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KenTrade

Trade Made Simple

KenTrade News

www.kentrade.go.ke

A publication of Kenya Trade Network Agency (KenTrade)



Basil Criticos

STEERING KENTRADE: 2023-2026

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CEO'S MESSAGE



Welcome to this latest issue of our quarterly newsletter, the KenTrade News. This is our last publication in the Financial Year, 2022/2023 and therefore a wrap for the year.

We close the year with a leadership transition in our Agency.

Hon. Basil Criticos was appointed the Chairman of KenTrade Board of Directors effective May 26, 2023, taking over from Mr. Mugambi Imanyara. We thank Mr. Imanyara for his service and wish him well in his future endeavour.

In this issue we highlight some key developments including the trade facilitation initiatives and attempts to simplify them to our audience. These include the recent conclusion of the 7 years negotiations between Kenya and European Union marked by signing bilateral trade deal. We explain what this means to Kenya traders and especially export farmers. We also examine the increase in the use of Artificial Intelligence with focus on imports and export trade business.

Also of interest is the highlights on the state of trade facilitation in Kenya where we tap into our business intelligence tool to draw insights on the performance of our trade economy over the last quarter. This entails examining the key performance indicators at the Port of Mombasa in regard to the trade facilitation services of permit issuing and regulatory Partner Gov-

ernment Agencies. We share statistics highlighting not just the volumes and flow of trade but also time taken to process permits and clear inbound and outbound cargo at the ports.

We take a deep dive on your public safety and what you must watch out for as a road user. We do so because we consider this is an important responsibility to both our staff and stakeholders.

We update you on our compliance status on the Presidential Directive to integrate our public services with the e-Citizen Payment Gateway platform and with the Commission on Administration of Justice (Ombudsman) where our Resolution of Public Complaints have been ranked at 100% score for the Financial Year 2022/2023. This therefore explains why we have dedicated a page on reminding you of your rights on access to information and our obligations. We hope you enjoy reading this newsletter and look forward to your feedback.

Feel free to contact us via our official e-mail contact marketing_communications@kentrade.go.ke or via our phone lines +254 709 950 000 / +254 204 965 000 and through any of our official social media handles; @KenTradeG2B for Facebook and @KenTrade_G2B for Twitter. Enjoy the read.

David Ngarama
Chief Executive Officer

The *KenTrade News* is a quarterly publication for circulation to our stakeholders. It is available on our website, www.kentrade.go.ke

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MISSION, VISION, CORE VALUES & TAGLINE

Vision

A Global Leader in Trade Facilitation

Mission Statement

To facilitate trade by simplifying, harmonizing and automating business processes through effective and efficient management of the National Electronic Single Window System and provision of related services for Kenya's global competitiveness.

Core Values

Customer-Centric, Integrity, Excellence, Innovation and One KenTrade

Tagline

Trade Made Simple



How KenTrade is driving Kenya's trade economy

By Antony Muchene

Kenya is witnessing a significant turnaround in the international trade facilitation sector with available data indicating improved compliance, revenue collection and traceability of payments thanks to the reforms initiated by KenTrade with the support of Partner Government Agencies (PGAs).

The massive digitization of international trade processes at the Kenyan border posts and international ports is now anchored on the statutory requirement that private and public institutions involved in cargo clearance integrate their services with National Electronic Single Window System (NESWS) managed by KenTrade.

Integration of all trade-related procedures into a single platform has allowed traders to submit all their trade documents and receive approvals from various government agencies involved in trade facilitation. As a result, the time taken to clear goods has reduced significantly, with some shipments being cleared within 24 hours.

KenTrade ensures that all traders comply with the standardized procedures and regulations set out in the NESWS by providing training and capacity building and positive engagements with PGAs. Regular monitoring and evaluation help to identify and address any compliance issues, ensuring that the system operates efficiently and effectively, ultimately facilitating international trade in Kenya.

In the last 7 years KenTrade has assisted the government to collect over 6 Billion paid as permit fees and levies. The first quarter of 2023 has broken the record of revenue collected on the NESWS, this has been caused by automation of payment processes and addition of Partner Government Agencies (PGAs) to the platform.

Over the past few years, there have been significant improvements in the time taken to clear goods in Kenyan ports. In 2020 for instance, it took an average of 5.6 days to clear cargo for export. This reduced from 4.6 days in 2021 to average of 4.1 days in 2022.

This reduction in clearance time means that the export clearance process has become more efficient and effective due to various initiatives aimed at streamlining trade processes, improving port operations, and investing in infrastructure development.

For imports, however, the number of days reduced significantly from 8.3 in 2016 to 6.1 days in 2022.

Greater efforts to reduce the time taken to clear cargo for imports can have significant benefits for trade facilitation.

KenTrade welcomes Criticos



Chairman Hon. Basil Criticos (centre) with some of the KenTrade staff based at head office in Nairobi during his inaugural visit

Honourable Basil Criticos who served as Member of Parliament for Taveta Constituency and as the longest serving Assistant Minister for Health is the fourth Chairman of the Board of KenTrade following his appointment on May 26, 2023 for a 3-years term.

Hon Criticos' tenure is shaping up as an exciting phase in KenTrade's 12 years history as the agency gears up for a rebrand, execution of the new statutory Regulations governing trade facilitation in Kenya. KenTrade is also implementing a new 5 years Strategic Plan whose highlights, away from the e-commerce, includes delib-

erate focus on Blue Economy and Small and Micro Enterprises. The expected changes are designed to align KenTrade to the Kenya Kwanza Government Manifesto and Policies, the new realities in global trade environment, and the expectations of KenTrade stakeholders based on feedbacks from recent engagements forums and survey findings.

The Chairman made his inaugural official engagement with KenTrade on June 13 during his visit to the head office Nairobi where he was warmly received by the staff led by CEO, Mr. David Ngarama.



KenTrade Chairman Hon. Basil Criticos in discussion with the CEO Mr David Ngarama at the agency's head office in Nairobi

University of Eldoret Economic Students Tours KenTrade's ICDN Facility



By Wendy Julia

Fourth year students from the University of Eldoret toured KenTrade's trade facilitation offices at the Inland Container Depot Nairobi(ICDN) during which they also familiarized themselves with operations at the Kenya Ports Authority's Dry Port. The students were led by Dr Elijah Ng'eno of the department of Economics at the University of Eldoret. KenTrade's Director of Strategy, Compliance and Business Devel-

opment, Ms. Fridah Kaberia underscored the Agency's commitment to expanding opportunities to the youth through its trade facilitation services. The Manager for Trade Facilitation Mr. Billy Ngumi gave a detailed presentation on KenTrade and led the question-and-answer session that was dominated by students' interest on KenTrade's role in Kenya's economic development. The visit took place on May 10, 2023.

Office of Data Protection Commission certifies KenTrade

Did you know that there is a new privacy law that criminalizes the sharing or monetizing of other people's personal data without their prior or written consent? This law took effect on July 14, 2022 and is known as the Data Protection Act, 2019 and is governed through the Data Protection Regulation 2021. The law criminalizes sharing of or offering for sale personal information and imposes a penalty of jail for up to six months or fines of up to Sh5 million

The law also spells out the role and obligations of organizations including public institutions like KenTrade that handles, stores or process data. The Office of Data Protection Commission is the state regulatory agency, enforcing strict adherence to compliance in which Organizations must register either as Data Controller or Data Processor and where appli-

cable as both. The organization must also establish a dedicated desk manned by a designated staff known as the Data Protection Officer.

In compliance to the requirements of the Data Protection Regulations of 2021 and Data Protection Act 2019, the Agency registered as a Data Controller with the Office of the Data Protection Commission (ODPC). Also, due to the nature of our role – offering the Electronic Single Window System services to Partner Government Agencies, the Agency has been registered as a Data Processor.

This places more responsibility on the Agency staff on how to handle personal data that is processed through the National Electronic Single Window System from Partner Government Agencies. KenTrade is Information Security Management System ISO 27001 certified.

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and get easy access to information on trade processes



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YEARS

OF FACILITATING KENYA'S
GLOBAL TRADE

2022

Understanding the role of Artificial Intelligence (AI) in international trade business



By Adan Bonaya

The impact of AI on international trade, particularly import and export activities, has been profound. AI technologies have revolutionized various aspects of global commerce. It has optimized supply chain management by enhancing efficiency and reducing costs.

Automated customs processes powered by AI algorithms have streamlined documentation, classification, and compliance checks, expediting customs clearance. AI's ability to analyze huge amounts of data enables accurate risk assessment and the facilitation of trade finance and credit assessments.

AI-powered market intelligence provides valuable insights, helping businesses identify new export

markets and make informed decisions. Intelligent customer support through AI-driven chatbots improves customer satisfaction. Language translation tools powered by AI break down communication barriers, fostering collaboration between trading partners from different linguistic backgrounds.

AI technologies like computer vision and machine learning ensure product quality and safety through automated inspection systems.

Additionally, predictive analytics aids importers and exporters in anticipating market trends and optimizing pricing strategies.

However, the rise of AI also raises concerns about job displacement and ethical considerations. Responsible implementation, proper regulation, and addressing these concerns are essential to harness the benefits of AI in international trade while ensuring fairness and ethical practice.

KenTrade's core service is now on e-Citizen



By Juliet Wangechi

You can now access KenTrade's trade facilitation services via the e-Citizen platform following the successful integration of the National Electronic Single Window System with e-Citizen payment gateway.

This is in compliance with presidential directive that also affected all KenTrade's Partner Government Agencies (PGAs)

The January 2023 directive focused on the automation of all government services before the end of 31st May 2023. KenTrade began integrating the National Electronic Single Window System with the e-Citizen payment gateway in 2022 and completed in March 2023.

The Integration allows payments for permits lodged through the Single Window System to be made through the e-Citizen payment gateway. The joint team is undertaking the final configurations to enable payment gateway to go-live.

What you need to know about the historic Kenya-European Union trade deal



Compiled by
Christine Mugure

The European Union (EU) and Kenya concluded negotiations for an Economic Partnership Agreement (EPA) on 19 June 2023. Here are some of the key issues you need to know :

How big is EU-Kenya trade?

The EU's imports from Kenya amount to €1.2 billion and are mainly vegetables, fruits, and flowers. EU's exports to Kenya amount to €2.02 billion and are mainly in mineral and chemical products and in machinery.

Why has EU negotiated agreement with Kenya?

Kenya is one of the key EU partners in Sub-Saharan Africa and the EU-Kenya Economic Partnership Agreement (EPA) aims at implementing provisions the EU-East African Community (EAC) EPA that was concluded in 2014 and will be open for other EAC countries to join. Bilateral implementation is based on a decision of the East African Community from 2021 to let individual go ahead under the principle of "variable geometry".

The application of the regional agreement with the EAC is blocked since 2016, when Kenya, Rwanda and the EU Member States signed the agreement but not the other EAC partner states. The EU-Kenya Agreement will remain open to accession of

the EAC Partner States.

The EU-Kenya EPA will boost bilateral trade in goods and investment flows and contribute to sustainable economic growth. It will also be accompanied by trade-related development cooperation to support economic growth and job creation.

What will the agreement mean for trade in goods?

In practical terms, this means that the EU fully liberalises access to its market immediately upon application of the EPA and all goods from Kenya (except arms) can enter the EU market without tariffs or quotas. Kenya will open its market gradually to imports from the EU, benefitting from transitional periods. In addition, Kenya will be able to exclude sensitive products from liberalization.

How will the deal benefit Kenyan farmers?

Kenya can protect some sensitive agricultural products, either by excluding them from tariff cuts or by keeping the option of triggering safeguards in case of unforeseen, sharp and sudden increase of imports from the EU. Kenya can also take food-security measures where necessary. EU development assistance, through trade capacity-building measures, supports farming and rural employment, and farmers' capacity to comply with sanitary and phytosanitary and other agricultural standards.

This alignment of standards makes it easier to comply with requirements necessary to bring those products into the EU, further opening trading opportunities in the agricultural sector.

KenTrade retains excellence in the Ombudsman's annual ranking on Resolution of Public Complaints

As a public institution, we at KenTrade have an obligation under the Performance Contract with the national Government to ensure we uphold excellence in the delivery of our services and products to our customers, stakeholders and the general public.

We do so by compiling and submitting to the Commission on Administrative Justice (CAJ) -The Ombudsman, a report on how we resolve public complaints. The report Ombudsman would then rate our performance in responding to customer complaints and also queries and feedback.

The Ombudsman gave KenTrade a score of 100% which speaks to the satisfaction of the state regulator on how we attend to our customers and stakeholders. KenTrade would wish to assure our customers that our dedicated support services remains available via the email contactcentre@kentrade.go.ke and Facebook [@KenTrade_G2B](https://www.facebook.com/KenTrade_G2B) and Twitter [@KenTrade_Care](https://twitter.com/KenTrade_Care)

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Public Access to Information

By Sylvia Njeri

"Information is the oxygen of the modern age."
Quote by Ronald Regan.

THE NATIONAL LEGAL FRAMEWORK ON RIGHTS TO INFORMATION

According to the Kenya Constitution: Article 35 – "Every citizen has the right of access to (a) information held by the state, and (b) information held by another person and required for the exercise or protection of any right and fundamental freedom."

Information disclosure

Information disclosure is making public information that was previously unknown. There are two modes of information disclosure:

Proactive disclosure

This is providing information without being compelled or prompted to. According to the Access To Information Act (section 5), entities should proactively publish certain information and update the information annually. While making this information public, entities should be considerate of persons living with disabilities (PWDs), the language used and the context within which the information is relayed. Costs of services should also be factored in considering the most effective medium of communicating this information.

Types of Proactive Disclosure

Periodically updated information such as for procurement contracts, the information is produced on an ongoing basis.

Reactive disclosure

This is providing information after being prompted or when a request is made.

HOW TO HANDLE INFORMATION REQUESTS

(Section 7-13 ATI Act)

The CEO is the Information Access Officer (IAO) according to the ATI Act, and may delegate this duty by appointing an AIO.

Application procedures – applications should be in writing, either in English or Kiswahili, providing a detailed description of the information required.

TIMELINES FOR PROCESSING ACCESS TO INFORMATION (ATI) REQUESTS

- General requests, i.e. those regarding an employee's job grade, should be processed within 21 days.
- Urgent requests for information that the organization may hold that affect someone's life or freedom, should be processed within 48 hours. For example, a situation where someone may be

detained and the organization holds information that would be used as evidence that will set them free, the information is deemed to be very urgent and therefore should be shared within 48 hours.

- In incidences where the information requested needs to be transferred to the custodians of the information, the transfer should be done within 5 days of receipt of the request. The custodian of this information is then required to share the information within 48 hours.
- The requester of the information above, should be informed of the transfer within 7 days from the date of request.

DECISION ON REQUEST TO ACCESS INFORMATION

Decision on requests should indicate: Whether or not the entity holds the information being sought, whether the request for information is approved, if the request is declined, the reasons for the decline should be stated and a statement on how the requester may appeal to Commission of Administrative Justice (CAJ). Where the applicant does not receive any response within the stipulated time, the application is deemed rejected.

PROVIDING INFORMATION

After approval to provide information is granted, the applicant will be notified and advised on the next step.

COSTS

No fee may be levied in relation to submission for an application. A public entity or private body may charge a prescribed fee, but this should not exceed the actual cost of making copies.

The Cabinet Secretary shall make regulations prescribing fees payable for providing information to an applicant.

The Law recognizes the importance of access to information but sometimes information may be withheld by institutions if the law permits such non-disclosure.

This limitation is meant to protect other people's rights based on legal requirements e.g. privacy. The ATI Act (S.6) makes provisions on information that should not be made public, if:

- It undermines the National security of Kenya e.g. information on purchases of military equipment.
- It endangers the safety or life of a person.
- It involves unwarranted invasion of privacy of an individual e.g. personal information.
- It infringes commercial interests of an entity or third party e.g. intellectual property rights.
- It may cause substantial harm to the ability of the government to manage the economy of Kenya.

Service Delivery Charter

By Faith Khatutu & Moses Lesamana

KenTrade's Service Delivery Charter is a formal and public declaration that outlines the Agency's service standards, principles, and promises to its customers. It serves as a written contract between KenTrade and its customers, ensuring transparency and trust in their relationship. The charter encompasses various aspects of service, including but not limited to product quality, delivery time-lines, customer support, and dispute resolution.

Purpose of the Service Delivery Charter

The primary purpose of Service Delivery Charter is to uphold a culture of customer-centricity and accountability within the organization. By clearly stating the service standards, the charter sets the tone for the entire company to focus on meeting and exceeding customer expectations consistently. The document is also designed to build trust, set clear expectations, ensure consistency, and empower customers.

Benefits

Enhanced Customer Satisfaction: There is increased satisfaction and long-term loyalty when customers can commit the Agency to deliver on its promises,

Improved Customer-Company Relationship: The Charter strengthens the bond between KenTrade and its customers. It shows that the company values its clients and is committed to their welfare.

Efficient Problem Resolution: In case of any service hiccups, the charter provides a clear framework for resolving issues promptly and fairly.

Competitive Advantage: Demonstrating a commitment to service excellence through a transparent charter gives KenTrade a competitive edge in the market.

Customer Empowerment: Reading the charter empowers customers with knowledge about the company's commitment to service quality and their rights as customers.

Informed Decision Making: Prospective customers can make well-informed decisions about whether KenTrade aligns with their expectations and values.

Service Understanding: Reading the charter helps customers understand the level of service they can expect, promoting transparency in the company-customer relationship.

Clarity on Processes: Customers will be aware of the steps and processes to follow in case they encounter any service-related issues.

KenTrade Service Delivery Charter reflects our commitment to transparency, trust, and customer satisfaction. KenTrade's Service Delivery Charter is available on our website in Kiswahili and English version. You can access your reference copy of the KenTrade's Service Delivery Charter for free on the link: <https://www.kentrade.go.ke/service-delivery-charter>



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Road Safety Tips

By Rosemary Maina

What to do to prevent an accident

An accident is an unexpected event, typically sudden in nature and associated with injury or loss of life. This article highlights preventive measures and steps to be taken when an accident occurs.

Buckle up

There is no argument for not wearing a seatbelt. Not wearing it compromises your safety and is a traffic offence. Remember, safety must start the moment you get inside the car, and it all begins with having your seatbelt on.

Don't use your mobile phone whilst driving

Making or receiving a call, even using a 'hands free' phone, can distract your attention from driving and could lead to an accident.

Don't drink and drive

Any alcohol, even a small amount, can impair your driving. Be a safe driver don't drink and drive.

Be patient

This is a very sensible safety tip to follow while driving. Several accidents have been caused by impatient drivers rushing to reach their destination. When you exhibit patience while driving, you ensure the safety of everyone on the road, including yourself.

Monitor your speed

Speed is a major cause of fatalities on the road, it is therefore prudent to ensure you are cautious to keep yourself and other road users safe.

Take a break

When heading out for a long journey, make sure to plan stopovers every two hours. This is a simple road safety tip that can save your life. Being tired while driving clouds your judgement of the traffic ahead and increases your reaction time.

Anticipate

Observe and anticipate other road users and use your mirrors regularly. Keep an eye on your surroundings to ensure your safety and that of other road users.

Look ahead

This is another road safety precaution that you must know. Look past the car in front to anticipate if you need to switch lanes or slow down. Doing so helps you to avoid traffic build-ups, debris and potholes.

Be mindful of the weather

In weather conditions such as rain, fog, or mist, you must take extra precautions to ensure safety while driving and follow the necessary guidelines to stay safe in a specific situation you are faced with.

What to do when an accident occurs

Remain at the scene of the accident

Under the Kenya Traffic Act Chapter 403, Section 73, leaving the accident scene is a criminal offence whether you are on the wrong. Ensure to switch off your car engine and turn on and turn on your hazard lights. In case of any deaths inform the police right away.

Call the police

This is required by law even if there are no serious injuries, as a police report is necessary to process insurance claim. They are crucial in ensuring that you receive the necessary assistance in the event of any type of damage, including personal injury to yourself and other road users. Always ensure that you record the names and badge numbers of the police officers who arrive at the scene.

Collect information

Collect telephone details as well as any other information such as names, license plates, the model of the vehicles involved in the accident, date, time, specific location of the accident, names of witnesses, and events leading up to the accident. This information will come in handy when writing the accident or incident report.

Call your insurance company

It is important to call your insurer as quickly as you can, possibly while still at the scene of the accident as they are in a position to advise you on the action to take. Share all the information you recorded during the accident. The information you share should be detailed and factual as this will be necessary when submitting your claim with the insurance company.

Move your car away from the scene

If necessary, you will be required to move your vehicle away from the scene, potentially to the closest police station, after gathering all the essential information. If the vehicle is not in good condition, it may be towed away.

Log on to KenTrade's InfoTrade Portal

and get easy access to information on trade processes



What You should know about the InfoTrade Portal

Information for trade simplification exercise has seen reduction in documentation and duplication of steps as well as the costs as indicated below:

- 53 procedures have undergone simplification.
- 45 steps have been eliminated.
- 66 required documents have been removed.
- 21 steps can now be completed online.
- There has been KES 218,611 administrative burden cost savings for these procedures.
- 93 hours waiting time in the queue, at the counter & in between steps have been saved.

Two valuable commodity export procedures simplified in 2021/2022 and 2018/2019

- Avocado (Parachichi) – the original procedure had 42 processes. Current processes simplified to 39 at JKIA exit point.
- Meat & meat products (Nyama) – procedure had 57 processes, now reduced to 37, through the Port of Mombasa.

Key Functions of the InfoTrade Portal

- A step-by-step guide on procedures required to export, import, and transit goods within the country.
- Documentation of trade procedures.

As of December 31, 2022, the agency (KenTrade) has mapped procedures for 108 commodities, which include all, Export, Imports, and transit procedures. A breakdown of the commodities mapped is:

- 74 commodities have both import and export procedures.
- 28 commodities have import procedures.
- 6 commodities have transit procedures.

Two key procedures that have been simplified are:

- Export of flowers through JKIA). Original procedure had 40 steps while the current procedure has 35 steps.
- Exports of nuts & oils through the Port of Mombasa. Original procedure had 57 steps, current procedure has 52 steps.

CORPORATE ACTIVITIES



We hosted delegation from Strathmore University Business School and University of Texas San Antonio-(UTSA) Centre for Global Development. The focus was on exploring opportunities of partnership in areas of mutual interest.



Elisha Bwatuti of Strathmore University Business School with Director Strategy Compliance & Business Development Fridah Kaberia & Assistant Manager Marketing and Business Development Evelyn Wamae



Director IT, Infrastructure and Security at KenTrade Anne Waweru (centre) in discussion with guests from Strathmore Business School and University of Texas San Antonio-(UTSA) Centre for Global Development.



Our Principal Human Resource Development Officer Magdalene Thiriku (left) share a light moment with colleague William Njoroge (right). Njoroge is a Senior Office Assistant and also a long serving staff

CORPORATE ACTIVITIES



Officials of KenTrade, Kenya Ports Authority and Crimson Logic Singapore pose for a group photo at Inland Container Depot, Nairobi. Crimson Logic team was in a familiarization tour.



Nicholas Mutua of KenTrade speaks during Fire and Safety drill to staff conducted for our ICDN staff by experts from Kenya Police Service



Group photo of our senior management staff. Seated from left is Hellesn Wasike, Anne Waweru & Chrispus Mbogo. Standing left to right: Eric Lukoye and Benard Milewa



KenTrade representatives Hilda Asirigwa (centre) and Vincent Bwire (Right) with Senior customs official at stakeholders event in Lamu Port.



Trade Made Simple

OUR FOOTPRINTS



NAIROBI

Head Office 1st Flr Embankment Plaza,
Longonot Road, Upper Hill, Nairobi.

Trade Facilitation Office,
Inland Container Depot Nairobi (ICDN)
Old Administration Block 1st Floor

BUSIA

One Stop Border Post (OSBP)
Main Building

NAMANGA

One Stop Border Post (OSBP)
Main Building

MALABA

One Stop Border Post (OSBP)
Verification Yard 1st Floor

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