present, the port is underutilized; however, on the back of strong inward investment in Mtwara region since offshore gas was discovered nearby in 2010, the government is directing more than \$200mn in funds for upgrading of the port. Over the past half-decade, cargo throughput at Mtwara port has risen by a quarter annually; and the commissioning of a major new cement factory in 2015 by Nigeria-based Dangote cement in Mtwara provides further impetus for expansion of the port facility.⁴²

Plans are underway to construct four new docks— one under the TPA and the rest through tendering to private operators – and Japan-based Hyundai has been awarded the tender to build them. Once built, the port will have capacity to accommodate at least three ships at one time, rather than only one. Land has also been acquired in the vicinity to lengthen the quayside (increasing the number of berths to 7) and to construct a free port zone, while some 400 hectares have been earmarked for oil and gas processing activities nearby.

However, progress on the project remains slow, with Tanzanian Prime Minister Kassim Majaliwa complaining publicly in February 2016 that TPA had obstructed progress on the tender to Hyundai.⁴³

40 Suckling, Chris 'Tanzania 's suspension of Bagamoyo port construction and PM's case-by-case audit of projects indicate increased contract alteration risk' IHS Global Insight Daily Analysis, January 2016

41 See: http://www.tanzaniaports.com/index.php?option=com_content&view=article&id=131&Itemid=290

42 Among, Barbara 'Mtwara port set for major upgrade' East African, September 2014

43 Tanzania Daily News, 'PM Uncovers Graft At Mtwara Port' February 2016

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