The critical importance of access to the sea to the development of Burundi

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THE CRITICAL IMPORTANCE
OF ACCESS TO THE SEA
TO THE DEVELOPMENT OF BURUNDI

by

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MY WORK IS DEDICATED

to

MY FAMILY

Whose courage

and

constant affection

are the utmost support.
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ABREVIATIONS

ADB : African Development Bank
AMI : Agence Maritime Internationale
BRB : Banque de la République du Burundi
CCC : Customs Co-operation Council
CEPGL : Communauté Economique des Pays des Grands Lacs
EEC : European Economic Community
EPB : Exploitation du Port de Bujumbura
FED : Fonds Européen de Développement
IMO : International Maritime Organisation
KBO : Kagera River Basin Organisation
LLDC : Land-Locked Developing Countries
LLGDS : Land-Locked Geographically Disadvantaged States
MTPT : Ministry of Transport, Post and Telecommunication
NCTA : Northern Transit Corridor Agreement
PTA : Preferential Trade Area for East and Southern African Countries
SADC : Southern African Development Community
SOCABU : Société d'Assurances du Burundi
TRC : Tanzanian Railway Corporation
TRCD : Transit Road Customs Document
UN : United Nations
UNCTAD : United Conference on Trade and Development
UNDP : United Nations Development Programme
US : United States (America)
WMU : World Maritime University
ZBR : Zaire, Burundi, Rwanda
ABSTRACT

From a general stand-point this paper reviews the economic implications of being a land-locked developing country. The concepts analyzed include the legal definition and status of land-locked countries in international law. In the present study these various aspects are discussed with special reference to Burundi's specific situation.

The principle, its limits and the effects of the right of access to and from the sea for land-locked countries are also discussed.

The geographical presentation and related details not being the aim there are briefly mentioned in the course of the present study and thus the description focuses on the major issues connected with the maritime sector and related matters.

National policies are referred to and detailed, when necessary, in order to let the reader know what steps Burundi has taken in the various fields of the sector.

Of course the steps achieved serve as a test for the measures attempted in order to overcome the challenges the country faces as a consequence of its unfavourable location.
The failures are also highlighted where necessary. With the objective of finding out opportunities of developing activities related to the maritime sector relevant international and regional instruments are analyzed.

Relevant international instruments are referred to as necessary regulations beneficial to the development of the maritime sector in the world. The need for a sound policy in the sector and its crucial importance are stressed as incontrovertible factors of the whole development process. In this respect the various functions taking place in a national structure are viewed as the key conditions of a positive policy.

Regional co-operation is discussed in a specific chapter as a major instrument of the development process. In fact Burundi can obviously not develop in isolation without co-operative action with other countries. Furthermore, it is obvious that Burundi has to rely upon coastal states in the East-African sub-region, mainly her neighbour Tanzania, for a maritime transportation system and transit operations. Of course the latter country's port of Dar es Salaam, located on the Indian Ocean is the main outlet to and from the sea for Burundi's maritime traffic, which absorbs up to 85% of its total imports and exports.
The conclusion consists of the author's personal point of
view on the necessity and benefits of a sound policy of co-
operation with neighbouring states as a perquisite condition
to development.

The conclusion will give place to some recommendations made
in the light of the steps already taken by Burundi. This
calls for energy, imagination and perseverance in the search
of solutions to the challenges facing the country. This is
the cost of success and no doubt such a task is likely to be
a challenge.
INTRODUCTION

Talking of a maritime sector for a land-locked country is a paradox in itself. At first sight one could say that it is where the challenge facing Burundi starts. However, the topic reflects the hope that Burundi remains open to the unexpected and keeps determination to successfully face the challenge.

The history of states teaches that a country's inception may be purely due to chance as is the case of a number of countries due to war and territorial conquest. Glassner (1970) states that:

Certain African land-locked states simply happened largely by chance as major powers carved up the continent for their own benefit and the boundaries separating British, French and German territories resulted largely from their military and economic power in the region, and the divisions within the colonial areas were drawn partly along tribal lines, but mostly for administrative convenience. (1)
At the end of the First World War, Germany as a colonial power, loosed its African colonies, including the territories then called "Tanganyika Territory" and "Rwanda-Urundi". (Map 1) No many people could know that these two countries became land-locked right then in geography and law. Though being independent later on and recognised as sovereign states their status as "land-locked developing states " (LLDS) was fixed at that time. The fact is that this new situation resulted in important consequences for both countries, Burundi and Rwanda. Since the boundaries separating the Belgian and the British territories had been drawn, the two countries had no longer access to the same transit facilities as before.

When it was still part of a larger German colonial entity, Burundi legally had not had to worry much about access to the sea. In the colonial context there was no need for distinction between one coastal state (the current Tanzania) and two other non-coastal states (Burundi and Rwanda), which face well-known issues of transit.

As long as one political entity existed, the latter was solely faced with one major concern, that is the construction of appropriate infrastructures for serving remote inland areas.
MAP 1 Partitioning of Africa 1914.

Source: Changing Geography of Africa 1989
by A.T. Grove.
Similarly, Uganda was not faced with the problem of being land-locked until the former East African Community formed by Kenya, Tanzania and Uganda stopped existing. At that time Uganda used to enjoy the facilities provided by the organisation, and as a result, there was no concern of the access to the sea for a particular member of the Community. However, the problem arose when the Community came to a collapse.

Subsequent to the war and the eviction of the German colonial power from their former possessions, two different new political entities, Burundi and Rwanda, came into being then. This obviously effected a tremendous change on their destiny. The international law did not ignore, however, the right of the land-locked countries to be granted access to the sea. The principle of the right of access to and from the sea and free transit were established in a global framework of specific rights acknowledged to a group of countries, developing and developed, called "Land-Locked and Geographically Disadvantaged States". (LLGDS)

It must be pointed out that the concept of right of access to and from the sea is of paramount importance to all land-locked states whose trade, like Burundi, is oriented...
externally. Access to the sea means a primary and vital condition for their access to the world markets.
CHAPTER 1

GENERAL CONSIDERATIONS ON LAND-locked STATES

1.1. DEFINITION OF LAND-locked STATES

Dr. Zed nec Cerve nka in "Land-locked countries of Africa" (1973) defines a land-locked state:

Any state which has no sea-coast, and a transit state as any state with or without a sea-coast, situated between a land-locked state and the sea, and through which traffic in transit moves, this means the passage of goods and people across the territory of a transit state. (2)

The state of being land-locked, according to the definition, has another important aspect which is lack of adequate communication systems with the rest of the world. In this sense dependence upon access to the sea is a primary one, but not the only aspect of this concept.
The availability or access to appropriate systems of communication (such as road and railway networks, air traffic, telex, telephone, postal services, etc.) is of great relevance. In fact, where the entirety of these communication systems are used, remoteness from the sea has a relatively minor impact on political, economic and social development. A significant example, in comparison to Burundi, is that of any individual state or province of the United States or Canada, such as New Mexico or Saskatchewan, located far inland. They are not so much affected by remoteness from the sea despite the distance to the ports of San Francisco, Vancouver, New York or Halifax. In each case the distance involved is by far greater than that from Burundi or Uganda, for instance, to the ports of Dar es Salaam in Tanzania or Mombasa in Kenya.

As can be seen, great difference lies in that the former group is part of highly industrialized economy while the latter belongs to underdeveloped areas. This tends to give evidence of a relationship between the development of any area and the degree of the economic effects of being remote from the sea. Therefore, potential such impacts are not only a result of the distance.
1.2. GEOPHICAL CHARACTERISTICS OF LAND-LOCKED COUNTRIES

Apart from the common fact of having no sea-coast, all land-locked states around the world generally have little in common in terms of physical geography. Their general characteristics may be listed as follows:

- A wide range of sizes from less than 50,000 up to 600,000 square miles
- Location in the interiors of continents, but with many differences. Some lie relatively close to the sea while others face great difficulties in reaching the sea.
- Most have, more or less, a number of neighbours they must depend on and maintain good relations with, if they are to be granted unrestricted access to the sea.
- Significant variation in their size, location, topography and climate regime.

It is the location of most land-locked developing countries which has the greatest impacts. These most adverse impacts include:

- Increased costs of imported and exported goods.
- Exceptional length of time needed to transport goods to and from the nearest transit port.
- Increased risks of loss, damage and pilferage of goods en route.
- Need for a larger number of transportation means appropriate to the carriage of the entire import and export cargo, such as trucks, railway wagons, containers, etc.
- Increased maintenance costs of transportation equipment.

It must be pointed out that these factors having an impact on deep inland parts of coastal states necessarily affect to a much greater extent land-locked states. A significant difference resides in that goods in transit to and from these states are likely to cross one or more international boundaries. This implies a number of consequences in terms of delays and costs.

1.3. HISTORICAL CHARACTERISTICS

As independent political entities, most of the world's landlocked states in their current form fall into different categories, which are not subject to specific discussion in the frame of the present study. However, it should be relevant to notice that the necessity of an access to the sea has been of permanent concern to land-locked countries. Where the automatic facilities are not granted, negotiation
has been used for the extension of transit corridors connecting these countries with seaports.

1.4. POLITICAL CHARACTERISTICS

At the international level all the land-locked countries are sovereign states. Almost all of them are members of the United Nations and participate in many of its activities. Today they are members of regional organizations and participate in the work of the United Nations Economic Commissions in their respective regions.

In terms of their relative weight in international affairs, these are generally considered to lack a real political and economic power enabling them to exert complete control on their national economies.

1.5. ECONOMIC CHARACTERISTICS

The developing land-locked states in general suffer from severe handicaps, such as a low per capita income generally estimated at US Dollars 200 per annum or less, in addition to, or as a consequence of, little influence in international trade.
Most of them depend on one, or only a few commodities to make up the entirety of their exportation goods. The extreme dependence on mono-crop economy results in increasing their weakness and international trade vulnerability. According to UNCTAD it is stated that:

Because of their dependence on primary commodities, the Land-Locked Developing Countries as a group have become marginalised in the world economy in terms of their share in world trade and output. (3)

Above all, they are faced by various natural handicaps with adverse effects on their economies, such as sparsely settled land, poor soils, severe aridity, poor transportation infrastructure, remoteness from the major world markets, etc. As a result, they are faced by a critical need for heavy investments of capital and technology together with a need for a highly skilled labour force with proper capabilities in planning and management of their development. The point is, that all the land-locked states have a short supply of these assets.

With respect to their transportation systems most land-locked states are affected by serious impediments, such as
costly trans-shipments of their imports and exports, difficulty or even impossibility to shift their cargo over one route by one mode of transportation without facing very high costs. They exert little control on the availability of proper facilities and adequate conditions of transportation in the countries of transit. This results in dependence on the transit states or organizations for tariff schedules and various transit charges affecting their transit goods.

In fact the land-locked developing states in general have no clout in international trade mainly due to the inappropriate competition with the transit states in trading similar products. In addition structural lack of diversification and complementarity between land-locked and transit states is of real concern and perhaps the more negative aspect for the economies of land-locked states.

Not the least of a land-locked state's problems is created by the reduction of profitability in transit trade due to widespread smuggling prevailing in most transit ports and along transit routes. There is no question that this excessive practice of smuggling is likely to put at risk the economies of the countries concerned unless significant steps are taken to stop it.
REFERENCES


(3) Source: UNCTAD, Report 1993-94 on The Least Developed Countries. p.4
CHAPTER 2

DEVELOPMENTS OF INTERNATIONAL LAW WITH RESPECT TO THE RIGHT OF ACCESS TO THE SEA FOR LAND-LOCKED STATES

2.1. DIFFERENT APPROACHES

The right of access to the sea for land-locked states is derived from principles which may be summed up as follows:

2.1.1. Principle of freedom of transit

This approach, connected with economic and legal interests of land-locked states acknowledges freedom of transit rights as fundamental to their development. It is rightly reflected, according to Glassner M. Ira (1970a, page 10), by the position of the United Nations Economic Commission for Africa (ECA) whereby "the problem of free access to the open sea by a land-locked country is part of the more general one of transit (that) comprises in itself the fundamental
economic interests and the legal safeguards of the countries concerned".

2.1.2. Principle of freedom of the seas

This approach is linked to the first one in the sense that the right of access to the sea derives directly from the freedom of the seas. Glassner (1970b, page 16) argues that "if the ocean is free to all mankind (res communis), it is reasonable to suppose that every people should have access to the shores of the ocean and the right to navigate all navigable rivers discharging into it since they are only a natural prolongation of the free high seas".

2.1.3. Concept of public law servitude

The basic idea here is that the right of transit, comparable to the "free passage" in domestic law, constitutes as such a public law servitude. It means that land-locked states are granted an unquestionable right of passage through territories separating them from the sea without prerequisite treaty or, in theory, any international agreement.

However, it is worth mentioning that the concept of a permanent and unrestricted right of passage across transit
states has always been subject to controversy and never really supported by all. Though, the function of international law in this respect has been of providing a balance between two apparently opposing principles that is territorial sovereignty with effective control for each individual state over its land, on the one hand, and freedom of communications for all nations, on the other hand.

2.1.4. Right to expansion of international trade and economic development

This concept which is new in the context of international law has developed during the period of the Second World War.

The right to trade and economic development by free access to the sea is one of the major principles of international law adopted under the auspices of the United Nations Conference on Trade and Development (UNCTAD) and the 1965 Convention on Transit Trade of Land-Locked States.

2.1.5. Concept of "Land-Locked and Geographically Disadvantaged States" (LLGDS) in international law
The Law of The Sea Convention 1982 has adopted the principle whereby states having no sea-coast have a right to enjoy free access to the sea and freedom of the seas on equal terms with transit coastal states. According to the convention specific arrangements however must be made by the interested parties to grant the land-locked states effective rights. Such agreements must take into account the special conditions of the land-locked states and the rights of the transit states as well.

On the other hand the Convention has extended the concept of land-locked states to the so called "geographically disadvantaged states" in pooling into one single group States with great differences. As a result this approach groups today industrialized European states, such as Switzerland and Austria, and the least developed land-locked countries, such as Burundi, Malawi and Uganda.

The objective here is not to raise a specific discussion on the differences obviously existing in the economies of the respective categories. Only common characteristics are highlighted.
2.2. CHARACTERISTICS AND DIFFERENCES AMONG LAND-LOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES

2.2.1. Common points

As can be learned from experience and the definition already given, a land-locked state is one having no sea-coast and to rely on one, or more, neighbouring transit countries for access to the sea. The distance may be viewed as the main common characteristic although some land-locked countries are more remote from the sea than others.

Common and complex difficulties face land-locked developing states in general as a group. As already discussed in Section 1.1, the distance is not the only consideration. Transportation facilities and the number of effective or potential outlets available to individual states must be taken into account when determining the degree of impact of their being land-locked.

2.2.2. Differences

The comparison of the individual land-locked states reveals great differences among them. The European members, such as Switzerland or Austria are not in the same position
as their counterparts in Africa such as Burundi, Uganda, Zambia, and Asia such as Afghanistan or Nepal.

Owing to industrialization the European states have access to updated communication systems, a number of efficient outlets to the sea, access to major world markets, etc. It may be said that they are in theory geographically, but not, in practice, economically land-locked. In fact they are not faced with the same basic problems of transit like their developing land-locked counterparts. Therefore the concept has a different meaning thus, different implications in each case.

### 2.3. SOURCES OF INTERNATIONAL LAW

This section discusses the main international conventions relating to the right of access to the sea for land-locked states especially. The main objective is to address the potential benefits deriving from these conventions.

#### 2.3.1. The Barcelona Convention 1921

Historically up to the end of the First World War, States having no sea-coast were denied a right to fly their own
flag. Some land-locked states having a national merchant fleet, such as Switzerland, claimed a right to grant her citizens and vessels permission to fly a national flag in international waters on the grounds of the necessity to grant the country proper supplies in case of war. Thus it was viewed as an attribute of "national vital interests" in addition to the specific freedom of the high seas.

More generally, the "Convention and Statute of Freedom of Transit", or the Barcelona Convention 1921 in other words, adopted the following main principles:

- Responsibility of contracting parties for facilitating free transit by rail or waterway "on the routes most convenient" for international transit through their territory.

- Non discrimination in freight rates on the basis of nationality.

- Right to a flag of States having no sea-coast with a special requirement of registration of the vessel at a specific place situated within the territory of the land-locked States serving as a port of registry.
As a result a number of land-locked countries today are members of the maritime community. They have their own merchant marine and compete with traditional coastal States.

2.3.2. The New York Convention 1965

The New York Convention on Transit was signed on July 18, 1965. It adopted the principle of free access to the sea as an attribute of the right of the land-locked states to participate in international trade and economic development. This illustrated one of the main objectives of the United Nations that is the promotion of economic progress and cooperation among all nations.

In addition to this principle, the New York Convention was viewed as a culmination of the attempts made by the international community to meet the needs of the land-locked states as a whole, with the view to solve the problems of transit especially faced by the developing countries.

In concrete terms the following principles adopted by the New York Convention have facilitated the achievement of important steps leading to the recognition of the needs and rights of the land-locked and transit states.
According to the convention the transit states are particularly responsible for providing adequate means of transport and handling equipment necessary to accelerate the movement of traffic in transit.

On the other hand the Convention stresses the need of a cooperative action between transit and land-locked states in their attempts to solve problems of transit. However, the Convention does not exclude the possibility for an individual state to put its own vital interests ahead, if its security is involved.

As a comment it can be said that such a non definite concept of "vital interests" might give some states a chance to deny other states transit facilities for underlying political motives.

As long as they have sovereignty on their territory, and no obligation to prove that their security is really threatened, transit states might use such a concept to be unwilling to provide transit facilities for land-locked countries. This is why particular emphasis should be put on positive co-operative action which must exist between the interested parties. This aspect is discussed in a subsequent section.
2.3.3. The Third United Nations Conference on the Law of the Sea (UNCLOS III)

The United Conference on the Law of the Sea 1982 had a broader framework and did not only have as one target the access to and from the sea.

It defined various other rights which are not detailed in this study. Though briefly mentioned, as listed below, they cover a wide range of uses connected to major economic interests of the land-locked states, especially. Such rights are designed to allow them the exploitation of living and non living resources of the sea-bed on an equal footing with the developed states since these resources have been declared, according to the Law of the Sea, as the "common heritage" of mankind. It means that their exploitation should be carried out for mankind "as a whole", irrespective of the geographical location of individual states, including the land-locked countries.

The right of free access to the sea, in the sense of the Law of the Sea Convention also includes, like the New York Convention, special facilities to be granted to the land-locked states for transportation through territories of transit states, be they coastal or non coastal.
Various provisions of the convention are related to the duties of the transit states with respect to the coming into effect of such rights of which the more relevant may be:

- Exemption of the traffic in transit from customs duties, taxes and other charges with the exception of fees levied for specific services rendered (Article 127).

- Provision of free zones and other facilities at ports of entry and exit in the transit states (Article 128).

- Co-operative action between land-locked and transit states in providing adequate equipment and means of transportation (Article 129).

- Measures aimed at eliminating delays or other technical obstacles to the fluid movement of the traffic in transit. (Article 130).

Effective implementation of these principles may be seen as a key factor to significant changes, and thus an improvement in the economic well-being of the land-locked developing countries in particular.

It may be concluded, in this particular point, that the effectiveness of the international law much depends, to a
large extent, upon the commitment of the interested parties to apply them in the real life and day-to-day management of the whole transportation system.

2.3.4. The General Agreement on Trade and Tariffs (GATT)

In its article 5 GATT provides that the contracting parties must grant free passage to goods in transit to and from other contracting states. To that end they have to use the most convenient routes for international transit.

They also have to make sure that no discrimination in treatment be based on "the flag of the vessel, the place of origin, departure, entry and exit, or destination". In more general terms, according to the relevant provisions of GATT, no other circumstances relating to the ownership of goods, vessels or the means of transport must be put forward.

It is relevant, also, to notice that the provisions of both GATT and UNCLOS include an obligation for contracting states to exempt traffic in transit from customs duties and other charges not based on specific services rendered.

More relevant and general is the principle of GATT, whereby the treatment and conditions applying to this matter should
be, at least, as favourable as those which would have been applied if the goods had been transported without crossing the transit state.

2.3.5. The Kyoto Convention

The so called "Kyoto Convention" which was elaborated under the auspices of the "Customs Co-operation Council" (CCC) is viewed as a comprehensive guide to the major customs procedures used throughout the world. It provides for simplification and harmonisation of customs import, export and transit procedures.

Particular provisions of its Annexes have great importance to the land-locked developing countries in the sense that they encompass procedures for "customs transit" and "free zones". The general belief is that these procedures would be a major contribution to elimination of most problems encountered in transit operations if properly applied by the interested parties.

Last but not the least is the use of free zones facilities. GATT has set up principles and standards related to their use. Bilateral agreements have also been encouraged between the interested parties.
As seen above, free zones are generally provided for by ways of explicit agreements whereby the land-locked countries and their neighbours agree to consider parts of the territory of the transit states as being outside the customs territory and not subject to the usual customs control.

2.3.6. Other Conventions

This section refers to other international conventions relevant to the right of transit, though to a less extent than those listed previously. It should be remembered that only a limited number of land-locked and transit states today are parties to most of them. For instance, not one land-locked developing state is a contracting party to those listed below:

- the TIR Convention 1975 applying to road, air, rail and multi-modal transport,

- the International Convention on the Harmonization of Frontier Controls of Goods 1982,

- the Customs Convention on Containers 1982,

- the International Convention concerning the Carriage of Goods by Rail (CIM),

REFERENCES


(2) Glassner, M. ibid. p.16


(4) For the problem of conflicting interests of the landlocked and the neighbouring transit states, see in: UNCTAD, Report by the Secretariat of 26 March 1993, p.3 and p.30, note 11.
3.1. GEOFORCAL AND HISTORICAL BACKGROUND

Burundi is land-locked in central eastern Africa, within the so called "Great Lakes" region of Africa. It is surrounded by Zaire, to the West, and Tanzania, to the East. Bordered by Rwanda, to the North, and Lake Tanganyika to the West, Burundi is separated from neighbouring Zaire by the lake which forms the natural divide between these countries. (Map 2)

Burundi compared to most countries of the region is small in size with an area of 27,834 square km (10,747 square miles). The capital city Bujumbura, which is estimated at 200,000 inhabitants, and its port extends along the northern bank of Lake Tanganyika and is a major link with the southern ports of Kigoma (Tanzania), Kalemie (Zaire), and Mpulungu (Zambia).
Map 2. Current States of Africa

Source: Africa South of Sahara 1992
An article by C.T. McCaskile
Burundi, as a former kingdom, came into being in the sixteenth century. After having been absorbed by German East Africa in 1899, it was entrusted thereafter to Belgium as a ruling power, at the end of the First World War by the League of Nations.

Burundi was independent on 1 July 1962 and became a member of the United Nations. On 28 November, 1967 it adopted a new form of government as a republic. Burundi became a member of a number of regional and sub-regional organizations. These are: the "Great Lakes Economic Community" (CEPGL) grouping Burundi, Zaire and Rwanda, the Kagera River Basin Organisation (KBO) grouping Burundi, Tanzania, Uganda and Rwanda, the PTA (Preferential Trade Area) grouping the East African region countries including also Burundi and Rwanda.

3.2. MAIN ISSUES CONNECTED TO THE MARITIME SECTOR AND RELATED MATTERS

3.2.1. The maritime concept as a difficulty in itself

Like any other country in a similar situation Burundi's land-locked location has to be considered as a central issue with respect to maritime concerns.
One difficulty is that an obvious link does not exist between being a land-locked country, on the one hand, and the fact of dealing with a maritime sector, on the other. Common sense would ask the following questions:

- How can a country, by definition, having no sea-coast, deal with a maritime sector or related matters?
- How can such a country afford to create a national maritime sector within its own organization?
- What influence can it exert on maritime related matters?

The objective of the following chapters is to show how Burundi could play a positive role in the promotion of a maritime sector as an important part of national activities in the development process.

3.2.2. Impact of history and geography

As mentioned in the introduction, history has always played a major role for all nations.

The estate of being geographically land-locked, for a particular country, means that it has no link with the sea. Where there exist no sea, it follows that the country's people have no chance to attain an adequate knowledge of it and its various uses.
It is well known that the maritime nations are those countries which have a historic maritime background. This implies that they have had a maritime tradition for centuries. Therefore, there is a great difference between those countries which have a long tradition and those which have little, if any.

In fact, the distance separating Burundi from the sea-coast is a major factor to be concerned with when one has to address maritime issues.

It has been pointed out in previous sections that remoteness from the sea was a critical problem in this case.

In this respect, Singela A. Mpazi (1983, page 4) rightly writes that "the mere fact of being land-locked can have a negative impact on the economic, social and political lives of the peoples of the land-locked states".

When it applies to a developed country, the concept of distance becomes relatively less important because it is balanced by the availability of modern communication systems (roads, railways, air transportation, etc.).

As a consequence of Burundi's geographical location, primary concerns are the problems of reliability of the
transportation systems and transit regimes outside its frontiers. This is why talking of the development of a maritime sector means, necessarily, taking transit aspects into consideration. The problem of transit for Burundi is of paramount importance as part of the whole transportation system connecting the country to the sea.

The development process is hampered to a large extent by the long distance from Burundi to both the ports of Dar es Salaam (Tanzania) and Mombasa (Kenya).

As a consequence, it means that only a few high value-added products are likely to be able to absorb the high transportation costs incurred by its external trade. Therefore, it can be clearly seen that Burundi's earnings gained by export activities are limited and its balance of trade is generally in deficit. For this reason the reduction of the transit costs must be given priority and encouraged by negotiation with the transit States. An analysis of the issue of transit costs and by what means they may be reduced is therefore crucial.

3.2.3. Problem of transit costs (2)

Most land-locked developing countries, by definition, are disadvantaged by not having sovereign access to the sea.
They have to use transit "corridors" across the territory of other countries, whether neighbours or not, coastal or non coastal, in order to reach the gateways giving them access to the world markets.

Due to the remoteness of the sea-ports used for its import and export operations, Burundi, like other countries faced with a similar situation, has to bear additional transit costs. The effect of such costs is that they make Burundi's foreign trade less competitive, compared with the coastal States.

Sinjela A.M. (1982) addresses the problem of the transport costs that long distance to and from the sea raises for a land-locked state in comparison its coastal counterpart. He rightly notes:

All things being equal, if two people - one in a land-locked state and the other in a coastal state - engage in a similar business enterprise, the person in a land-locked state would realize less in profits than the other because of the high transport costs incurred - costs which sometimes frighten away potential investors. (3)
In addition to the remoteness, other factors contribute to worsen the economic situation. These include delays in the transit cargo into and out of ports, and delays in crossing the various borders due to the long procedures involved. Time being "money", these delays result in high extra-costs.

Frequent road accidents are another major source of delay brought about by the poor state of the roads, and this also increases the insurance cost.

With respect to insurance requirements, most insurance companies tend to increase their premium rates on account of the increase in the occurrence of the risks covered. Of course, in such cases, the insurance companies adopt high premium rates with the view to protect their commercial interests versus a potential high compensation cost in case of loss or serious damage to the cargo.

3.2.4. Problems of operational performance along the transit routes

The problem of segmentation of the infrastructures of the transportation network is a big concern, due to the lack of an effective link between the various modes of transportation, that is roads, railway and waterways.
Transhipments occur frequently owing to the fact that, in some instances, the rail network and rail corridors are connected to the inland areas of the country of destination only by road or waterway, as is the case for Burundi. In fact, the railway, lake and road are the main transit corridors alternatively from Dar es Salaam to Kigoma, and Mombasa to Bujumbura.

The main problems faced in such cases are related to lack of efficiency along the transit corridors. The use of several modes of transportation requires the availability of adequate equipment and skilful management methods. These should be considered as critical requirements if a high level in performance is to be achieved. It may be acknowledged that this is probably an area where serious shortcomings can be found for most land-locked developing countries.

3.2.5. Problem of alternative routes

Owing to its specific geographical location Burundi is essentially dependent on two alternative routes to and from the sea. (Map 3)

The country is connected to the sea by the so called Northern Corridor to and from the port of Mombasa (Kenya)
via Rwanda and Uganda. The "Central Corridor" is the one which connects Burundi to the port of Dar es Salaam (Tanzania) via the smaller port of Kigoma on Lake Tanganyika. Unfortunately, these corridors cannot be considered effective enough to secure the country's overseas trade.

Difficulties were faced by Burundi in the past along both transit corridors due to the political situation and difficult geophysical conditions existing in the countries of transit. Burundi had to deal with a particularly difficult situation when, because of war between Uganda and Tanzania in the early 1980s, it was compelled to airlift to both ports of Dar es Salaam and Mombasa most of the exported and imported cargo.

In 1990 the Northern Corridor was affected again by war in neighbouring Rwanda and now it is hardly used for transit traffic. The transit cargo previously carried by road in trucks across Kenya, Uganda and Rwanda to and from the port of Mombasa was diverted, partly to the port of Dar es Salaam or via Lake Victoria to the central-north part of Kenya. This compelled the users to turn towards long and unsafe alternative routes and this penalized them with unavoidable additional costs.
The problem here was that most of these new routes lacked adequate facilities and were not considered reliable. It must be pointed out that the insurance premium as a cover against the risks inherent to such routes was at the same time increased. As a result the price of most imported goods was raised dramatically.

3.2.6. Problem of co-operative arrangements with the transit countries

To maintain effective transportation and transit systems between Burundi and the transit neighbours there is a need for the establishment of a cooperative framework at the regional and sub-regional levels. Specific arrangements must be established to put such action into effect.

Although a positive action is the objective, some practical difficulties must not be overlooked. Problems may arise due to opposing national interests which in some cases render the negotiations on transit issues complex. Experience shows that the priorities of the interested parties or group interests involved might not be compatible.

The transit countries, on the one hand, may be primarily concerned with customs security and the prevention of smuggling. They may also attach priority to border controls.
to ensure that the cargo in transit complies with national regulations.

On the other hand the land-locked countries may be concerned with the necessity of making sure that the movement of the traffic in transit is facilitated, speedy and of a minimum cost. Very often these objectives are not compatible and this adds to difficulties in the negotiations.

Another consideration is that the interest taken in the improvement of transit facilities largely depends on the commercial importance, to the coastal state, of the volume of transit cargo. (4)

As far as Burundi is concerned relationships between Burundi and Tanzania have been characterized for years by a common willingness to improve the transit facilities, namely in undertaking joint concrete actions aimed at improving the transportation infrastructures.

One positive example which can be noticed in this respect is the decision which was taken in 1991 by both governments of the two countries to undertake emergency improvement works of a transit road located on the Tanzanian side (100 km long).
This common action had the objective of easing the movement of the goods transiting across Tanzania so as to benefit both countries. Burundi's government proposed and the partner accepted to cooperate in approaching the donor institution for financing the operation. It is interesting to note the merits of this agreement as follows.

Both Burundi’s and Tanzania’s governments recognized the difficulties that Burundi faced for the transportation of its goods by the traditional access route to the Tanzanian port.

The Tanzanian government agreed to become involved in taking urgent measures to improve the transportation facilities within its territory.

An agreement resulted and was signed on 11 of April 1991. It was called an "Agreement on the Emergency Improvement Works on the Kobero-Kabanga-Rulenge-Nyakahura Road.".

The following is a summary of the major provisions: (5)

- The two governments acknowledged the impact of external events on the economic situation of Burundi when deprived of one of its principal access routes, the Northern Corridor (Bujumbura-Kigali-Kampala-Mombasa).
- The cargo traffic from and to Mombasa had to be diverted to Tanzania via South Lake Victoria, thereby increasing the traffic flow on this alternative route. The result was that the roads, in particular the Kobero-Kabanga-Rulenge-Nyakahura road section deteriorated in such a way as to impede the traffic.

- Since Tanzania was then heavily involved in the improvement of its road network, it was necessary to urgently improve the Kobero-Kabanga-Rulenge Nyakahura road by enhancing cooperation between the two governments.

- The proposed improvement works had to be carried out by a commonly agreed contractor and financed as a regional project by the European Economic Community (now European Union since 1994).

- The Tanzania government committed itself to facilitate the provision of the necessary permits to Burundi's citizens and expatriate staff involved in the works.

- The contractor (a private enterprise), their non Tanzanian employees and any equipment, materials or provisions brought into Tanzania by the contractor for the execution of the works were exempt from taxation. Further such equipment materials or provisions were to benefit from the regime of
temporary importation and could be re-exported by the contractor.

This case was an illustration of a positive cooperative action and proved that it was possible for a land-locked country, on the one hand, and a transit State, on the other hand, to solve common problems through sound cooperation in joining their means. The action undertaken contributed to significant improvement in the transportation facilities between the two countries.

3.3. BURUNDI'S TIES TO THE NEIGHBOURING TANZANIA'S MARITIME SECTOR AND THEIR BENEFITS

The objective of this section is to discuss in particular the contractual aspects or bilateral instruments by which Burundi, as a land-locked country, is tied to the Tanzanian transportation system.

Burundi's geographical location created a need for a secure and permanent access to the sea-coast.

In economic terms Burundi has turned to the East African Sub-Region and has no link with the Western coast on the
Atlantic Ocean. However, even if it is tied to the Eastern African region Burundi has no direct access to the Indian Ocean coast. Its import and export traffic has to cross neighbouring countries to access both ports serving as its gateways, that is Dar es Salaam and Mombasa.

The origin of the ties that Burundi has established for years with the Tanzanian maritime sector goes back to a historic arrangement which took place between Great Britain and Belgium at the end of the First World War. (6)

On the 15th of March 1921 these two States concluded in London the so called "Belbase Convention", which granted Belgium a perpetual lease over the port sites at Dar es Salaam (Tanzania) and Kigoma (Western Tanzania's border on Lake Tanganyika) for a symbolic annual rent.

Both sites of Dar es Salaam and Kigoma are part of the Tanzanian transportation system and thus under the Tanzanian jurisdiction. The objective of the Agreement was to facilitate Belgian traffic to the former so called "Belgian Congo" (Zaire, Rwanda, Burundi).

According to the agreement, the lease entitled the Belgian government to develop the sites in order to make a deep-water front available. In addition the sites were to be
connected with the railway system serving the territory which was under the British jurisdiction.

The agreement gave the Belgian government a power to appoint, with British approval, an agent responsible for the management of the sites. A Belgian company, the "Belgian Commercial Agency" for East Africa, was then appointed as a government agent.

The "Belbase" regime has played a key role in the transportation and transit systems to and from Burundi.

Later on, by a contract signed in 1936, the Belgian agent was appointed as the official representative of Belgium in Dar es Salaam and Kigoma.

Under the contract, the agent was responsible for the management of the sites, the collection of all charges and fees, and the completion of all custom formalities in the name of the Colonial government.

For its services, the agent was paid a fixed indemnity on an annual basis to cover general expenses, administrative costs and various operational costs. This financial clause was revised in 1947 and 1952 to update the annual indemnity.
Due to the increase in the overall traffic following the second World War period, the transit facilities required expansion to meet the needs of the increasing trade.

As a result an additional Agreement ("Belbase II") was signed on the 6th of April 1951 whereby Belgium made cession of the old sites at Dar es Salaam to the East African Railways and Harbours (EARH). A different site was offered to Belgium in return.

This agreement left the 1921 (Belbase I) Convention valid in such a way that the new site was in fact to be governed by Belbase I. Both agreements had been registered with the United Nations as internationally recognized instruments.

Shortly after independence, Tanzania claimed that Belgium had to leave the Belbase sites by the 31st of December 1963. Belgium indicated that since Congo, Burundi, Rwanda had become independent States it was no longer interested in compensation because it considered that the sites had been developed out of the appropriations of its former colonies.

Following the proposals made by Tanzania for a new and negotiated regime in the usage of the Belbase sites and compensation, an agreement was concluded at Dar es Salaam in March, 1963 (Belbase III). Implementation of this Agreement
was dependent upon ratification by all four parties, which for unexplained reasons never took place. This agreement had, among others, four major features:

- It provided for freedom of transit and transit facilities similar to those granted under Belbase I.

- It provided for a four member commission to manage the sites, which were managed until then by the Belgian Agency.

- The sites would be leased to the commission for 99 years at a nominal rent of one shilling.

- Zaire, Burundi, Rwanda (ZBR) were to have their assets valued, after which each party could be deemed to have lent to the commission a sum equal to its share in the Belbase assets. At the same time the loan was to be gradually repaid from the revenues of the commission.

Another attempt was made in 1970 to address the problems related to Belbase. In March of the same year an Agreement was reached in Bujumbura on a text related to the Belbase sites. It provided for the integration of the Belbase sites into the East African Harbours at Dar es Salaam, and he East African Railway at Kigoma.
Meanwhile Tanzania decided not to take any unilateral action before the 31st of January, 1971. The Belgian Agency which had since changed its name into AMI (Agence Maritime Internationale) was requested to manage the site on behalf of the Tanzanian government "until further notice" under the same contractual conditions that had applied until then. Tanzania however expressed its willingness to pay compensation to the ZBR countries.

It would be suitable to mention some problems underlying the Belbase Agreements. Since nationalisation by the Tanzanian government, AMI has continued running the Belbase sites in Dar es Salaam and Kigoma as an government agent.

ZBR cargo routed through Belbase today enjoys wharfage remission. AMI, apart from managing the facilities on behalf of government, is also the principal agent for ZBR cargo thereby enjoying a monopoly that is feared by some operators as being to the benefit, not of ZBR cargo, but of AMI. This fear is compounded by the lack of transparency and accountability of AMI to the government.

On the operational level Tanzanian Harbours Authority is of the view that the Belbase regime inhibits its own operations in the port area and that, in addition, it is too small for the projected traffic.
Given the legal uncertainties and operational constraints presented by the status quo, it was recommended that ZBR countries discuss on a serious basis the future of the Belbase sites with Tanzania. A future convention should address a special status for ZBR cargo. At the same time ZBR countries should be enabled to realize the value of their investment through concessions.

Legally, it was commonly considered that ZBR countries are entitled to compensation for the value of the installation and facilities which were nationalized. Despite nationalization, Tanzania showed its willingness to have an agreement with the interested countries on a procedure for evaluation and compensation. However a definitive solution has never been reached. Attempted solutions were suggested, such as:

- A possibility of fully integrating the Belbase sites into Tanzania Harbour Authority's operations at Dar es Salaam while Kigoma should be handed over to Tanzania Railway Corporation or,

- A possibility of expanding the Belbase facilities by provision for extra land with additional investments in infrastructure, and management,
- Possibility of encouraging competition by tendering management to competitive operators for transparency and accountability.

The following are considered as potential benefits which may be expected from the application of such recommendations:

- The value of the ZBR investment could be realized through reduction of port charges and rail tariffs as an alternative to direct cash compensation,

- ZBR would enjoy the concessions across the board regardless of which berth is used. This would mainly put an end to the "de facto" monopoly enjoyed by AMI at the Belbase sites. Competition also would be encouraged between C&F agents thus leading to lower costs.

It was considered, in the event of adoption of the second alternative, that compensation might be made by way of a capital contribution to infrastructure investment, tax or other port concessions.

The management of the sites might be contracted to competitive bidders for a limited duration, and such managers could be monitored by an authority including members from ZBR. In the author's view, the merit of such a
solution is, at least, the possibility of getting both competitiveness and accountability to respective governments improved.

The preceding chapter has focussed on the implications of being land-locked and. It also has led to discuss the role of specific arrangements thought as relevant instruments aimed at solving the problems relating to the transit traffic in the frame of a sub-regional co-operation. In this context, the next chapter is related to the policy and means by which Burundi attempts to develop a maritime sector and related activities.

REFERENCES


(2) Source: "Synopsis of UNCTAD Technological Cooperation activities in the area of transit traffic" (1993). Note by the UNCTAD Secretariat. The information given in subsequent sections relating to this problem, the operational performance along the transit corridors and alternative routes refers extensively to the above note of UNCTAD.

(4) Source: UNCTAD, TD/B/LDC/AC.1/2 "Transit systems for Land-locked developing countries: current situation and proposals for future action" (6 March 1993), p.12


CHAPTER 4

PROSPECTS FOR DEVELOPMENT IN THE MARITIME SECTOR

The creation and development of any sector must be supported by a comprehensive national policy. In this respect the main question might be whether, or not, Burundi can have a maritime policy or develop a national maritime sector.

In the following pages various positive factors will be pointed out. At the same time, it will be possible to understand why the attempts made in order to set up maritime policies are hampered by diverse factors inherent to a land-locked country.

One of the main factors which can be seen as a major obstacle to the capacity of developing a maritime sector, in a land-locked country like Burundi, is the lack of a comprehensive maritime culture and professional traditions which are generally the hallmarks of the maritime nations.
In addition, the absence of a sea-coast, as a physical support to such traditions, obviously contributes to the ignorance of what the sea and its various uses offer.

As seen in previous pages, Burundi by definition, is deprived of a sea-coast and, therefore, has to rely on other countries for access to the sea.

Generally speaking, the history of Burundi has served to create a lack of knowledge of the sea and related matters.

It is known by experience that people having maritime traditions are those who have been in contact with the sea and its various aspects for centuries. As an example, the population living traditionally in areas remote from the sea do not usually practice some categories of professions such as fishing, construction even of small fishing boats or repair, aquaculture, etc. They specialise in pursuing other professions for a living such as farming and handicrafts, etc. As a consequence they do not have an accurate knowledge of the various uses of the sea or related fields.

As for the educational systems of such non-maritime countries the need for education and training in maritime related matters is not perceived as a priority. As a result, the whole maritime sector is either neglected or unknown by
their citizens because it is not a significant part of their economic activities. Nor is it seen as a part of their day-to-day concerns. Unfortunately, one might assert that this attitude is common thinking in Burundi for most people lack adequate education or information pertinent to the maritime sector.

In this particular case, it may be acknowledged in fact that a structured maritime sector does not exist in Burundi. However, it remains true that Burundi's major national interests depend today more than ever before on the maritime sector. Maritime transportation is particularly important to Burundi's economic activity.

4.1. NATIONAL POLICIES

Although a description of domestic details is not the objective of this section, the importance taken by transportation as an essential foundation for the whole national economy will be stressed in the course of this chapter.

As seen in the previous section, the maritime sector has always been of critical importance to Burundi, given its
connections with major transportation issues. It would not be exaggerated to assert that Burundi has always been faced with maritime concerns since its beginning as a known organised nation.

According to the organisational structure, it is the ministry (department) in charge of transportation matters which has the responsibility for the global policies related to the maritime sector, with the exception of the fisheries. The latter sector has traditionally been under the responsibility of the Agriculture Department.

A specialised division, the Directorate for Waterways, acting as a decision-maker or, at least, as an advisory administration, is responsible for the day-to-day management of all maritime related matters. Its functions are similar to those of maritime administrations in coastal states.

Lake Tanganyika is an important link with the transportation system of other countries in the region. It is also a major means of transportation serving the traffic between states, mainly by the neighbouring countries of Tanzania, Zaire, and Zambia. All of them are bordered by the lake.

The lake Tanganyika constitutes the main link between Burundi and the neighbouring Tanzania, especially, because
it absorbs all the commercial traffic using the central transit corridor to and from the port of Dar es Salaam. The Directorate for Waterways deals with different technical and administrative responsibilities such as:

- survey of ships and inspection of fishing boats
- inspection and investigation on casualties occurring in the lake waters
- responsibility for maritime policy and implementation of the legislation relating to the sector and
- responsibility for administration of the personnel and management of all services.

The Directorate acts as advisory administration to the head of the Ministry of Transportation in all matters relating to shipping. It is supervised in its day-to-day work by the Director General of the Ministry.

4.2. TRANSPORTATION SYSTEM

In introducing this section it may be stated that the transportation system used by Burundi benefits, to a great extent, from the important place taken by Lake Tanganyika
since it is used for most of the import and export traffic to and from Burundi.

It is also necessary to note that there is no railway network as part of Burundi's transportation system except prospects of creating railway connections from the different countries to the existing line linking the port of Kigoma, middle-south of the lake to the port of Dar es Salaam. Once it comes into existence this plan would result in a significant improvement in the transportation system especially to and from the port of Dar es Salaam. (1)

In the area of roads Burundi is equipped with a relatively dense and well maintained road network with a total length estimated at 6,285 km in 1990. (2) This is considered as a reasonable size, given the size of the area involved. However, this does not mean that problems do not exist or that no attempts are needed to improve the situation.

In this respect attempts have been effectively made during the last ten years in order to improve the transportation system by modernizing Burundi's road network and repairing the old ones. The result was significant changes in the transportation conditions serving the import and export traffic between Burundi and its neighbouring transit countries.
4.3. ROLE OF THE PORT OF BUJUMBURA

With respect to their functions, ports are considered as "central" in the transportation chain and "starting points" for both local and regional development of the transportation system. Their importance in this regard has been viewed through both their historical role and geographical location.

According to Beth H.L."et al" (1984), "ports are the industrial centres of their region, sometimes even the capital city, and always the point of origin of development of the regional economy". (3)

Despite interest of this aspect, a detailed discussion of the structure and the management pattern of the port of Bujumbura are not the aim of this study. Nor is it relevant to address the issues relating to other smaller ports which play in fact only a insignificant role from the point of view of the economy. Rather, these ports serve as small centres for local fishing activities or a local limited passenger traffic.

However, the small fishing port of Nyanza-lac, located south of Lake Tanganyika, 50 km away from the (Tanzanian) port of
Kigoma, has a potential to become important. Despite its location serving an active commercial traffic, this port still has only local importance due to its lack of adequate facilities inherent to an important port.

There are various reasons for putting emphasis on the potential role of the port of Bujumbura, both on national and regional levels. It has an advantage of a strategic location within the sub-region. However, to fully realize the important role it could play and benefit from the increasing activities of the port, this calls for a cooperative action with all the countries concerned.

A brief history shows that a convention was signed between the Burundi Government and the private sector operators in 1967. This convention gave a local company, the "Company for the Exploitation of the Port of Bujumbura" (EPB), the right to run the port. In fact the local company was a subsidiary of a Belgian mother company (Compagnie des Grands Lacs), which owned the majority of the capital and the local shipping company. However, both the Burundi government and nationals had capital shares.

With respect to the management of the port, this ownership pattern at least allowed the government to have some oversight of the company.
It is also relevant to notice that both companies were under the control of a Belgian mother company, which was empowered to appoint all the senior positions.

New developments of the policy relating to the port have now taken place and a new convention of concession has been adopted to conform with Burundi's new economic context.

Positive steps have been taken in order to initiate the privatisation of the company. As part of a strategic planning process the programme is expected to improve the performance of the port. At the same time, there are new expectations that the private investors will have better participation, especially in the area of the transport industry.

According to the provisions of the new convention, the majority of the capital shares are to be owned by the private investors (individuals and private companies). On the other hand the government is to hold only 49% of the shares so the majority control will be transferred to the private sector.

In the long run the process is expected to benefit the national economy, by stimulating the competitiveness among the different operators. The process is intended to progress
until the privatisation of the company is achieved. This is the objective of a long term plan of privatisation.

The port, which is government owned, is expected to be operated as a landlord port whereby the private investors are given opportunity to make additional investments requested by the participating businesses.

A free port regime has been created in the port zone to stimulate import and export activities. The creation of a free port regime is part of the government policy aimed at diversifying the economy by encouraging import-substitution activities.

The government has also provided incentives to stimulate activities re-export of goods. It has attempted to create the necessary legal framework mainly by adapting existing legislation and permitting fiscal measures dedicated to secure private investments. After an assessment of the relevance of an industrial free zone including a free-port, a move was made to develop a commercial free zone.

The interest for a free-port may be based on the following considerations:
The free-port has a potential to use Burundi's strategic location in developing important logistic activities for storage and redistribution. At the same time the free-port might ease access to the East-African market.

The effectiveness of the free-port is supported by its functions. A free-port is a designated area in the harbour, which is not subject to customs control. All the goods entering the designated area for re-export are duty and customs exempt so that it constitutes important savings and generates substantial revenues.

The port of Bujumbura is well located as a potential crossroads between several neighbouring countries. It might under the free-port concept serve better than it used to do in the past as an alternative port of transit for both Zairian and Rwandan cargo in transit in using the Central Corridor to the port of Dar es Salaam. Bujumbura is acknowledged by Reyntens (p205) as "the principal port, for both passenger and freight traffic on Lake Tanganyika, and the greater part of Burundi's external trade is dependent on the shipping services between Bujumbura and Kigoma". (4)

In addition to supplying freight to this transit corridor, Bujumbura may act as a major gateway to be used by all these countries for their access to major world markets (Europe, South-East Asia, Far-East, Gulf States). Therefore, the port
could use these opportunities to evolve into a major trading place in the region.

Looking at the future, beyond the current capacity of the port, Burundi is a member of the Preferential Trade Area (PTA). This is a grouping of 22 eastern and southern African states. The area covered by these states represent a tremendous potential market. In fact, it is considered now that "the Preferential Tariff Area is currently the largest sub-regional organisation in Africa covering most of the countries in eastern and southern Africa". (5)

In other respects, recent developments and the political changes taking place in South Africa are seen to have positive implications for economic growth. There are grounds to hope of a sustained process of development and stability in the region.

This potential arising in the southern part of the continent enhances the possibilities of improvement for Burundi's economic conditions. Therefore, this calls for adaptation to the changes. The point is whether this country will take the necessary steps in order to benefit effectively from the new opportunities.
In addition, the port of Bujumbura which is well equipped, was modernized in the early 1990s. Today, according to various relevant studies, it is considered to have a sufficient capacity for the handling of all the available cargo for both imports and exports. (6)

Its performance was significantly improved mainly by the introduction of a computerised system (SYDONIA), which is operational now, for customs information.

The efficiency in the management of the port of Bujumbura has a well established and good reputation. According to the International Journal of Transport Economics, "the type of mixed private-public ownership of the port may have good lessons to offer to other Sub-Saharan African Countries". (7) Obviously, this does not mean that perfection has been achieved. However, it gives encouragement to go ahead with follow-up measures.

The key position of the port within the sub-region also derives from that it is nearly the sole inland waterway port for both cargo and passenger traffic along Lake Tanganyika. The importance of such a position lies in that the largest part of the traffic to and from Burundi depends on the local shipping services. Commercial ships sailing under national or foreign flag call regularly at the various ports linking the different countries of the region to each other.
4.4. ROLE OF A NATIONAL FLEET

Rather than a discussion on detailed figures and statistics relating to the national fleet, the aim of this section is to highlight and stress the principle of having a national fleet and the importance of a merchant fleet to the national economy.

Burundi's fleet is of modest size. In terms of carrying capacity, its tonnage is generally small (30 to 300 tons) and composed of a few ships owned by private companies, with the exception of one small size container ship that is government owned. Most ships, however, are old today because of the fleet having not been renewed for years.

In addition to national flag ships, two small Tanzanian ships were operated as passenger vessels.

As for efficiency of the fleet, it should be noted that the situation is a cause of big concern and calls for reliable improvements in the existing situation. The lack of regular maintenance is likely a cause of the substandard fleet.
It may be considered that the general poor operating conditions of the ships coupled with the lack of skilled inspectors shows that this fleet has not been properly maintained or inspected. This poses a question of the reliability of the services rendered. The question seems to be whether a national fleet in such operating conditions has a sufficient ability to respond to the expectations of the customers.

On account of a need for positive action to be taken to substantially improve the maintenance of the national fleet, the government decided to establish a shipyard in the port area. It was expected that the new facilities offered by the shipyard would improve the situation and, therefore, increase the carrying capacity for both the merchant and fishing fleet.

The source of finance for this government project was provided jointly by the European Fund for Development (FED) and the African Development Bank (ADB).

With respect to specific action needed for the fleet, following the conclusions of an assessment made by the Executive organ of the Economic Commission for Africa (ECA) recommendations were made to undertake emergency actions, of
repair and maintenance, in order to ensure significant improvement of the existing situation.

Irrespective of the number of the operational ships, the national fleet has an important part in Burundi's transportation system. More than 60 per cent of the total imports and more than 90 per cent of the total exports, according to estimates, are carried by the national fleet along Lake Tanganyika. At the national level this represents a significant component of the national economy.

The government policy related to shipping activities has planned an objective of progressive reduction of the dependence on foreign services. Since the total capacity is considered sufficient to carry all the cargo one of the government's priorities is to improve the existing carrying capacity by ensuring appropriate operating conditions rather than increasing the number of ships.

The following are figures relating to the composition of the existing fleet.

3 line tugs
7 self propelled vessels
2 tank barges of 532 tons capacity each
9 general cargo barges totalling a capacity of 5,242 tons.
The average turn around time is five days for oil barges and eight days for other types of carriers. However, the total capacity of the fleet is not fully exploited. According to the best estimates a peak of 70 per cent can be reached with a carrying capacity of 26,000 tons of oil products and 324,000 tons of general cargo for a total annual average of 350,000 tons. (8)

The figures above, based on the statistics of the years 1986-1990, have led to the conclusion that the carrying capacity of the national fleet was sufficient to absorb the total volume of the traffic provided. However, it appears that this objective cannot be reached unless necessary steps are taken to ensure proper maintenance of the ships.

Despite the optimistic estimates mentioned above, the Economic Commission for Africa highlighted in its report the uncertainty which would result from relying only on national services for the transportation of strategic products, such as oil, unless new vessels were purchased.

The merit of the report was to effect changes in the common assumption that the national fleet was sufficient for the carriage of the total cargo available.
4.5. ORGANISATION OF THE TRANSIT SYSTEM

The main transit routes from Burundi to the East African sea-ports conform to the pattern described in the tables below. (9)

<table>
<thead>
<tr>
<th>Route</th>
<th>Mode and distance</th>
<th>Tot. length</th>
<th>transhipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Trough Dar es Salaam (km)</td>
<td>(km)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buj-Kigoma-Dsm</td>
<td>lake 175</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rail 1,253</td>
<td>1,428</td>
<td>1</td>
</tr>
<tr>
<td>Buj-Isaka-Dsm</td>
<td>road 534</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rail 982</td>
<td>1,516</td>
<td>1</td>
</tr>
<tr>
<td>2. Through Mombasa via Kampala</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buj-Kamp-Mombasa road/road</td>
<td>2,022</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Buj-Kamp-Mombasa road</td>
<td></td>
<td>871</td>
<td></td>
</tr>
<tr>
<td></td>
<td>rail 1,338</td>
<td>2,029</td>
<td>1</td>
</tr>
<tr>
<td>Buj-Malaba-Momb road</td>
<td>1,093</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>rail 1,085</td>
<td>2,178</td>
<td>1</td>
</tr>
<tr>
<td>3. Through Momb. via lake Victoria</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buj-KIsumu-Momb road</td>
<td>376</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>lake 440</td>
<td>1,748</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>rail 932</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buj-Kisumu-Momb road</td>
<td>376</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

69
The first and main transit route used by Burundi's traffic is the so called "Central Corridor" Bujumbura-Kigoma-Tabora-Dodoma-Morogoro-Dar es Salaam (map 3).

This corridor, which has a vital importance, originated from the Belbase Agreements, discussed earlier in chapter 3.

The second consists of an alternative transit route Bujumbura-Kigali-Kampala-Nairobi-Mombasa, called the "Northern Corridor". (also map 3)

This corridor relates to the transit routes linking the port of Mombasa (Kenya) to the land-locked countries of Uganda, Rwanda, Zaire and Burundi.

The Northern Corridor is longer than the Central Corridor. It crosses the different countries having different administrative regimes. This adds, in many instances, to the difficulty of the distance separating Burundi from the sea-coast. Both transit corridors are the pillars of the whole transit transportation system between Burundi and both transit ports used by it.
On the other hand, they have each a specific legal regime which is based on a respective transit arrangement. In the next sections the main problems and constraints to these transit regimes are briefly described.

A third corridor which is gradually gaining importance is the Southern Corridor. Through this route, imports from Southern Africa, which include mainly cement and sugar, are transported across Lake Tanganyika from Mpulungu and Kalemie to Bujumbura.

There is here a potential for new markets and extension of this alternative route owing to recent changes in the political environment of South Africa. Depending on the success of the route, Burundi is in a position to ensure the handling of the cargo in transit from Southern Africa to both Rwanda and Uganda in particular.

4.6. POSSIBILITIES OF OTHER ALTERNATIVE TRANSIT ROUTES (10)

All-Road Route between Dar es Salaam and Bujumbura
Road transport between Dar es Salaam and Bujumbura has increased during recent years. Trucks use the route, Dar es Salaam-Dodoma-Singida-Lusahunga-Kobero-Bujumbura, which is mainly used for transporting the coffee export from Burundi. No railways exist in Burundi. (Map 4)

All-Road Route between Mombasa and Bujumbura, via Mwanza

The traditional route through Uganda and Rwanda was closed because of war in neighbouring Rwanda since October 1990. Due to this situation, Burundi's traffic along the Northern Corridor was diverted to an alternative route through Tanzania, via Mwanza (Tanzania) and Kobero (North-East Burundi). In terms of the distance the alternative route has nearly the same length as the main route through Uganda. The main export commodity transported to Mombasa is tea while imports include petroleum products collected from the Nairobi Terminal and other goods imported from Kenya.

4.7. TRANSIT INFRASTRUCTURES AND FACILITIES

The road network within Burundi is in a good general condition. The road from Bujumbura to Rwanda border has been rehabilitated with EEC assistance. The road linking
Map 4  Railway network in East Africa

Source: The Land-locked of Africa 1973
Zdenek Cervenka
Bujumbura to the Tanzania border has also been improved, including the construction of a modern lorry parking area at the border post of Kobero (North-east).

According to various studies (see also note 6 above), the port of Bujumbura has capacity to handle at least 400,000 tons. Projects aimed at improving the port having been completed it is not envisaged that additional capacity will be required in a short term.

With respect to suppliers of transit services, transportation services are currently being provided by private road hauliers, both internationally and regionally based following the collapse of the government owned road haulier operating in both the Northern and Central corridors. Burundi's registered trucks provide the bulk of road transport services.

Lake transportation between the ports of Kigoma and Bujumbura is mainly provided by "ARNOLAC" which is a national shipping company. Other private companies also provide lake transportation services between Bujumbura and Mbulungu (Zambia) for the cargo carried to and from Southern Africa. Part of the cargo is transported through Tanzania Railway Corporation's rail network to the port of Kigoma, the bulk being handled by "Agence Maritime Internationale" (AMI).
Insurance services for the coverage of the transportation activities in the past were restricted to use of "SOCABU" (Burundi Insurance Company), a public-owned company. Other private companies however have now been allowed to insure the import cargo.

The Ministry in charge of the sector elaborates relevant policies. Until 1992 the government owned the public company, which had a monopoly for road transportation activities along the Northern Corridor but has now collapsed.

There are no particular conditions imposed on transporters. Thus, distribution of the market follows supply and demand, with the exception of strategic imports, like fuel and cement, for which the Ministry of Commerce used to set transportation tariffs. However, new developments favouring liberalisation of the economy and based on the rule of supply and demand have reduced direct government involvement.

As for transit regulations, Burundi is also passing a regulation relating to axle load limits and vehicle dimensions, which complies with the Northern Corridor Transit Agreement (NCTA) and Preferential Trade Area
regulations. Valid third party insurance cover is also a requirement.

Burundi has made attempts to diversify potential transit routes. It also has signed with the Tanzania's government an agreement allowing to build and own a terminal in Dar es Salaam port area with the objective of improving the movement of the traffic in transit.

In the area of customs procedures and documentation, the Road Custom Transit Declaration (RCTD) has replaced other customs transit documents which have to be logged with the customs on entry and exit, together with other trade documents such as commercial invoices.

4.8. TRANSIT AND OPERATIONAL CONSTRAINTS

Burundi is affected by poor road conditions on the Central Corridor. As noted previously a case in point was the road from Nyakahura (Tanzania) to Kobero (Burundi), which lies within Tanzanian territory. This road is unpaved and of little strategic importance for Tanzania. It was repaired and maintained by the Burundi government's services with the EEC financial support.
The trucks using the Central Corridor are affected by a unsatisfactory road infrastructure which renders the operations more difficulty during the wet season.

The axle load limits applicable in Kenya which affect petroleum carriers also affect operations in Burundi. This is likely to happen in the Central Corridor when measures are introduced here as well.

Within Lake Tanganyika, the capacity to transport fuel is limited. Transport of fuel to Kigoma is under the control of Tanzanian oil companies, and this makes it difficult for Burundi companies to get adequate supplies at all times despite costs being considerably lower relative to road routes via Dar es Salaam or Mombasa. There are also erratic delays in the rail/lake route through Kigoma, which are connected with the interface and operational constraints within Tanzania Railway Corporation.

4.9. TRANSIT TRAFFIC AND COOPERATIVE ARRANGEMENTS

Transit routes and procedures along the Central Corridor are informally based on the Belbase convention of 1921. Under this arrangement, AMI (Agence Maritime Internationale)
was given the franchise of ownership and management of the Belbase sites at both Dar es Salaam and Kigoma Ports.

Following the nationalisation of Belbase sites by Tanzania government in 1971 AMI continued to act as a government agent. It is important to note that a preferential treatment is granted to ZBR (Zaire, Burundi, Rwanda) cargo consigned through AMI. Still, today, the cargo moved has fallen to less than 50% of all the transit traffic. The lack of an agreement of the parties on the terms of compensation has now resulted in uncertainty and unsolved legal problems.

The Northern Corridor Transit Agreement concluded between Burundi, Kenya, Rwanda, Uganda and Zaire came into force in 1986. It established a comprehensive framework for the facilitation of transit traffic through the Indian Ocean port of Mombasa to the land-locked hinterland.

The main objectives of the Agreement were to grant the right of transit overland to facilitate the fluid movement of goods in transit. This objective was to be achieved through the implementation, by member states, of the provisions of the various protocols.

The Agreement also established as the highest organ a "Coordination Authority" composed of the heads of the
ministries responsible for the transportation sector in the respective countries. An Executive Board composed of Permanent Secretaries responsible for transportation, and a Permanent Secretariat assist the ministers and are responsible for the achievement of the objectives of the Agreement.

The main provisions and protocols of the Agreement relate to the transit routes and facilities, customs control, documentary requirements for transit by road and rail and insurance.

The implementation of the provisions relating to customs procedures and documentation gave place to the introduction in 1989 of the "Road Customs Transit Declaration" (RCTD) to replace a variety of national documents.

The Road Customs Transit Declaration, as a unique document, has obviously reduced transit time and cost along the corridor through the elimination of cumbersome transit procedures and documentation requirements.
4.10. THE PREFERENTIAL TRADE AREA FOR EASTERN AND SOUTHERN AFRICAN STATES TRANSIT REGIME

The provisions of Article 19 and Protocol V on Transit Trade and Transit Facilities are primarily aimed at facilitating regional trade and transit traffic.

Article 19 especially commands member states to grant each other transit rights and to take measures to harmonize customs regulations and procedures to facilitate the movement of goods and services along national frontiers.

Protocol V elaborates on the establishment of a uniform regional transit regime covering licensing of carriers, approval of means of transport, customs security for transit goods, transit documentation and procedures.

The above provisions are supplemented by the Protocols on Customs Co-operation, Transports and Communications, simplification and harmonisation of Trade Documents and Procedures, and third party motor vehicle insurance ("yellow card"), standardised railway transport documentation, harmonised road user charges for transit vehicles, axle load control and standardised customs seals.
Member states are responsible for licensing transit operators in the respective countries. Only vehicles complying with this requirement and so licensed are agreed for transit transportation activity. These vehicles also must be covered by valid insurance, while transit operations must be under cover of the Road Customs Transit Declaration document.

Goods and vehicles in transit are exempt from payment of import duties and taxes provided that an appropriate bond or guarantee is executed. Transit goods are also exempt from customs and examination en route unless irregularity is suspected.

4.11. ROLE OF INTERNATIONAL CONVENTIONS

Burundi as a member of the international community has established relationships by conventions with several international and regional organisations. These conventions form the international legal framework within which cooperation with the different international institutions is carried out.
On the regional and sub-regional levels, cooperation with the relevant institutions should be considered as being a priority for the interested governments. In this respect Burundi, like other countries in the same sub-region, cannot alone solve its transit problems without a positive cooperative action with its neighbours.

In the area of co-operation, Burundi, as a land-locked country, has adhered to various bilateral agreements and international conventions relating to the transit traffic.

Generally speaking, difficulties based on various reasons, some of which are specific to the individual parties, may in a negative manner affect the process of ratification and, therefore, the implementation of such conventions.

In many instances the difficulty is connected to the interests of the individual states in the sense that they may not be consistent with the objectives of the conventions. Other causes of difficulty in the ratification or implementation of the conventions are due to the fact of not knowing the exact objectives and implications of the conventions.

The second category of reasons seems to apply, for the case of Burundi. Positive steps will be taken hopefully so as to
enhance the national awareness since this is a key to effective implementation of the conventions.

In the area of the conventions on transit, the New York Convention, which Burundi is a party to, might be considered as being of critical importance. This convention is especially important for Burundi as a land-locked country because it addresses comprehensively the rights and duties regulating the relations between the land-locked and transit states.

Burundi, like its transit neighbours, has also adhered to the General Agreement on Tariffs and Trade (GATT) and the Kyoto Convention on customs matters. However, there are other conventions which have not yet been formally adhered to, although the principles involved are agreed practices in international trade. As far as the transit traffic and legal regime are concerned, the ratification of the following relevant international instruments should be recommended: the Multimodal Convention, the TIR Convention, the Convention on the Carriage of Goods by Sea and the Convention on the Carriage of Goods by Road/Rail.

The present chapter has been subject to a discussion on the domestic policies and international instruments that allow Burundi to organize and develop a national maritime sector or related activities. The role of specific arrangements
especially through bilateral co-operation has been stressed in this respect. The concluding chapter consists of conclusions and recommendations for prospective actions as is the government's role.

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See also: Note (6) above.
CHAPTER 5

GENERAL CONCLUSIONS AND RECOMMENDATIONS

5.1. CHALLENGES FACED AND THEIR AMPLITUDE

Any attentive analysis reveals that challenge is part of the development process. Challenge, as a key element of the process, is worrying for some but exciting for others. It is a general feeling that challenges are found all the way along with regard to development. However, there is no reason to reduce one's effort when faced with unexpected challenges in every day.

Countries and humans alike are faced with major challenges which, very often, call for imaginative action. In the case of a land-locked country, like Burundi, the task might be quite complex. Burundi should move ahead and establish long-term goals when planning for the future.
5.2. COMPLEXITY OF THE PROBLEMS FACED
AND PERSPECTIVES OF SOLUTION

Burundi has major cause for concern over no access to the sea because this adversely affects possibilities for development of a maritime sector. Possibilities for development are aggravated by other factors as well, such as the small size of the country, density and the rapid growth of its population. Not the least of the factors adversely affecting development are the scarcity of financial means and lack of human resources.

Above all, circumstances that result in political instability, both locally and regionally, necessarily have adverse effects on economic growth of the countries concerned. In fact, the different countries of the sub-region are inter-related in such a way that events affecting an individual country cause similar effects within neighbouring countries.

In the area of transit traffic, specific problems faced by developing land-locked countries in general can be succinctly summarised. In one respect, these problems are generally based in the fact that the land-locked countries and their coastal neighbours are often engaged in
inappropriate competition for overseas markets instead of working in a complementary fashion. The United Nations Conference on Trade and Development has rightly considered this problem as follows:

Unlike in Europe, where there is a high volume of intra‐regional trade and where land‐locked and coastal States each have a mutual stake in efficient transit systems, the structure of the economies of both the land‐locked developing countries and the coastal transit States is strongly oriented towards overseas markets and sources of supply. The implications of this orientation are different for coastal States on the one hand, and land‐locked States on the other.

(1)F

In another respect, land‐locked countries are faced with a lack of high added value of the intra‐regional trade in comparison to developed economies.
5.3. GENERAL SUGGESTIONS

It may be concluded that being land-locked introduces an additional level of complexity on such a country's competitiveness in international trade. It also may be considered that the degree of the effect of being land-locked depends to a large extent on the resources available to the particular country, the access of its key exports to the major markets and its quality management.

Despite all the negative effects and constraints of being land-locked on Burundi's economy, the geographical location should not be seen as a fatal defect to participating in international trade. Burundi can benefit from various other factors which might enable it to play a positive role in the region.

To this end, positive steps must be taken to promote activities dedicated to the development of the maritime sector. These steps may be summarized as follows:

- Necessity to change current mentality

This implies necessary changes in attitudes and common understanding of maritime issues. Clearly, it means that
psychological barriers and resistance to changes must be overcome.

The geographical location on the shores of Lake Tanganyika might allow Burundi to play a major role in intra-regional shipping. The lake ties at least four countries together and the economic entity (Preferential Trade Area for Eastern and Southern African Countries) of which Burundi is a member might show good prospects for economic growth in the near future.

Concerning proposals existing for the creation of, and Burundi's participation in, a jointly owned multinational Shipping Company on Lake Tanganyika (2), the following arguments may be considered:

Such a project, involving the countries bordering the lake (Burundi, Tanzania, Zambia and Zaire), would allow Burundi to take advantage more effectively of the right of access to the sea. The author's personal view is that a successful multinational company of this type cannot be found on the continent of Africa. Conversely, examples of failure due either to conflicting interests or error of management are common and risks of repetition of identical mistakes are not to be excluded.
common and risks of repetition of identical mistakes are not to be excluded.

It follows that what is important, and mainly needed, is for each member state to attempt to make their respective transport equipment and management systems efficient and more reliable for their customers. At the same time, cooperation among these countries should be based on a common major goal and the development of their region as a whole. However, this must provide for fair competition among them on a commercial basis.

Learning from the various experiences of some countries and extending sub-regional co-operation to others which are not Burundi's traditional partners in the sub-region, such as Malawi, also land-locked, or Mozambique have been suggested as a means of expanding the possibilities of trade within this interior region and supporting common interests for access to the sea. (3)

In the author's view, the absence of traditional relations and trade with these countries cannot be considered as an obstacle in itself. However, the point is that this alternative would not better solve Burundi's major problems. In terms of the distance, any potential transit route to the Indian Ocean's ports of Maputo or Beira (Mozambique) would
be longer than that to the ports of Dar es Salaam and Mombasa, traditionally used by Burundi.

In addition there is no evidence that the inland connections within these two countries are more reliable than those tying Burundi to both Tanzania and Kenya. Anyway these ports, once they are used by Burundi's import and export cargo, would be taken more as ports of expedition or destination than of transit. It might be concluded on this point that access from the port of Bujumbura to Maputo or Beira, in this instance, would be more difficult and costly than it is to the ports of Dar es Salaam or Mombasa. However, an efficient shipping service operates regularly between Burundi and the port of Mpulungu (Zambia). This could help Burundi's operators target both Zambia and Mozambique as segments of a potential wider market, including South Africa and Botswana. The latter would serve as a country of both destination and transit for Burundi's cargo.

Investigation of commercial prospects have recently been initiated by Burundi for access to South Africa's market. (4) With Zambia and, though to a lesser extent, Zimbabwe, trade with Burundi has been effective for years.
Concerning possibilities of benefiting from the experience of countries such as Zimbabwe or Botswana, this might be relevant in the sense that the first country, in particular, maintained active co-operation with its neighbours with the view of avoiding extreme dependence upon a single gateway through South Africa.

Both Botswana and Zimbabwe are seen as countries that have progressed well in their development process. As such, it may be wise to learn from their success rather than others' failure.

Concerning European land-locked countries, such as Switzerland or Austria not facing the same problems as the African countries mentioned above, their experience is quite different. Though non-coastal, Switzerland is connected to the North Sea by the Rhine which is entirely navigable. Both Switzerland and Austria are highly industrialised, and thus equipped with well performing transportation and communication systems. Still, for both countries, may be thought of as "Geographically Disadvantaged States" (5) their experience can be useful in terms of possibilities of technology transfer for their land-locked counterparts in Africa.
In addition, Switzerland's experience in the area of the organization of a national Maritime Administration structure holds great meaning for Burundi. Positive improvements of the organizational structure of Burundi's maritime sector could be based on the Swiss experience since this country has a national well-organised ocean going fleet even though Switzerland is not a coastal State, (6) and this fleet never calls at Switzerland's ports.

The originality of the structure and functions performed by the Swiss Maritime Navigation Office, as an organisation responsible for international aspects of national Shipping and implementation of IMO Conventions merit particular attention by Burundi.

To summarise, both Lake Tanganyika and the port of Bujumbura, as two key elements of development of Burundi's maritime sector, are in a position to play an increasing role. In fact this is due to the new perspectives of integration of two major markets in Sub-Saharan Africa formed by the S.A.D.C. (Southern African Development Community) and the P.T.A. (Preferential Trade and Tariff Area). Their integration into one common market is expected to be effective by the end of the present decade. (7)
- Necessity of a favourable regional co-operation environment with enhancement of Burundi's ties to the Preferential Trade Area in particular.

Burundi has, with the other members of the organisation, economic ties which are rooted in the Belbase Agreement. This provides a key basis for Burundi's transport to become integrated with the Tanzanian Railways Corporation (TRC) system. Therefore, the current integration into P.T.A. (Preferential Trade Area) may be considered as a logical consequence of these historical ties with neighbouring Tanzania.

Significant importance should be attached to the potential for Burundi's co-operation within the Northern Corridor Agreement. The following are activities which may be suggested to enhance such co-operation among the member states:

First, enhancement of national capacity building by sound policy development through education and strategic planning in particular.

Second, development of communication systems and abolition of language barriers among the state members, with adoption of English as a language commonly used by all.
Obviously, this implies changes in Burundi's educational system as a means of allowing Burundi greater efficiency in all aspects of communication with English speaking partners. This means that Burundi should decide on effective integration of English language as mandatory at all levels of the teaching programmes so as to adapt rapidly.

Third, protection of territorial waters of Lake Tanganyika against potential pollution from increasing transportation uses is a new challenge for the future in the sense that Burundi is not prepared for environmental disasters. Even if no major incidents have yet occurred, it is suitable to consider that Burundi needs to be prepared for the unexpected and thus set up national policies, including a national contingency plan. This would enable the country to take quick action, when needed, to face efficiently risks of accidental pollution.

Fourth, in the area of international conventions, particular steps should be taken to enhance the national organisational machinery for implementation of relevant international conventions. To this end, the national legislation should be upgraded following, among others, the ratification of major IMO Conventions.
It is the author's opinion that Burundi's government should not consider that merely being signatory to international Conventions is a satisfactory objective in itself. Rather, what is more significant is their implementation. This implies that the national legislation must be upgraded to comply with international standards and legal requirements, followed by effective enforcement. In fact, this would benefit both the country and the international community alike.

In the area of sub-regional co-operation by sub-regional Arrangements among the parties, the following position of UNCTAD's Secretariat merits mentioning:

What is important is that a mechanism for regular dialogue exists because, without this, meetings are only convened to resolve an impeding crisis. Clearly, where several countries and different modes of transport are involved, establishment of small secretariats and intergovernmental consultative machinery for regular consultation is a good investment.(8)

In this respect, the steps taken by both Burundi's and Tanzania's governments, having established in 1981 a "Technical Joint Committee on Transports and
Communications," can be considered as positive as it is still operational.

The Committee is responsible for making a comprehensive assessment of the problems relevant to the sector including the bottle-necks which hamper transit operations between the two countries. Then, the Committee elaborates remedies to the problems so identified and recommends to respective governments the necessary action.

5.4. FINAL CONCLUSION

The present study has focussed on major challenges faced by Burundi. The economic impacts of being land-locked has been addressed with reference to both the general concept and Burundi's particular case.

The distance concept, or remoteness from the sea, has been identified followed by a conclusion that it is not the only factor to be taken into consideration in the evaluation of the impacts of the geographical location. Other factors are also involved, such as the availability of reliable means of communication and efficient inland infrastructures.
For Burundi's particular case, influence of geographical and historical factors, has been highlighted. Similarly, the role of the international law relating to the status of the land-locked developing countries has been reviewed.

The discussion has included various geographical and historical factors that have linked Burundi and the maritime sector of the neighbouring state of Tanzania.

Major issues related to the maritime sector, and related matters, have been investigated, with identification of Burundi's lack of a maritime tradition as a major impediment to a global awareness of the complex problems faced by the maritime sector.

The discussion has also identified and stressed prospective actions which should be implemented in order for the global needs of the maritime sector to accommodate transit traffic.

The author has placed emphasis on the benefits and great potential of intra-regional co-operation in the particular areas covered by the present study.

Tentative analysis has led to a conclusion that Burundi has good chances of playing a key role within the Preferential Trade Area's community in the years to come and, therefore,
should be prepared for it. The point is, as mentioned in previous chapters, whether Burundi will be wise enough not to spoil these chances and clever enough to turn them into opportunities.

As expressed by Rowntree D. (1993, page 11): "The more you can find reasons to do what you have to do, the more energy you are likely to put into it and the more you are likely to get out of it". (9)

The author holds high hopes that Burundi's people take positive steps, individually as well as collectively, to make the above a part of their beliefs. In fact, neither an individual or a state could find a better way of achieving a major goal.

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(3) This refers to relevant suggestions made by Professor Sampson, the author's Course Professor, and other comments during the presentation of the topic to the author's colleagues in the GMA course in October 1994.


(5) These aspects are discussed in section 2.1.5, above.

(6) See note (3) and, also, supplementary information collected during the author's field-trip to the Swiss Maritime Navigation Office (Basel) in March 1994.


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countries

Table 5: Export value and purchasing power of exports
of the land-locked developing countries

Table 6: Import value and volume of the land-locked
developing countries

ANNEX 2: INTERNATIONAL TREATIES
ANNEX 1

STATISTICAL TABLES
<table>
<thead>
<tr>
<th>Country</th>
<th>Area (thousand $km^2$)</th>
<th>Distance to the sea (km)</th>
<th>Population Density (population per km$^2$)</th>
<th>Total Population (million)</th>
<th>Average Life Expectancy at birth (years) 1990-1995</th>
<th>Infant Mortality (per 1,000 live births) 1990-1995</th>
<th>Urban (percentage) 1990</th>
<th>In agriculture 1990</th>
<th>In industry 1989</th>
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Source: IRU. World Transport Data 1990:
IRU. World Road Statistics 1985-1989, edition 1990:
ICAO Digest of Statistics. Airport Traffic 1990:
ESCAP. Statistical Yearbook for Asia and the Pacific 1990 and national sources.

Data refer to 1989 or latest year available.
Table 3: Freight as a percentage of c.i.f. import values for selected group of countries

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2. Burundi, Rwanda, Uganda, Zambia.

Source: IMF, International Financial Statistical Yearbook
Table 4
Payments to foreign carriers for transport service as a proportion of total exports of goods and services

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Source: UNCTAD secretariat, mainly based on information from the OECD secretariat, UNCTAD Handbook of International Trade and Development Statistics and the IMF.

<sup>a</sup>/ Total external short-term and use of IMF credit.
<sup>b</sup>/ 1989.
<sup>c</sup>/ 1987.
<sup>d</sup>/ 1988.
<sup>e</sup>/ 1986.
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<th>Country</th>
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Note: Annual average growth rates are based on an exponential trend function.

a 1990 data.
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Note: Annual average growth rates are based on an exponential trend function.

a 1990 data.
### Sub-regional and Bilateral Agreements between Land-locked Developing Countries and their Transit Neighbours relating to transit, rail, road and port facilities

<table>
<thead>
<tr>
<th>Land-locked Developing Countries</th>
<th>Sub-regional and/or Bilateral transit agreement</th>
<th>Free trade areas</th>
<th>Customs unions</th>
<th>Currency unions</th>
<th>Joint ownership railway agreements</th>
<th>Inter-railway agreements</th>
<th>Bilateral agreement on ports</th>
<th>Reserve port</th>
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<tr>
<td>Botswana</td>
<td>SACU¹ NOU</td>
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</table>

¹ SACU: Southern African Customs Union
² NOU: National Oceans Union
³ SADC: Southern African Development Community
⁴ CEAC: Central Equatorial Africa Customs Union
⁵ BCEAO: BCEAO (Burkina Faso, Côte d'Ivoire, Ghana, Mali, Senegal)
⁶ TRIE: Tripartite Community for Economic Integration
⁷ NCTA: National Common Transport Authority

Sub-regional and bilateral agreements facilitate the movement of goods and services between land-locked developing countries and their transit neighbours, ensuring smoother trade flows.