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**COMMON MARKET FOR EASTERN
AND SOUTHERN AFRICA**

Fortieth Meeting of the Management
Committee (TMC) on the Yellow Card Scheme

Livingstone, Zambia
21-22 April, 2016

**REPORT OF THE FORTIETH MEETING OF THE MANAGEMENT COMMITTEE OF THE
YELLOW CARD SCHEME**

A. INTRODUCTION

1. The Fortieth Meeting of the Management Committee (MC) of the Yellow Card Scheme was held in Livingstone, Zambia from 21st to 22nd of April 2016, at Chrismar Hotel.

B. ATTENDANCE, OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORGANISATION OF WORK

Attendance

2. Members of the Management Committee (MC) from DR Congo, Ethiopia, Rwanda and Zambia attended the meeting. The Pool Manager: PTA Reinsurance Company (ZEP-Re) and the COMESA Secretariat also attended the meeting as ex-officio members. Zimbabwe attended as an observer. The list of participants is attached to this report as Annex I.

Opening of the Meeting (*Agenda item 1*)

3. The meeting was officially opened by Mr. Ben Sakala, the Technical Director of ZSIC General Insurance Company Ltd, the National Bureau of Zambia on behalf of the Acting Managing Director. In his opening remarks, Mr. Sakala welcomed all delegates to Zambia and Livingstone in particular and wished them a pleasant stay. He reaffirmed the commitment of the Zambian State Insurance Corporation (ZSIC) General to the regional cooperation and implementation of the COMESA Programmes including the Yellow Card and Regional Customs Transit Guarantee (RCTG CARNET) Schemes.

4. Mr. Sakala emphasized the importance of the Yellow Card Scheme as a transport facilitation instrument that had stood the test of time and well accepted by motorists travelling across borders in the region. He then called upon the Insurance companies members to the scheme to address the challenges in providing efficiency service to travelling motorists and road accident victims to attain the objectives of smooth movement of vehicles, goods and peoples in the region that would enhance trade amongst member states.

5. Earlier, Mr. Debebe Tamene, Senior Insurance Expert representing the COMESA Secretariat welcomed the participants to the 40th Meeting of the Management Committee of the Yellow Card Scheme and thanked the National Bureau of Zambia for hosting the Meeting. Mr. Debebe recalled that the 29th Meeting of the Council of Bureaux empowered the Management Committee to oversee the operations and administration of the Yellow Card Scheme in the Region and henceforth called upon members to thoroughly deliberate on the agenda items and provide guidance and make recommendations that would enhance the efficiency of the Scheme.

6. The Secretariat informed the meeting that the current Chairperson of the Council of Bureaux, namely: a representative from the National Bureau of Rwanda, was not ready to chair the Management Committee (MC) meeting and the Vice Chairperson, a representative from the National Bureau of Tanzania, was not in attendance due to other priorities. Mr. Bushiri Ramazani, Director of SONAS, Katanga Region, was elected to chair the meeting

Vote of thanks

7. The delegate from Ethiopia, Ms. Asmiya G/Giorgis a representative of the National Bureau of Ethiopia gave a vote of thanks on behalf of all the participants. Ms. Asmiya thanked

the Guest of Honour for finding time from his busy schedule to come and open the meeting. Ms. Asmiya also assured the guest of Honour that the meeting would deliberate on all issues to be tabled before the meeting and come up with resolutions to address them. Finally, she thanked the National Bureau of Zambia, ZSIC General, for hosting the Meeting and for the hospitality accorded to the delegates since their arrival.

Adoption of the Agenda and Organisation of Work (*Agenda item 2*)

8. The meeting adopted the following agenda with amendments:
 1. Opening of the Meeting
 2. Adoption of the Agenda and Organisation of Work
 3. Progress report on the implementation of the decisions of the Council of Bureaux and recommendations of the Management Committee meetings
 4. Pool Managers' progress report on the operations of the Yellow Card Reinsurance Pool
 5. Pool Managers' Report and Financial Statement, year ended 31st December 2015
 6. Reinsurance Pool Financial Highlights as at 31st March 2016
 7. Progress Report on the implementation of the enhanced YC-MIS
 8. Supplementary budget for the YC-MIS & RCTG-MIS IT Expert
 9. Date and Venue of the next MC meeting
 10. Any Other Business
 11. Adoption of the report and closure of the meeting
9. **The Committee adopted the following working hours:**

Thursday, 21st April 2016

Morning : 09:00 – 13:00 hours
Afternoon : 14:00 – 17:30 hours

Friday, 22nd April 2016

Morning : Report preparation and free morning for the delegates
Afternoon : 16:30-17:00 Adoption of the Report and Closure of the Meeting

C. ACCOUNT OF PROCEEDINGS

Progress Report on the implementation of the Decisions of the Council of Bureaux and Recommendations of the Management Committee (MC) (Agenda item 3)

10. The Secretariat presented document no. CS/YCRCTG/MC/XXXX/3: Progress Report on the implementation of the Decisions of the Council of Bureaux and Recommendations of the Management Committee (MC). In doing so, the Secretariat presented details on the progress made since the last TMC meeting. The highlights of the report were as follows:

Capacity Subscription

11. The MC was informed that the position regarding payment of Capacity Subscription to the Yellow Card Reinsurance Pool had not changed as the National Bureaux of Malawi and Sudan had not made any payment.

12. The MC was further informed that taking into account the Council of Bureaux decisions the Secretariat has planned to mount a mission to Lilongwe, Malawi in the 2nd week of June 2016 to engage the National Bureau of Malawi and the concerned Government Authority to address on all the issue in the management and operations of the Yellow Card scheme in Malawi.

13. Regarding Sudan, the MC was informed that the Secretariat would continue its engagement with the national Bureau of Sudan: Shiekan Insurance & Reinsurance Company, through the COMESA Court of Justice located in Khartoum to resolve all outstanding issues. The meeting was further informed that the Secretariat was considering using the Regional Payment and Settlement System located in Harare, Zimbabwe to assist the National Bureau of Sudan meet its financial obligations.

14. In the ensuing discussion, the delegate from the National Bureau of Zimbabwe underscored the importance of employing timelines through which the National Bureaux of Sudan and Malawi should show commitment to fulfill their obligations.

Recommendations

15. ***The MC having noted the limited progress made, reiterated the earlier Council of Bureaux decision that:***

- a) ***The Secretariat should continue its engagement with National Bureaux of Sudan and Malawi and report the status of progress to the next meeting of the Council of Bureaux;***
- b) ***The National Bureau of Malawi through its Government should engage Mozambique to join the Yellow Card scheme and that the Secretariat should provide technical support to facilitate the engagement and interest Mozambique to join the Yellow Card scheme, and***
- c) ***The National Bureaux of Malawi and Sudan should give timeframe for meeting their obligations.***

Claims Issues

16. On the claims and operational issues, the MC was informed that the Secretariat held consultative meetings with the Pool Managers and the National Bureau of Kenya, Kenya-re in

February 2016 in Nairobi and with the National Bureau of Tanzania, NIC- Tanzania in March 2016 in Dar Es Salaam.

17. The MC noted the agreements reached during the consultative meetings which included the following:

- a) representatives from the Pool Managers to visit the National Bureaux of Rwanda, Tanzania and Uganda and conduct a thorough reconciliation exercise; and
- b) the National Bureau of Tanzania to submit to the Secretariat and the concerned National Bureaux claims matrix indicating the outstanding issues they had with the National Bureaux of Rwanda, Kenya, and Uganda and the proposed way forward to address the issues.

18. In the discussion that followed, the Pool Managers informed the Meeting that they had carried out the reconciliation exercises with the National Bureaux of Rwanda, Tanzania and Uganda and urged those Bureaux with disparities on the reconciled figures to indicate their concerns.

Recommendations

19. ***The MC recommended that:***

- a) ***National Bureaux of Rwanda, Tanzania and Uganda should implement the outcomes of the reconciliation exercise and settle their outstanding amounts owed to the Pool;***
- b) ***National Bureaux with disparities on the figures should indicate their concerns so that concerned parties should re-conduct the reconciliation exercise and agree on the figures of outstanding dues; and***
- c) ***National Bureau of Tanzania should submit to the Secretariat and the concerned National Bureaux claims matrix indicating the outstanding issues they had with the National Bureaux of Rwanda, Kenya, and Uganda and the proposed way forward to address the issues before 30th May 2016..***

i) DR Congo vs. Zambia

20. Regarding the Inter-Bureaux claims between the National Bureaux of DR Congo and Zambia, the MC was informed that the National Bureau of Zambia agreed to settle the established outstanding amount of US\$115,592 on the 27 fully documented claims in two installments. The MC was further informed that although the National Bureau of Zambia had been ready to reimburse the first installment amount of US\$35,000 to DR Congo since October 2015, the national Bureau of DR Congo had not provided its bank account details.

21. In the discussion that followed, the delegate from the National Bureau of DR Congo informed the Meeting that they had provided the necessary bank details to the National Bureau of Zambia in April 2016 and requested the National Bureau of Zambia to reimburse them as soon as possible.

ii) DR Congo vs. Tanzania, Zimbabwe and Pool

22. With regards to claims reimbursement to DR Congo on account of the National Bureaux of Tanzania and Zimbabwe, the MC was informed that no progress was made as the National

Bureaux of Tanzania and Zimbabwe had not received the necessary claims supporting documents to effect reimbursement.

23. In the ensuing discussion, the National Bureau of Zimbabwe informed the meeting that it would mount a mission to Lubumbashi, DR Congo to conduct a reconciliation exercise before the end of May 2016.

Recommendations

24. ***The MC having deliberated on the issue in depth recommended as follows:***

- a) ***The National Bureaux of DR Congo and Zimbabwe should conduct a reconciliation exercise at the earliest possible time preferably by 31st May 2016 and report the progress to the Secretariat and next Meeting of the Management Committee; and***
- b) ***The National Bureaux of DR Congo and Tanzania should hold bilateral meeting at the earliest time preferably before the next MC meeting and resolve their claims issues.***

iii) DR Congo vs. Kenya (ARU Claim)

25. Regarding the ARU Claim, the MC was informed that the National Bureau of DR Congo engaged a new assessor as guided by the Secretariat that provided a loss amount of US\$ 65,000. The MC was further informed that the third party claimant refused to accept the re-assessed amount of loss US\$65,000 and demanded for a payment of US\$ 90,000.

26. In the discussion that followed, the Pool Manager informed the Meeting that they had requested the National Bureau of Kenya for their authorization for the finalization of the claim and advised the national Bureau of DR Congo to safeguard salvage.

Recommendations

27. ***The MC recommended as follows:***

- a) ***the National Bureau of Kenya should respond as soon as possible before 31st May 2016 to the authorization request from the Pool Managers; and***
- b) ***the National bureau of DR Congo should finalize settlement of the claim in line with the provisions of Yellow Card operations manual and safeguard salvage.***

iv) DR Congo- Kasumbalesa Fire Accident

28. Regarding the Kasumbalesa fire incident which burnt to ashes about 47 motor vehicles and various properties, the MC was informed that as guided by the 29th Meeting of the Council of Bureaux, the National Bureau of DR Congo made a formal notification to the Reinsurance Pool on 25th December, 2015 of a loss estimate of over US\$1 million for the loss of goods.

29. The MC was further informed that on February 15, 2016 the National Bureau of DR Congo requested the Pool Managers (ZEP-RE) to assign an expert to evaluate the claim at Kasumbalesa.

30. In the discussion that followed, the Meeting was informed that there was a need to establish the extent of liability by way of evaluating the damaged properties but unfortunately the handling Bureau; DR Congo could not engage a licensed loss assessor as they did not have enough material information about the destroyed vehicles and damaged properties. The Meeting was, however, informed that most of the truck owners had engaged Agents in Kasumbalesa to demand for compensation.

Recommendation

31. ***The MC recommended that the National Bureau of DR Congo should assign a reputable assessor to evaluate the loss and provide the assessment report to the Pool at the earliest possible time for their appropriate action.***

v) Burundi vs. Rwanda/Pool – WFP claim

32. With regard to the old WFP claim which occurred on 8th March 2007 in Burundi but reported to the Pool Managers in the mid of 2014, the MC was informed that the lead reinsurer Kenya–re had not received the response from their reinsurance broker, Afro-Asia on their opinion on the late notification.

33. In the ensuing discussion, the Pool Managers informed the meeting that there were some technicality issues that made it difficult for the admissibility of the claim among others the late notification and liability issue as the handling Bureau was requesting for payment based on the award by Courts of the Law. The Pool Managers further informed the MC that they had requested the handling Bureau: SOCABU for clarifications on those technical matters and were waiting to receive their responses.

Recommendations

34. ***The MC recommended that the National Bureau of Burundi should respond to the Pool's technicality request whether the liability of the claim is admissible according to the third party compulsory insurance law of Burundi.***

vi) Claims reimbursement to Rwanda

35. Regarding claims reimbursement to the National Bureau of Rwanda on account of the National Bureaux of Burundi, Tanzania, Kenya and Uganda, the MC was informed that the established outstanding balances during the reconciliation missions on October, 2015 and the recoveries made thereafter were as shown below:

National Bureau	Established O/s reimbursements(US\$)	Recoveries made since reconciliation (US\$)
Burundi	369,511	-
Kenya	90,385	88,419
Tanzania	44,069	71,140
Uganda	80,736	-

36. Regarding the reconciliation exercise conducted between the National Bureaux of Rwanda and Uganda, the MC was informed that the two National Bureaux agreed on October 8, 2015 for an off-set on what each Bureau was owing to the other as indicated below:

Uganda owed Rwanda	US\$47,989
Rwanda owed Uganda	US\$20,261

Net due to Rwanda	US\$27,728

Recommendation

37. ***The MC recommended that the National Bureaux of Burundi, Uganda and Kenya should reimburse the outstanding amounts they owe to the national Bureau of Rwanda as soon as possible before the next MC meeting.***

vii) Zambia vs. Zimbabwe

38. With regards to claims reimbursement between the National Bureaux of Zambia and Zimbabwe, the MC was informed that the two National Bureaux had conducted a reconciliation exercise in Lusaka, Zambia on March 2016 and established that an outstanding Inter-Bureaux claims amounting to about Zambian Kwacha 500,000 was settled by Zambia on behalf of Zimbabwe. The MC was further informed that the National Bureau of Zimbabwe would reimburse the above established outstanding Inter-bureaux claims amounts paid by Zambia at the earliest possible time before the end of April 2016.

39. The MC commended the National Bureaux of Rwanda, Zambia and Zimbabwe for resolving their outstanding claims issues through bilateral discussions and urged other National Bureaux to do so.

viii) Ethiopia vs. Pool

40. The MC was informed that the National Bureau of Ethiopia had paid an amount of US\$36,877.07 to the Pool in March 2016 being reimbursement of an outstanding inter-bureaux claim owed to the Pool. The MC was further informed that the disparities in the reconciled figures for reimbursement between the Pool and the National Bureau of Ethiopia had not been ironed out.

41. In the ensuing discussion, the representative of the National Bureau of Ethiopia informed the meeting that the National Bureau was processing an additional amount of about US\$100,000 to the Pool's account being reimbursement of outstanding Inter-Bureaux claims paid by the Pool on behalf of the national Bureau. The National Bureau further requested the Pool Managers to provide them current statement of accounts for Inter-Bureaux claims owed by the National Bureau.

Recommendation

42. ***The MC recommended that reconciliation exercise between the Pool and the National Bureau of Ethiopia should be finalized as soon as possible before the end of May 2016***

Operational Challenges of the Reinsurance Pool

i) Measures for failing to adhere to procedures and Council decisions

43. The MC was informed that the Secretariat wrote to all National Bureaux on 26th November 2015 advising them to implement the Council of Bureaux decisions by taking measures on those Primary Insurance Companies who would fail to meet their obligations of settlement of cessions, claim reimbursement, delayed submission of returns, delayed remittances of booked premium returns, lack of payment of outstanding excess of loss premiums and payment of their share of the budget contributions among others.

44. The MC was further informed that the challenges National Bureaux themselves faced were, among others; delays in confirmation of validity of Yellow Cards, delays in authorization for settlement of claims, lack of remittance of collected claims reimbursement from their member Primary Insurance Companies to the handling Bureaux, delayed claims reimbursements to Handling Bureaux and capacity limitations.

Recommendations

45. ***On the issue of operational challenges of the Reinsurance Pool, the MC recommended as follows:***

- a) ***National Bureaux should cease supplying Yellow Card books to Primary Insurance Companies that fail to meet their obligations on submission of returns, settlement of cessions, reimbursement of claims paid on their behalf and payment of outstanding XL premiums with immediate effect; and report the progress made to the Secretariat; and***
- b) ***the Secretariat should assist those National Bureaux that have capacity limitations in organizing workshop/training to enhance their capacity and familiarize them with the operations of the Yellow Card Scheme.***

ii) Strategic Management Session

46. The MC was informed that pursuant to the decision of the 29th Meeting of the Council of Bureaux on the need to organize and conduct Strategic Management Sessions to discuss on operational challenges, the member Bureaux of the MC with experience in conducting strategic management sessions were requested to provide support to the Secretariat and assist in organizing the sessions.

Recommendation

47. ***The MC recommended that National Bureaux with experience in conducting strategic management session on claims management of a third party motor vehicle insurance scheme should share their experience and assist the Secretariat in organizing the strategic management sessions.***

Status on the detention of visiting motorists' vehicles involved in traffic accident by Ugandan Traffic Police

48. With regards to the issue of detention of visiting motor vehicles involved in traffic accident by traffic police in Uganda, the MC was informed that pursuant to the Secretariat's engagement with the National key stakeholders, namely; National Bureau of Uganda, the law enforcement Agencies and the Government of Uganda through the Coordinating Ministry, the

issue has been resolved and the four (4) vehicles which were under detention due to court cases, their claims were settled and the vehicles released.

National Stakeholders' Workshops

49. The MC was informed that pursuant to the Council of Bureaux decision on organization and conducting of National stakeholders' workshops, the National Bureau of Zambia in collaboration with the Secretariat organized stakeholders' sensitization workshop in December 2015 in Lusaka, Zambia which was attended by the Road Transport and Safety Agency of Zambia (RATSA), Traffic Police, and Primary Insurance Companies, among others.

50. In the discussion that followed, the representative of the National Bureau of Rwanda informed the meeting that they have planned to conduct YC-MIS training and National Stakeholders' sensitization workshop from 27 to 29 April 2016 for Primary Insurance companies in Rwanda.

51. The representative of the National Bureau of DR Congo informed the meeting that they would provide their planned schedule of activities for the awareness of the Yellow Card scheme after consultation with their Management.

Recommendations

52. ***The MC recommended that National Bureaux should:***

- a) Raise awareness of their key stakeholders, such as, Customs and Police officers at border posts; and***
- b) Organize regular meetings for Primary Insurance companies and familiarize them with the operations of the Yellow Card Scheme.***

The Issue of Yellow Card Forgery originating from Tanzania

53. With regard to the issue of Yellow Card forgery, the MC was informed that the National Bureau of Tanzania launched a surprise visit to KIBAHA with the support of the Inspector General of Police with a view to address the scourge and below were the results of the visit:

- a) Thirty two (32) Trucks and Trailers were apprehended. Four (4) trucks and trailers were found with eight (8) Yellow Cards from UGANDA, all of them were issued by RIO INSURANCE CO;
- b) One truck and trailer registered in Tanzania were found with Yellow Cards numbers ZAM 0169348 and ZAM 0169349 issued by MEAN WOOD GENERAL INSURANCE COMPANY LTD. Both cards looked valid because they had all the security features of a genuine card. However the Cards were not supposed to have been issued to a Tanzania registered truck; and
- c) The rest of the Yellow Cards (53 of them) were all locally issued and were confirmed to be fake, however, this time different stamps from various member companies were used as opposed to old style of using NIC of (T) Ltd stamp only.

53. The MC was also informed that the National Bureau was planning to conduct another exercise in one of the border posts and report the outcome.

Recommendation

54. The MC recommended that the National Bureau of Tanzania should intensify random inspections at border posts being suspected to be origins of fake Yellow Cards in collaboration with the neighbouring National Bureaux (i.e. Nakonde / Tunduma border post with close engagement of the National Bureau of Zambia).

Reviewing of the Yellow Card instruments

55. The MC was informed that pursuant to the decisions of the 29th Meeting of the Council of Bureaux on the report of the 3rd Workshop of the National Coordinators, the Secretariat has finalized the review of the Yellow Card instruments and that the revised instruments would be circulated before the end of May 2016.

Printing and delivery of additional Yellow Card books

56. The MC was informed that in line with the decision of the 29th Meeting of the Council of Bureaux, the Printing Agreement with Taws Security printers was renewed for a further period of three years effective 1st January 2016 on existing terms and conditions.

57. The MC was also informed that printing order for the additional 100 Yellow Card books was given by the National Bureau of Burundi.

Recommendation

58. The MC recommended that National Bureaux should check their levels of stocks of Yellow Card Books and place an order for printing of additional Yellow Card books in good time to avoid running out of books.

Implementation of the Yellow Card Scheme in non COMESA Member States

59. The MC was informed of the progress made by the Secretariat with regard to the engagement made with the non-COMESA and COMESA member states that are interested to join and implement the Yellow Card Scheme as below:

i) Angola and Botswana

60. The Secretariat communicated on March, 2016 the Ministry of Finance/ARSEG; the Insurance Supervisory Authority of Angola and the MVA Fund of Botswana expressing its readiness to provide technical support to raise stakeholders' awareness on the operation and benefits of the Yellow Card scheme in the countries.

61. The MC was further informed that Angola confirmed its readiness for the consultative meeting and Stakeholders' workshop to be held before the end May, 2016 in Luanda, and the reply from MVA Fund of Botswana was still being awaited.

ii) South Sudan

62. On the progress made with South Sudan, the MC was informed as follows:

- a) the Government of Republic of South Sudan on 16th November 2015 communicated to Secretariat on the appointment of Speed Insurance as the National Bureau for the COMESA Yellow Card Scheme in the South Sudan;
- b) Subsequent to the mission held by the Secretary General of COMESA to Juba, South Sudan in September 2015, a consultative meeting was held with a delegation from South Sudan on 24th February 2016 at COMESA Secretariat during which the following pre-requisites for the implementation of the Yellow Card Scheme in South Sudan were discussed, among others:
 - i) Recognition of the Yellow Card third party motor vehicle insurance cover as a valid third party cover by the Government of South Sudan;
 - ii) The need to guarantee solvency of the National Bureau;
 - iii) Signing and ratification of the Protocol on the establishment of the Yellow Card Scheme; and
 - iv) Capacity building for the National Bureau designate to enable it commences the implementation process of the Yellow Card Scheme.

63. The MC was further informed that the Secretary General of COMESA during his visit to South Sudan on 11th April 2016 pointed out the requirement for the implementation of the Yellow Card Scheme in the country. The MC was also informed that the Secretariat planned a mission to South Sudan in the second week of May 2016 to facilitate the implementation of the Yellow Card scheme in that country.

iii) Swaziland

64. Regarding Swaziland, the Secretariat was yet to receive feedback on the planned activities on the Yellow Card Scheme by the Coordinating Ministry.

Recommendation

65. The MC recommended that the Secretariat should intensify its efforts with Angola, Botswana, South Sudan and Swaziland to assist the countries to join and implement the Yellow Card scheme at the earliest possible time.

Harmonization of the Regional Third Party Insurance systems

66. The MC was informed that no progress was made with regards to harmonization of the regional third party insurance systems since the last council of Bureaux meeting.

Recommendation

67. The MC recommended that the Secretariat should continue its engagement with SADC to harmonize Yellow Card as the Cross Border Third Party Insurance Scheme in the COMESA-EAC-SADC Tri-Partite region.

Administrative Matters

68. With regards to Administrative Matters, the MC was informed as follows:

- i. Ms. Valerie Ngeleka Masengu was recruited as an Administrative Assistant for the Yellow Card Council of Bureaux after an internal vacancy announcement for the COMESA staff and that she took up her appointment for an initial contract of three (3) years effective 8th February 2016: and
- ii. The Secretariat advertised the post of an IT Expert (P3) to all the National Bureaux in March 2016 requesting the National Bureaux to submit their at least five (5) short listed candidates by 8th April 2016 for the election and recruitment process by the Secretariat. Only six (6) National Bureaux, namely: Burundi, Ethiopia, Tanzania, Uganda, Zambia and Zimbabwe had responded at the time of reporting.

Recommendations

69. ***The MC recommended that:***

- a) ***National Bureaux that had not submitted their short listed candidates to the Secretariat should do so as soon as possible preferably before 15th May 2016; and***
- b) ***National Bureaux that had not submitted complete documents for their short listed candidates such as certified copies of educational testimonials, transcripts as required in the employment letter, should send complete documents to the Secretariat as soon as possible preferably before 15th May 2016.***

Budget contribution

70. The MC was informed of the status of budget contribution payment by National Bureaux and Pool Managers as follows:

- i. The Pool Managers transferred their share of 20% of the annual budget of US\$129,146 to the COMESA Secretariat Yellow Card account in November 2015;
- ii. At the time of reporting, only five (5) National Bureaux, namely: Djibouti, Ethiopia, Kenya, Zambia and Zimbabwe had fully paid their budget contributions while the National Bureaux of DR Congo and Uganda made partial payments;
- iii. A total of US\$638,216.00 stood as unpaid budget contributions arrears by the National Bureaux of Sudan, Malawi and Rwanda which was adversely affecting the financial position of Yellow Card Secretariat;

Recommendations

71. ***The MC noted the status of budget contribution payment to the Council of Bureaux Secretariat and recommended as follows:***

- a) ***The National Bureau of Burundi, Rwanda, and Tanzania should settle their outstanding budget contribution for the year 2015/16 at the earliest possible time preferably before the end of May 2016;***
- b) ***The Secretariat should continue to engage the National Bureaux of Sudan and Malawi to address their outstanding budget contribution issues; and***
- c) ***The MC should consider the issue of deficit in the Council of Bureaux budget caused by non-payment by the National Bureaux of Sudan and Malawi, as the***

deficit has negative effects on the Secretariat in fulfilling its contractual obligations and carrying out its annual activities.

Progress report of the Pool Managers on the operations of the Yellow Card Reinsurance Pool (Agenda item 4)

72. A representative of the Pool Managers presented document number CS/YCRCTG/MC/XXXX/4: Progress Report on the operations of the Yellow Card Reinsurance Pool as at 31st March 2016 and the highlights of the presentation were as follows:

Premium returns

73. On the premium returns, the MC was informed that the premium booked by the Pool for the period under review on the Pool Manager's 30% share was US\$ 764,680 representing an decrease of 10.7% compared to US\$ 856,985 recorded during the same period in 2015. The MC was further informed that the figure was not fully representative as many returns from members were still outstanding despite several follow ups made by the Pool. The summary of written premiums and returns submitted by each National Bureau is as shown in the table below.

Table: Returns & Premiums Booked as at 31st March 2016

Bureau	Figs in US\$ 100%	30% SHARE	5%	NET	%	No of Cards	U/W Period
Tanzania	787,980.00	236,394.00	11,819.70	224,574.30	30.91	10,035	Various 15 - Feb. 16
Kenya	665,686.67	199,706.00	9,985.30	189,720.70	26.12	8,286	Various 15 - Feb. 16
Uganda	310,330.00	93,099.00	4,654.95	88,444.05	12.17	1,916	Various 15 - Feb. 16
Ethiopia	276,340.00	82,902.00	4,145.10	78,756.90	10.84	7,823	Dec. 15 - Feb. 16
Zambia	128,153.33	38,446.00	1,922.30	36,523.70	5.03	6,826	Sep. 15 - Dec. 15
Burundi	109,296.67	32,789.00	1,639.45	31,149.55	4.29	5,318	Jun - Dec. 2015
DR Congo	107,873.33	32,362.00	1,618.10	30,743.90	4.23	1,584	Jan - March 16
Djibouti	98,503.33	29,551.00	1,477.55	28,073.45	3.86	445	Jan - Feb 16
Rwanda	64,763.33	19,429.00	971.45	18,457.55	2.54	3,674	Various 15 - Feb. 16
Zimbabwe	-	-	-	-	0.00		
Malawi	-	-	-	-	0.00		
Sudan	-	-	-	-			
Eritrea	-	-	-	-			
TOTAL	2,548,926.66	764,678.00	38,233.00	726,444.10	100.00	45,907	

74. The MC was further informed that decrease in the premium booked for the period was attributed to the non-submission of returns by the National Bureaux of Zimbabwe, Eritrea, Malawi and Sudan.

Premium collection

75. The MC noted the status of premium collection as shown in the table below:

Table: Premium Collections 2016, 2015 & 2014

National Bureau	Mar-16	Mar-15
	Amount (US\$)	Amount (US\$)
D. R Congo	40,800.00	19,500.00
Djibouti	50,421.46	24,364.09
Ethiopia	146,749.60	17,263.28
Kenya	209,879.29	239,706.21
Rwanda	19,363.00	-
Tanzania	14,711.79	25,388.09
Zambia	86,607.08	16,523.00
Zimbabwe	44,871.91	71,087.27
Total	613,404.13	413,831.94

76. In the discussion that followed, the following was observed:

- a) Fluctuations of the local currencies of the underwriting Bureaux due to economic instability attributed to the reduction in booked premium;
- b) The lack of utilization of the implemented Yellow Card Management Information System (YC-MIS) by National Bureaux and member Primary Insurance Companies in the issuance of Yellow Cards;
- c) There was a need for urgent implementation of the Council of Bureaux decision which directed on the need to audit National Bureaux to avoid abuse of the Scheme funds and also ensure National Bureaux maintain USD accounts; and
- d) The National Bureau of Zimbabwe promised to immediately submit their returns and settlement of the premium cessions to the Pool by 31st May 2016

Recommendations

77. ***In view of the above, the MC recommended that:***

- i) National Bureaux of Zimbabwe should at the earliest possible time submit their outstanding Pool returns and remittances to the Pool;***
- ii) National Bureaux should evoke the decision of the Council of Bureaux and cease supply of Yellow Card books to Primary Insurance Companies that were not submitting their monthly returns and remittances; and***
- iii) In order to minimize losses suffered by the Pool due to exchange rate fluctuations, National Bureaux who have not yet opened foreign currency***

account should do so as soon as possible and advice the status to the Secretariat.

Settlement of Inter-Bureaux & Pool Claims

78. On settlement of Inter-Bureaux and Pool Claims the MC was informed as follows :

i) Inter-Bureaux Claims

79. The MC was informed that the Pool had settled Inter- Bureaux claims on behalf of National Bureaux as at 31st March 2016 amounting to US\$826,888 compared to the US\$660,338 same period in 2015 as shown in the table below.

Table: Outstanding Inter-Bureaux Claims

ISSUING BUREAU	HANDLING BUREAU	Mar-16	Mar 2015
		US\$	US\$
N.B. Burundi	N.B. Rwanda	85,680	76,732
N.B. Djibouti	N.B. Ethiopia	6,814	6,814
N.B. DR Congo	N.B. Burundi	13,981	13,981
N.B. DR Congo	N.B. Rwanda	19,872	19,872
N.B. Ethiopia	N.B. Djibouti	461,807	231,216
N.B. Kenya	N.B. Rwanda	4,975	7,872
N.B. Kenya	N.B. Uganda	50,097	78,552
N.B. Rwanda	N.B. Burundi	7,513	7,513
N.B. Rwanda	N.B. Uganda	30,850	39,798
N.B. Tanzania	N.B. Burundi	16,168	16,168
N.B. Tanzania	N.B. Rwanda	24,261	24,261
N.B. Tanzania	N.B. Uganda	2,677	2,677
N.B. Uganda	N.B. Burundi	58,692	58,692
N.B. Uganda	N.B. Kenya	6,534	6,534
N.B. Uganda	N.B. Rwanda	29,675	62,364
N.B. Zambia	N.B. Kenya	7,292	7,292
Sub-Total		826,888	660,338
Provision for bad debts		(415,540)	(331,204)
		411,438	329,134

ii) Pool Claims

80. The MC was informed that the total Pool's claims reported to date amounts to US\$14,694,453.04 out of which US\$ 4,142,768.68 was Pool's share and US\$10,551,684.36 was recoverable from the Reinsurers as shown in the table below:

Table: Large claims intimations since inception to date

STATUS	Total	Retained	Retro
Outstanding	9,357,568.14	2,142,339.93	7,215,228.21
Settled	5,336,884.90	2,000,428.75	3,336,456.15
TOTAL	14,694,453.04	4,142,768.68	10,551,684.36

81. In the discussion that ensued, the Meeting observed as follows:

- i. The National Bureau of Rwanda informed the Meeting that they had not received the documentation from the Pool for reimbursement;
- ii. The National Bureau of Zambia confirmed having a long outstanding un reimbursed claim to which they were committed to settle and assured to settle the claim before end of May 2016;
- iii. The National Bureau of Zimbabwe re-echoed their concern and sentiment on the provision for bad debt on Inter-Bureaux claim and urged National Bureaux to own up and settle their accounts with the Pool; and
- iv. The National Bureau of DR Congo requested for statements from the Pool Managers.

Recommendations

82. ***In view of the above, the MC recommended as follows:***

- i) Reiterated the recommendation that Issuing Bureaux should refund all outstanding Inter-Bureaux claims without further delays;***
- ii) Pool Managers should provide detailed reports on all outstanding Inter-Bureaux claims categorizing them by age, activeness of the Bureaux accounts etc. to help the MC in making appropriate actions with concerned National Bureaux;***
- iii) The Pool Managers should re-submit all the claims documents to Rwanda to enable them effect reimbursements;***
- iv) The National Bureau of Zambia should settle their long outstanding Inter-Bureaux claim reimbursement amounting US\$ 7,292 at the earliest possible time before the end of May 2016; and***
- v) The Pool Managers should provide financial statements to the National Bureau of DR Congo at the earliest time before the end of May 2016.***

Reinsurance Pool Financial Highlights as at 31st March 2016 (Agenda item 5)

83. The Pool Managers presented document no. CS/CB/TMC/XXXX/5 Reinsurance Pool Financial Highlights as at 31st March 2016. In their presentation, the Managers informed the meeting that for the period under review the Pool had recorded a Gross Premium Income of US\$764,680 representing a decrease of 10.7% over the figure reported for the 31st March 2015, which was US\$856,985. The highlights of the developments, specifically on the Gross Premium Income, Reserve Fund, Total Assets, Capacity Subscription and Short Term Investments for the three (3) months period were presented as follows.

Table: The financial highlights as at 31st March 2016

	March 2016 (US\$)	March 2015 (US\$)
Gross Premium Income	764,680	856,985
Reserve Fund	7,327,907	5,947,863
Total Assets	12,150,945	11,213,755
Capacity Subscription	150,000	250,000

84. In ensuing discussion, the representative of the National Bureau of DR Congo informed the meeting that they would consult with their Management to consider utilizing their capacity subscription due for refund to off-set some of the financial obligation the National Bureau had with the Pool.

Recommendations

85. ***The MC having noted the financial highlights as at 31st March, 2016 recommended as follows:***

- a) ***National Bureaux whose capacity subscriptions are due for refund should consider utilizing the refundable amounts for settlement of outstanding premium balances due to the Pool; and***
- b) ***The Pool Managers should effect refunds of capacity subscription only upon confirmation that the concerned Bureaux have cleared all outstanding dues on Premium remittances, outstanding excess of loss premium and Inter-Bureaux claims.***

Pool Managers' Report and Financial Statement, Year ended 31st December 2015 (Agenda item 6)

86. The representative of the Pool Managers presented to the MC document no. CS/CB/TMC/XXXX/6: COMESA Yellow Card Reinsurance Pool Manager's Report and Financial Statement for the period ended 31st December 2015. He informed the Committee that the annual report was a draft and submitted for members' comment and that the Annual Report and Account for the period would be submitted to the External Auditors. In presenting the report, he pointed out that:

- a) The Pool recorded a gross premium income of US\$ 2,880,607 during the period ended 31st December 2015, which shows an increase of 2.6% over the corresponded figure of US\$ 2,806,755 generated in 2014;
- b) Kenya and Tanzania generated the highest premium income of 27.1% and 16.8% respectively;
- c) The volume of investment increased to \$9,696,532 in 2015 from \$ 8,623,444 in 2014; and the income realized from Investment during 2015 was \$454,709;
- d) The cost of the excess of loss cover for the year 2015 was US\$810,601 compared to US\$368,550 incurred in 2014; and the jump in the excess of loss premium amount was due to the adjustments made in the previous two years; and
- e) The Pool Management fee incurred for the fiscal period under review was US\$288,061.

87. The MC noted the financial highlights as shown below:

Financial Highlights as at 31st December 2015

	December 2015 (UD\$)	December 2014 (US\$)
Gross Premium Income	2,880,607	2,806,364
Reserve Fund	6,709,061	5,836,158
Total Assets	11,452,066	10,364,492
Capacity Subscription	150,000	250,000
Short-Term Investments	9,696,532	8,623,444

88. In the ensuing discussion, the Management Committee expressed concern on the following issues:

- a) Re-echoed the high amount of sums owed to the Pool by National Bureaux;
- b) The huge premium adjustment made by the Pool on Excess of loss cover;
- c) The low investment returns earned on the Pool funds and employed on the need to implement the Council of Bureaux decision to consider other investment vehicles that would offer better returns and urged to consider exploring among others products offered by the PTA Bank.

Recommendation

89. In light of the above, the MC recommended that the Pool Managers should consider exploring other investment vehicles among others the investment products offered by the PTA bank and report to the next MC meeting on the progress made.

Progress report on the implementation of the enhanced YC-MIS (Agenda item 7)

90. A representative of the COMESA Secretariat presented document no. CS/YCRCTG/MC/XXXX/7: Progress Report on the Implementation of the enhanced Yellow Card Management Information System (YC-MIS). In doing so, he highlighted some of the activities carried out by the Secretariat and National Bureaux in implementing the enhanced YC-MIS, among others the following:

- a) Online training for National Bureaux on the application of the YC-MIS,
- b) Held consultative meeting with the National Bureau of Tanzania on the application of the enhanced YC-MIS,
- c) Conducted an In-house training for National Bureau of Burundi on the application and functionality of the enhanced YC-MIS; and
- d) Conducted a training of trainers for the enhanced YC-MIS IT focal personnel and Yellow Card administrators for Ethiopia, Rwanda, Zambia and Zimbabwe in Lusaka in March 2016.

91. The MC was informed that seven (7) National Bureaux, namely; Djibouti, Ethiopia, Kenya, Rwanda, Uganda, Tanzania and Zambia has started utilizing the enhanced YC-MIS in their day to day operations with some of their member Primary Insurance Companies.

92. Regarding the implementation of the enhanced YC-MIS by the National Bureaux of DR Congo, Malawi and Sudan, the MC was informed that they had not started the implementation of the enhanced YC-MIS due to various challenges they faced among them staff turnover.

93. In the discussion that ensued, the Meeting raised concerns on the delays and slow pace of implementation of the enhanced YC-MIS by National Bureaux and their member Primary Insurance Companies. The Meeting called for need to work with Insurance Regulatory Authorities in member states to ensure compliance by member Bureaux and PICs with the implementation of the system. The Meeting also re-emphasised on the need to set deadline for the full implementation of the YC-MIS.

Recommendations

94. ***The MC having noted the progress made on the implementation of the enhanced YC-MIS, recommended as follows:***

- a) ***The Secretariat should attend to all the proposed enhancements raised in the training of trainers at the latest 31st May, 2016;***
- b) ***The National Bureaux of Ethiopia, Rwanda and Zimbabwe should conduct YC-MIS trainings for all PICs and implement the system at the latest on 2nd May, 2016;***
- c) ***The National Bureau of Burundi should implement the enhanced YC-MIS at National Bureau level without further delays and thereafter implement it with its member Primary Insurance Companies preferably by 31st May 2016;***
- d) ***The National Bureaux of Kenya, Tanzania, Uganda and Zambia should implement the enhanced YC-MIS with their member Primary Insurance Companies at the latest 31st May, 2016;***
- e) ***The National Bureaux of DR Congo, Malawi and Sudan should work with the Secretariat in order to implement the system;***
- f) ***The Secretariat should submit to the next meeting of the Council of Bureaux measures to be taken on National Bureaux who are delaying to implement the YC-MIS;***
- g) ***National Bureaux should provide National utilization reports of the enhanced YC-MIS to the next Meeting of the Management Committee; and***
- h) ***National Bureaux should implement the decision of the 29th Council of Bureaux and cease to supply Yellow Card books to Primary Insurance companies who are not willing or ready to implement the YC-MIS.***

Supplementary budget for the IT Expert for the YC-MIS (Agenda item 8)

95. The Secretariat presented document no. CS/YCRCTG/MC/XXXX/8: Supplementary budget for the IT Expert for the Yellow Card Management Information System (YC-MIS). The Secretariat informed the Meeting that the process for the recruitment of a regular IT Expert for the YC-MIS has commenced as directed by the 29th Meeting of the Council of Bureaux and that the advert was circulated to all National Bureaux with request to Advertise in their print media and submit at least five candidates who meets the requirement to Secretariat by 8th April 2016.

96. The Meeting noted that the Secretariat had at the time of compiling the report received fourteen (14) applications from six (6) National Bureaux, namely; Burundi, Ethiopia, Tanzania, Uganda, Zambia and Zimbabwe.

97. The MC was also informed that considering the COMESA procedure and guidelines on filling in professional posts, which includes short listing, interviewing and selection of a successful candidate, the recruitment process would take longer than expected and that it would go beyond the current contract of the Short-Term IT Expert which will expire on 30th June 2016, hence the request for additional funding for six (6) months was requested to enable the Short-Term I.T Expert continue with his duties until the recruitment process was completed and the full time IT Expert assumed his/her post.

98. The MC was further informed that the Short-Term IT Expert would need to continue with the implementation of the enhanced YC-MIS in all the National Bureaux and carry out regular day to day activities which included among others the following:

- a) Attend to users queries;
- b) Configure new entries to the system;
- c) Populate and update the ID module;
- d) Train stakeholders (officer in National Bureaux and Primary Insurance companies) in member states;
- e) Improve the system to address issues and concerns of stakeholders;
- f) Maintenance of the MIS;
- g) Review the administrative and user guides for the MIS; and
- h) Produce and circulate YC Monthly brief to stakeholders.

99. In the discussion that ensued, the Pool Managers raised a concern on the continuous requests for financial support and provided a financial opinion that such requests would negatively affect the interest earnings of the Pool funds. The Meeting further alluded that there was a need to apportion such extra financial budgetary requirements among the beneficiary Bureaux as is the case in the request for additional financial support for the extension of the Contract for the IT Expert for the YC-MIS since the main beneficiaries are the member Bureaux.

Recommendations

100. ***The MC after a protracted discussion, recommended as follows:***

- a) ***The Secretariat should extend the contract of the IT Expert for the YC MIS for a further period of six (6) from 1st July 2016 to 31st December 2016;***
- b) ***The YC Reinsurance Pool should transfer the extra budgetary requirement of US\$35,000 for the extension of Short –Term IT Expert contract for six months on a recovery basis from member Bureaux;***
- c) ***The Secretariat should write to the Pool Manager to transfer the funds of US\$35,000 at the earliest possible time before 31st May 2016; and***
- d) ***The Secretariat should upon receipt of the payment of US\$35,000 from the Pool Managers, write to National Bureaux requesting them to reimburse the Pool Managers an equal apportionment of the \$35,000.***

Date and Venue of the next meeting (Agenda Item 9)

101. Regarding the date and venue of the next meeting, the Secretariat would consult with the National Bureau of DR Congo and communicate to members of the Management Committee.

Any Other Business (Agenda item 10)

102. The delegate from Rwanda requested the Meeting for guidance on what should be done with regards to recovery of claims reimbursement on claims handled on behalf of Primary Insurance Companies who had their operations wound up.

103. The Meeting provided guidance on the issue that accordingly to the Yellow Card Instruments the Protocol and Inter-Bureaux agreement, the issuing National Bureaux offer guarantee for the operation of Yellow Card scheme in their countries and in such cases, the issuing Bureaux should call in all its members to share the cost of claim of that member Company that had wound up or closed.

Adoption of the report and closure of the meeting (*Agenda Item 11*)

104. The Meeting considered the draft report paragraph by paragraph and adopted after making some amendments.

105. At the closure of the meeting, the National Coordinator of Zambia thanked the delegates for coming to Livingstone, Zambia and their participation at the meeting, thanked the observer from Zimbabwe for effective participation, thanked the Primary Insurance Companies in Zambia for their commitment and continued support for the smooth implementation of the Yellow Card scheme in Zambia. The National Coordinator also thanked the Secretariat for the confidence and trust placed upon them for hosting the 40th Meeting of the Management Committee and for the good organization and servicing of the Meeting.

106. Finally the Chairperson thanked all the delegates for their valuable contributions and wished them a safe journey to their respective countries and declared the meeting closed.

LIST OF PARTICIPANTS/ LISTE DES PARTICIPANTS

ETHIOPIA/ ETHIOPIE

1. Ms. Asmiya Gebregiorgis, Assistant Yellow Card Coordinator, National Bureau of Ethiopia, Ethiopia Insurance Corporation, Addis Ababa, Ethiopia. Tel.: +251 913332045, Fax: +251115504000, email: asmigg2@gmail.com comesaycard@eic-et.com

DR CONGO/ RD CONGO

2. M. Bushiri Ramazani, Directeur de la Région Sud/Est, Société Nationale d'Assurances, Lubumbashi, République démocratique du Congo. Tel.: +243 999932272, email: bushiriramazani@gmail.com bushirir@yahoo.fr

3. M. Nyongolo Mukambilwa Emmanuel, Responsable Adjoint de la Direction des reassurances, Société Nationale d'Assurances, Kinshasa, République démocratique du Congo. Tel.: +243 816 566 585 / +243 897 823 697, email: emmanuelnyongolo1@gmail.com emmukambilwa@yahoo.fr

4. M. Perpetu Bahati, COMESA Claim Manager, Société Nationale d'Assurances, Lubumbashi, République démocratique du Congo. Tel.: +243 827 778 817, email: byabuzebahati@gmail.com

RWANDA

5. Mr. Niyokwizerwa Elie, Head of COMESA/Rwanda National Bureau, SONARWA General, 1035 Kigali, Rwanda. Tel.: +250 788 305 277, email: elie.niyokwizerwa@sonarwa.co.rw elie.niyokwizerwa@sonarwa.co.rw

ZAMBIA

6. Mrs. Cathrine M.K. Mpandamwike, National Coordinator, ZSIC GI (National Bureau), P.O. Box 30894, Lusaka, Zambia. Tel.: +260 979 124 700, email: cmpandamwike@zsic.gi.co.zm

7. Mr. Joseph Sagonda, Branch Manager, ZSIC General Insurance, P.O. Box 6011, Livingstone, Zambia. Tel.: +260 955 630 005, +260 213 323 102, email: jsagonda@zsicgi.co.zm

8. Mr. Lubinda Akamandisa, National IT Focal Point, Zambia State Insurance Corporation, Lusaka, Zambia. Tel: +260 977864001, email: lakamandisa@zsicgi.co.zm

9. Mr. Dizomba Cosmas, Branch Manager, Diamond General Insurance, P.O. Box 60709, Livingstone, Zambia. Tel.: +260 213 321 164, email: cosmas@diamond.co.zm

10. Mr. William S. Munalula, Branch Manager, Professional Insurance, P.O. Box 60140, Livingstone, Zambia. Tel.: +260 977 766 206, email: william@picz.co.zm

11. Ms. Chanda Masabo, Branch Manager, Phoenix of Zambia Assurance, Livingstone, Zambia. Tel: +260 977 845 599, email: livingstone@phoenixzambia.com

12. Ms. Isabel Mulenga, Underwriting Assistant, Madison General Insurance Company (Z) LTD, P.O. Box 37013, Lusaka, Zambia. Tel.: +260 213 32 39 11 / 32 45 84 /+260 211 378 700 – 05, Fax: +260 213 324 584, email: insure@madison.co.zm isabel@madison.co.zm

13. Ms. Thelma Kanji Mapulanga, Underwriting, Goldmans Insurance Limited, Private Bag W395, Lusaka, Zambia. Tel.: +260 213 32 46 45 /+260 211 235 235, email: goldman@zamtel.zm thelma.underwriting@goldman.co.zm

ZIMBABWE (OBSERVER)

14. Mr. Patrick Munyaradzi Kusikwenyu, Chairman NBZ, Insurance Council of Zimbabwe, IS Princes Road Belvedere Harare, Zimbabwe. Tel.: +263 772 695 366, email: patrick@sundway.co.zw

15. Nicholas Sayi, Technical Admin Officer, Insurance Council of Zimbabwe. 4 Josia Tongogara Ave, Harare, Zimbabwe. Tel.: +263 4 708 031/2, email: n_sayi@icz.co.zw

ZEP-RE

16. Mr. Sammy Rutto Silamoi, Chief Accountant, ZEP-RE (PTA Reinsurance Company), P.O. Box 42769-00100, Nairobi, Kenya. Tel.: +254 20 497 3000 / +254 20 273 8444, email: mail@zep-re.com silamoi@zep-re.com

17. Mr. Charles M. Obae, Claims Officer, ZEP-RE (PTA Reinsurance Company), P.O. Box 42769-00100, Nairobi, Kenya. Tel.: +254 722 334 489, email: cobae@zep-re.com mail@zep-re.com

COMESA SECRETARIAT

18. Mr. Debebe Tamene Kassa, Senior Insurance Expert, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel. : +260 211 22 95 27/32, email: dtamene@comesa.int

19. Mr. Kelvin Chisongo, Insurance Expert, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel. : +260 211 22 95 27/32, email: kchisongo@comesa.int

20. Ms. Valerie N. Masengu, Administrative Assistant, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel. : +260 211 22 95 27/32, email: vmasengu@comesa.int