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## ***Building Consensus on Services Reforms and Negotiations: the Private Sector and the Role of Services Coalitions***

**2-3 October 2009**

**Imperial Royale Hotel – Kampala, Uganda**

### **Workshop Report**

#### **Introduction**

The East African Business Council (EABC) in collaboration with the International Lawyers and Economists Against Poverty (ILEAP) held a workshop from 2-3 October 2009 in Kampala, Uganda on the organisation and establishment of a coalition of services industries in the East African region. Drawing together around 50 stakeholders from a cross-section of services industries in the sub-region, the workshop aimed to help create awareness about the role of services coalitions in pursuing services reforms and negotiations, as well as to promote information and knowledge sharing amongst stakeholders of national/regional experiences with services associations. The workshop Aide Memoire and Agenda are attached as Annex 1, and a list of participants is attached as Annex 2.

#### **A. Opening Session**

In the opening session, statements were made by the Chair of the Private Sector Foundation Uganda (PSFU) (represented by Mr. Moses Ogwal, PSFU Director, Policy Advocacy); Mr. David Primack, Acting Executive Director of ILEAP, Mr. Gerald Sendaula, Vice Chair (Uganda) of EABC, and Ambassador Julius Onen, Permanent Secretary of the Ugandan Ministry of Tourism, Trade and Industry (MTTI) (represented by Mr. Silver Ojako, the Commissioner of External Trade).

In the statement from Mr Gerald Sendaula the following points were made:

- East African countries concluded negotiations last week for a Common Market Protocol which is expected to come into force in 2010. At the same time, the several negotiating processes which East Africa is engaged in pose immense challenges and opportunities for the East African countries, which cannot be faced on an individual basis.
- The services sector in East Africa is still segregated and the importance of building coalitions, in order to make the weak strong and the strong stronger cannot be over-emphasised. There are cross cutting challenges which need to be addressed across sector associations, taking into consideration common yet divergent interests.

- There is a need to consider policy issues on a wider platform in order to address trade barriers through the market; in building consensus, much could be learned from the EABC, which has a wealth of experience in bringing sectors together, and representing private sector interests at the regional level.

Mr David Primack, Ag. Executive Director of ILEAP highlighted the following points in his statement:

- ILEAP's creation was designed to assist East African countries to develop their capacities to capture benefits from economic globalization and improve the terms on which they engage with the global economy.
- By incorporating their interests into global trade rules and regimes, East African countries can improve supply responses and translate market opportunities into enhanced trade, production and ultimately improvements in welfare and poverty reduction. The recognition of the importance of services can be seen in the recent decisions by Trade Ministers on the EAC Common Market, and the clear priority countries are placing on trade in services integration, where agreement is being reached on varying degrees of commitments in a wide range of services sectors.
- One of the key recommendations from a workshop held by ILEAP and the East African Business Council (EABC) in Nairobi in February 2009 was the need to pursue services coalitions that could help engage on these issues and help underpin the domestic growth of the services sectors.
- An essential component of any successful service coalition initiative is to ensure that the coalition can build on existing activities to ensure a comprehensive set of advocacy and development services is available to firms in the region.

The statement from the Permanent Secretary of the Ministry of Tourism, Trade and Industry contained the following points:

- The initiative to establish a regional coalition represents a further scaffold in the effort to establish the foundation for East African regional trade.
- This is an exciting yet intense time for Uganda as it engages in multiple negotiations and there is a strong sense of regional pride in East Africa as the region moves together towards common goals and representing common interests in multilateral fora. On this basis the MTTI can support this process of establishing a regional CSI by paying attention to the policy, sectoral, regulatory and industry related elements of the services industry sector.
- The services economy is being driven by the combined forces of innovation, technology and investment flows and East Africa must position itself, strategically, competitively and in the shortest time possible to take advantage of the changes taking place in a rapidly integrating global economy. The proposed regional services coalition will enable East Africa to prepare for such changes.

Finally in his statement, the Permanent Secretary thanked ILEAP and the EABC for organizing the workshop. With these remarks the workshop was declared open.

## **B. Session I: The role of services coalitions in international trade**

Presenter: Ramesh Chaitoo, ILEAP Advisor

Title: The role of Services Coalitions in Sector Development and Trade Negotiations

In his presentation, Ramesh Chaitoo highlighted experiences of coalitions of service industries around the world such as the US coalition of Service Industries, European Services Forum, Canadian Services Coalition, Hong Kong CSI, CSI Malaysia, Australian Service Roundtable Caribbean CSIs, and the World Service Congress.

The presentation further examined the service sector in developing countries, noting that there are many fragmented players with diverse operations but which have no representation except those associations with membership from professionals and finance. As a result, services interests seldom get a hearing at the highest government levels noting that chambers and private sector federations mainly represent manufacturers. The service industry therefore gets very few incentives from government.

The presentation also covered the EAC integration agenda and the benefits the service sector can draw from regional integration. As EAC moves to liberalise the service sector, the Coalitions can identify perverse policies and regulatory challenges within the industry for governments to deal with. Coalition outputs can then form the basis for negotiation with governments.

Establishing a regional CSI may require a long process of consultation and preparatory meetings. But CSIs are critical in the following ways:

- They give a voice to small firms by articulating needs and other interests
- They provide training to services firms in standards, quality control, marketing,
- They advocate for regulatory development, standards and incentives
- They provide market intelligence since services are usually sold based on credibility
- They help with trade missions and fairs, keeping issues visible in the public arena
- They coordinate industry positions on sectoral and horizontal issues – some sectoral issues can become horizontal if the impact is felt across sectors – e.g. transparency, tax issues. Only industry can solve some of the technical issues such as standards, certification, etc., when regional integration gets deeper.
- They assist trade and industry officials in trade negotiations – especially where there are clear interests in the sector

### **Discussion**

The following issues were covered in the discussions:

1. At the regional level, the June 2009 EAC Dedicated Session on Trade in Services formally encouraged the private sector, including EABC and other relevant bodies, to establish national and regional CSIs.
2. There is no exact prescription for the structure of a coalition but by and large coalitions should maintain lean secretariats and must have legal status in the country where they are located in order to be recognized nationally.
3. Sometimes governments choose to open up the services sector even when the sector is still in its infancy as is the case with liberalisation of legal services in Rwanda. Governments choose to liberalise sectors taking into account interests of both service users and service providers.
4. Countries seem to be focusing on more vibrant services such as Information and Communication Technology (ICT), tourism at the expense of the less vibrant sectors. Coalitions should therefore raise awareness of the neglected service sectors to increase demand for services. The coalition should address policy issues such as lack of a national policy on trade in services.
5. The timetable for the formation of a regional coalition should not be dependent on the formation of national coalitions of associations.
6. The regional coalition should take into account existing institutions such as EABC and use them to its advantage. It should also seek strong public-private partnerships in its operations.
7. Sectors are at differing stages of strength and organisation. The regional association could begin with those ready to form a coalition and encourage others to join progressively. Membership should be on a voluntary basis.
8. The coalition should address the issues of lack of finance and therefore should be innovative enough to take on income generating services for which members are ready to pay to ensure its financial sustainability while building capacity of its members.
9. The association should endeavour to get a buy-in from all the EAC Partner States and even give some of the weaker associations a subscription holiday if it is to be recognized as a regional platform for the service sector.
10. The regional CSI could help with issues such as the need to regulate new services such as ICT at the national and regional levels. New services in ICT such as M-pesa<sup>1</sup> which are not recognized under WTO could also be addressed by the coalition.

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<sup>1</sup> M-Pesa is a way of sending money through mobile phones. The receiver goes to the nearest telecom service provider to pick up the money. Very low interest rates using this service hence very effective in reaching the people in the rural areas who cannot afford using banks to transfer small amounts of money.

11. There is a continuing challenge to get full engagement from government on services issues, however an effective CSI could assist generating the requisite interest and buy-in. Assistance on trade negotiations from an effective regional coalition could provide a valuable service for EAC governments.
12. In the process to establish a regional CSI, there is an urgent need to start advocating, and obtaining the necessary political champions at national and regional level.
13. Donors are believed to be open to consider funding for the development of CSIs. A compelling case could be made in strong proposals for the formation of both national and regional coalitions. But it must be endorsed by stakeholders in the private and public sectors.

### **C. Session II – A Proposed EAC Coalition of Services Industries**

Presenter: Charles Yegella, ILEAP-EABC Services Fellow, EABC Secretariat  
Title: Towards an EAC Coalition of Services Industries  
Discussant: Dr Geoffrey Bakunda, Makerere University Business School

The formation of a regional coalition in the service sector was a key recommendation emanating from the February 2009 EABC-ILEAP private sector services meeting in Nairobi. This recommendation led to the production of a scoping paper from which the presentation was drawn.

It focused on the need for a regional coalition of service industries, taking into account various challenges faced by the services sector at a regional level especially in the light of the recently concluded Common Market negotiations and the on-going EAC-EC EPA negotiations which are likely to bring about more liberalisation of the service sector.

The presentation drew comparisons with other existing coalitions of service industries, including the St Lucia and the United States CSIs which presented important lessons for a similar regional coalition in East Africa.

The proposed East African CSI could:

- Have two broad roles:
  - advocacy and lobbying; and
  - promotion of increased services exports
- Spearhead discussions among services businesses as reforms and services market opening evolves in the Common Market

Its broad objectives could include:

- Awareness raising
- Research and training
- Export promotion
- Information dissemination

It was suggested that government participation in the regional coalition should be limited to observer status as the coalition would want to maintain its independence.

### **Discussant:**

The discussant Dr Geoffrey Bakunda emphasized the need for a regional coalition saying it was long overdue. He noted that the service industry faced similar challenges such as limited supply capacity that could only be confronted at both national and regional level. It was now timely to advance the services agenda at regional level.

There is still no common voice for services at the East African level at the regional negotiations, which makes the industry's voice less effective.

The service industry in the region is still uncompetitive in the absence of national policies on trade in services. Inadequately represented organizations could potentially influence government policy once they were better organized.

He noted that the European Services Forum presented a good case study for learning lessons on CSI. The European Forum has a MoU with the European Commission and has influenced trade negotiations to a significant level. Such lessons can be replicated in the proposed East African regional services coalition

He emphasized that national associations should be strengthened while at the same time establishing a regional association of services industries.

### **Discussion**

The consensus among participants during the discussion in this session was that there was a need and intention to establish an East African CSI. Participants then mooted various issues around this central theme:

1. The structure of the proposed CSI for East Africa – how the CSI would be established, how it would fit in with existing regional associations, what types of Secretariat and what sources of funding it could have?
2. The extent to which government should be involved in the establishment and operation of a CSI. It was felt that it was important that the CSI is recognized by the government, and that in order to achieve this, the association should involve the government in its establishment from the outset. Participants had varying views concerning government involvement. However, there was consensus on the importance of building strong a public-private partnership for this initiative.
3. The relationship between national associations and CSIs and the regional CSI. The importance of strengthening national associations which make up the regional CSI was highlighted. In particular, those associations with a large number of SMEs, or

where SMEs had a strong need for representation, needed consideration within the CSI establishment.

#### **D. Session III – East African National Services Associations in Action**

Presenters: George Walusimbi-Mpanga, CEO, Uganda Services Exporters Association (USEA)  
Vincent Oluoch, Convenor (Public Affairs Committee), Association of Professional Societies in East Africa (APSEA)

In the presentation from the CEO of the Uganda Services Exporters Association, an advocacy and export support organisation for Uganda's services industry, participants learned that USEA was formed as a result of an UNCTAD/ITC sponsored workshop organized by the Uganda Export Promotion Board 4<sup>th</sup> to 6<sup>th</sup> June 1997 in Kampala. In this respect, USEA was formed with the intention of evolving into a full-fledged services coalition, however numerous challenges have to-date prevented this from materialising.

- USEA is mainly made up of micro, small and medium enterprises, independent professional associations, trade promotion agencies, and corporations. USEA represents Uganda's services industry at a number of international, regional and bilateral trade fora.
- USEA is also a member of other private sector bodies such as the Private Sector Foundation of Uganda (PSFU) and is the National Enquiry Point on Trade in Services.

The presentation highlighted the activities, challenges and achievements of USEA. Citing the former Service Export Net – a loose coalition of services associations in developing countries – the danger of losing focus without more concrete structures was highlighted.

In the presentation by the Convenor of the Association of Professional Societies in East Africa, participants were informed that the organisation, which was founded in 1991, is a business member organization with both corporate and individual members.

- APSEA only deals with horizontal issues. Core issues are dealt with by actual members; the exception is on trade negotiations, where most members don't have the interest or the capacity to become involved. In this area, APSEA takes the lead.
- APSEA works with a number of regional and international organisations, including for example the Commonwealth Secretariat on professional services in Kenya.
- In principle APSEA provides a regional Secretariat, alongside national branches, however in practise it is largely a Kenya-based body, with one established branch in Uganda and another just getting underway in Tanzania. There are also plans to establish branches in Rwanda and Burundi.

The presentation also covered: the organizational structural of the association, criteria for admission and services to its members, and the challenges affecting the association.

## **Discussions:**

During the discussions in this session, the following points were raised:

1. Organisations such as USEA have made it easier for members to participate in both the negotiations of the Common Market Protocol and other negotiation processes. USEA was instrumental in negotiating on behalf of the service providers to end the duopoly in the Uganda telecoms sector.
2. In the Common Market negotiations, USEA used its ILEAP-supported draft education services study to influence the process. The study defined both defensive and offensive interests in the Ugandan education sector, recommending harmonizing of tertiary education curricula etc. As a consequence, Uganda is intending to make commitments on education services at the WTO.
3. It is important to highlight the challenges when setting up regional bodies such as a CSI. Many of the services stakeholders are micro enterprises – sole proprietors. There is a tendency for them to feel immune to what is happening at the regional level, therefore mobilization is a challenge. All stakeholders must see the benefit of membership of such organizations.
4. Even where regulatory frameworks exist, there are challenges on enforcement, which tends to be weak. For instance, enforcement of regulations concerning architects in Uganda is said to be weak. Unless the CSI can be relevant in this respect, the exercise may end up being theoretical.
5. Given the consensus on the agreement to establish the regional CSI, the next steps should include identification of specific champions. It was important to identify the specific representatives who would be committed torch bearers and identify their capacity to put across the issues: they should be committed, competent and available to play a role.

## **E. Session IV – East Africa Regional Associations in Action**

Presenters: Bobi Odiko, East African Law Society (EALS)  
Vickson Ncube, Eastern Central and Southern African Federation of Accountants (ECSAFA)

In the presentation from the representative of the East African Law Society, participants learned that the organisation is incorporated in Tanzania and registered as a foreign company in Kenya and Uganda. The will open similar companies in Rwanda and Burundi.

- The organisation's funders include SIDA and the Open Society of South Africa and East Africa. The organisation is run by a Governing Council of 18 eminent lawyers from across the region. There are also Council committees and member committees, including a Regional Integration Committee established to take advantage of opportunities in the East Africa Common Market.
- The Secretariat, based in Arusha, is the nerve centre of the organisation. At first it was a rotating Secretariat within national Bar Associations, but it is now a central Secretariat. While the organisation relies on close to 90% of its funding from donors, the rest of its income is derived from membership dues. Individual lawyers pay

- subscription to their national associations and the national associations remit a proportion of the fees to the EALS. Its annual income is around US \$2 million.
- Due to the different legal traditions in East Africa (both civil and common law countries), the organisation is working on a hybrid law to harmonise the legal traditions and applicable law in East Africa. The organisation has formal observer status with EAC and the African Commission on Human and People's Rights, and has close relations with the East African Partner States.
  - The remaining challenges for the organisation include: capacity issues (language barriers mean the Secretariat needs bilingual staff); sustainability (including funding) – the organisation intends to raise further funds through membership; ownership – individual members pay USD4 per month and yet the demands exceed the dues; future developments – the organisation wants to remain at the cutting edge of developing business law; it also wants to reach out to the Diaspora and develop more collaborations with other regional organisations.

The presentation from the representative of the East and Central and Southern African Federation of Accountants (ECSAFA) covered the following points: the organisation's membership and organisational structure; its funding; its core values and standards; and its activities.

- There are different sets of regulations for employed accountants and self-employed accountants. ECSAFA is working with the World Bank to benchmark the curriculum for the education of accountants; within 3 years it is expected to have harmonized the qualification. Focus is on the level and quality of service – i.e. based on content not based on numbers of years qualified.
- There is a constant movement towards harmonization of standards – harmonise all the enabling acts regulating the profession – usually consult with Minister of Finance, Accountant General and Anti corruption officials in the proposed member country. The focus is on accountability and high standards.
- The organisation has the following challenges:
  - Sovereignty of national States –
  - Funding – the organisation tries not to be defined by its weaknesses; in the face of limited finances, it has found that much can be done.
  - Capacities – the organisation cannot afford to employ a full time lawyer, for the meantime it has a part time lawyer.

#### **Discussion:**

During the discussion, participants raised the following points:

1. The proposed CSI would need to be aligned with the other regional organizations to be effective.
2. Care needs to be taken in establishing and maintaining the relationship between national and regional bodies: clear cut lines of operations are needed, e.g. modalities of subscriptions, remissions of funds all need to be worked out to avoid friction and tension between the bodies.

3. Law societies have not previously been involved in the negotiation of EPAs – more awareness needs to be created of services negotiations and reforms in the national law societies.
4. There are no international or regional law firms that cover the whole East African region as is typical in the West.
5. There is a need to change mindset in Africa away from dependence and towards understanding how African societies can benefit from cooperation among national and regional organisations.

#### **F. Session V – CSIs in Sector Development - Options for ICT/BPO**

Presenters: Gilda Odera, Chairperson, Kenya BPO and Contact Society  
 Abubaker Luwaga, CEO, Cayman Consults Ltd, Uganda  
 Fiona Asonga, Telecoms Providers Association of Kenya (TESPOK)

In her presentation, the Chair of the Kenya BPO and Contact Society outlined the main characteristics of the business process outsourcing (BPO) sector in East Africa. The main points of her presentation covered the industry structure and sub-sectors; the Society's mission and its challenges. Such challenges include:

- A weak secretariat – one staff member who is over-stretched.
- The organisation is understaffed for an industry that is young and extremely demanding
- With only 33 members, the organisation is under-financed and under-resourced; nevertheless, they have done much to promote the sector
- An East African regional association is needed to sell East Africa as a block in terms of ICT and BPO.

The CEO of Cayman Consults, a BPO company based in Uganda, made the following points in his presentation:

- There is now a BPO strategy for Uganda, including policy frameworks, infrastructure, human resources, and marketing Uganda as a BPO destination.
- The company has international contracts with a Canadian company to perform BPO services. It has become a member of international networks and associations including in the US - as well as with domestic associations. This provides it with clout and credibility.
- The value addition of having a BPO association is that national strategic areas can be the focus
- What should emerge from the regional organisation could be a regional focus on certification, networking forums and industry information.
- Challenges include: the lack of a clear vision on the value proposition, and the fact that it is expensive in terms of time and money.
- Suggestions for the way forward in establishing a regional organisation for BPO:
  - Bring onboard a few dynamic members to spearhead the drive
  - Develop a value proposition at a national level showing clearly the mandate, governance structure, and strategic plan

- Develop a linkage with partner associations in the region, e.g. the Kenyan BPO

In her presentation, the representative of the Telecoms Providers Association of Kenya (TESPOK) covered: industry representation; strategic partnerships; standards of practice; values and achievements; priority actions; and development of the industry in East Africa. One key achievement is that in March 2010 the next ICANN meeting will take place for the first time in East Africa in order to showcase East African business opportunities and East African ICT skills. This hosting is supported by all the governments of the East African countries.

#### **Discussion:**

During the discussion, the following points were raised:

1. The focus on establishing the regional organisation should be on what can first be done small scale and then gradually build up into a bigger organisation.
2. The focus is less on how many firms there are at the start. There is a need to work at the national level to get organised and to collaborate to move the regional organisation planning process forward.
3. Even if there are champions for the regional CSI, they need to understand the industry, and need to be professional and command respect. The Kenyan BPO Society is working with other BPO societies in the region.
4. In order to maximise human resource skills, multitasking skills are key, as are general management skills.
5. In tackling constraints in external markets, it is important to pay attention to firm reputation, marketing, and market intelligence.
6. There has been some engagement on trade negotiations, but this has been on an ad hoc and personal basis. A regional services coalition could help better organise this.

#### **G. Session VI – CSIs at the National and Regional Level (Roundtable Discussion)**

Presenters: Econi Nijimbere, President, Association of Manufacturers in Burundi (AIB)  
 Carole Kariuki, Acting CEO, Kenyan Private Sector Alliance (KEPSA)  
 Luis Accaro, Programme Manager, Tanzania Private Sector Foundation (TPSF)  
 Lucas Murenzi, Director of Trade Policy & Advocacy, Rwanda Private Sector Foundation (RPSF)  
 Moses Ogwal, Director of Policy, Private Sector Foundation Uganda (PSFU)

The representative from the AIB covered the following areas in his presentation: the status of existing private sector organisations in Burundi; current structural reforms to establish a Federal Chamber of Commerce and Industry (CFCIB); the potential structure of the organisation; its vision, structure, membership and activities; and its strategic partnerships.

The statement from KEPSA included the following points:

- KEPSA is the voice of private sector in Kenya, obtaining recognition within government and development partners as well as civil society.
  - The organisation focuses on cross cutting issues, rather than micro issues; it focuses on broad issues at regional level.
- KEPSA has its own research unit but it sometimes forms partnerships with other research organisations and academic institutions.
- Membership is extended to both associations and corporate bodies. Membership dues are barely enough to fund the organisation and so the corporate supplements the gap. The organisation is resisting becoming dependent on donor funding.
- KEPSA has between 9 and 12 staff at any given time. Its structure comprises a Board, a Secretariat, divided into sectoral committees. Some of the organisation's successes include:
  - Peace deal negotiations in the post election crisis. The organisation used the 11 million employees within KEPSA as leverage to enable public- private dialogue. The government and private sector now see each other as partners.
  - Reduction of road blocks to business environment – some infrastructural issues which hinder businesses have been addressed.
  - Establishment of an e-registry in order to tackle corruption; the government is seen as an institution to which value can be added. Through the registry some regulatory reform, including licensing has been affected.
- A possible role for a regional CSI:
  - Could act as a unified voice for services industries in the region. A good example is the Kenya Tourism Federation. It would be worth looking at that structure.

The representative of the Tanzanian Chamber of Commerce covered the following points in his presentation: the organisation's mission, structure and membership; the challenges facing the organisation; and its funding base.

- A role for the potential regional CSI (which is considered crucial in spearheading further development of services industries in East African states):
  - Trade in services – domestic and export market – employment creators etc
  - A major objective should be to strengthen capacity, etc
  - Structure – not too different from EABC model, possibly starting with office space within EABC
  - Other things to consider: sustainability, accreditation, standards, compulsory membership

The representative of the Rwanda Private Sector Federation informed participants that the Rwandan PSF replaced the Rwanda Chamber of Commerce. He continued elaborating on the organisation's vision, mission and membership, as well as its organisational structure; its priority activities; and its funding base. There is general will for a CSI – there are evident opportunities in organisational terms and there is full government support for private sector.

- There are sector specific coalitions, but where can a CSI be placed? Who will manage it? Current service associations focus on specific issues in their sub-sector; there is a lack of a link on cross cutting issues.

- Expectations for the regional CSI:
  - It will promote national/regional advocacy – Rwanda is landlocked and weaker state within East Africa
  - It will provide a unified voice for lobbying
  - It will foster improved partnerships and support increased competitiveness
  - It will promote more active trade in East Africa region

The representative of the Private Sector Foundation in Uganda included the following points in his statement:

- The organisation is established in Uganda but helping other PSFs to be set up, e.g., Rwanda, Tanzania.
- It will shortly move into the interior of Uganda to outreach there for membership.
- Existing membership already covers various services providers, including bankers, lawyers, real estate, insurance, employers' federation, etc.
- Funding sources include membership fees, management fees, events and training, as well as donor support for specific projects.
- A CSI is important at national level, but it must be member led so it can be sustainable.

**Discussion:**

In the discussions participants raised the following issues:

1. Mixed reactions to the establishment of CSIs are inevitable, mainly from associations dealing with many issues but where there is no coordination. However, there was broad support for the establishment of the East African CSIs.
2. In order to give the structure some focus and credibility it would be advisable to have a statement or declaration which the participants have agreed to, in order to help move the process forward.

**H. Session VII – the Way Forward**

During the workshop's final session participants debated on the way forward and the following elements summarise the views presented:

- There was broad support for the formation of CSIs at the national and regional levels in East Africa.
- The success of any initiative to establish a CSI needed strong political support, both public and private.
- Ensuring synergies with existing bodies was essential to avoid 're-inventing the wheel', while at the same it was underscored that the outcome needed to ensure there was a vehicle focussed strictly on services constituents
- In this respect, the priorities for any CSI needed to be clearly laid out (cross-cutting issues were likely the easiest starting point).
- In the EA context, priorities were likely to include mostly sector development, aimed at enhancing competitiveness. Policy advocacy was also a key priority area, including assistance to formulate comprehensive services policy at national and regional level. While trade negotiations were also deemed important, the general view was that they were less of a priority than the sector development and policy advocacy side.

- It was noted that a key link between sector development/policy advocacy and trade negotiations were aid for trade interventions that could be focussed on addressing sector constraints. In this sense, the preparatory process could provide an opportunity for helping to identify such constraints; and the CSIs could be a conduit for helping to secure private sector-targeted funds from donors.
- On resource mobilization, it was recognised that donor assistance would be essential in the initial phases (perhaps for the first five years), but that it was essential for any CSI to be established with a view to medium-term financial sustainability.
- An important role for government could be to help coordinate efforts (especially at the outset), but most importantly, to ensure there is a window for the CSI to engage in formal institutional processes
- How the CSI is packaged is a key factor. As such a strategy was needed to build local support and buy-in. This would, it was acknowledged, take time. It is important to help firms to see the benefits of membership.

On the proposed establishment of a regional EAC CSI, it was agreed that:

- There is a need to better elaborate options for structure and design. This included such areas as Board of Directors, sectoral committees, membership, etc., as well as what other partner might be included.
- The EABC may provide good model for the regional CSI, focussing largely on advocacy, while leaving sector development to be taken up by other organisations
- Calibrating focus was essential, ensuring value-addition and avoiding overlap. In this respect, cross-cutting issues could be a sensible starting point. Lobbying at the regional and higher levels to ensure a unified/coherent voice could be another initial focus. A third area could include helping to support capacity of national level partners, including in the ability to fill gaps in the short-term in the absence of national CSI.

On the issue of the timeline for the establishment of CSIs, the question was raised as to whether the regional exercise should be expedited to be able to engage more quickly on the issues, bearing in mind that it may take more time at national level to sort through the process.

As the way forward, the meeting formally endorsed the following recommendations:

1. We support the formation of services coalitions at the national and regional level in East Africa and call for the expedited formation of a regional CSI to commence work on priority areas.
2. We call on governments to provide firm political support for such initiatives.
3. We also call on national and regional private sector bodies to collaborate on the advancement of a specific agenda for formulating services coalitions.
4. With regards to moving forward with the establishment of a regional East African CSI, stakeholders agreed to:
  - Formulate a steering committee with representation from private sector associations in each Partner State, as well as from the respective Ministries of Trade (or equivalent). Volunteering organisations included:
    - EABC

- Uganda Chamber of Commerce
  - APSEA
  - USEA
  - RPSF
  - TCCIA
  - KEPSA
  - The door would be left open for others not in attendance to join.
- Support the drafting of a general structure with a regional hub and national spokes. The priority would be on enumerating a mandate, objectives, activities, structure, membership, etc. A second priority would be outlining a plan for securing resources for dedicated staff in the short-term.
- Designate EABC to serve as the incubating institution in the early stages, with a future determination to be made on appropriate institutional setting/arrangement. As such, EABC should quickly incorporate insights from the workshop into the draft EAC CSI paper. With specific proposals on structure, etc., this could serve as the basis for consideration by the steering committee for moving forward. EABC would thus also be tasked with assisting to finalise the membership of the steering committee and convening the first meeting no later than Q1 2010 (pending available resources).
- Attending national private sector apex bodies committed to participate in the process, including wherever possible, by assisting in coordination and mobilisation of support. Relevant stakeholders would explore whether there was a willingness to act as national champions
- On broader timeline, efforts should be made to bring the EAC CSI into being at the earliest possible date (not later than Q3 2010). There was a clear possibility to expedite certain functions at regional level (within EABC). National level activities may come later (or in parallel) on the basis of the individual circumstances in each Partner State.
- We call on the continued support from ILEAP on this important work, including through technical backstopping and assisting stakeholders to secure the needed resources.





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## **Annex 1 – Aide-Memoire and Agenda**

### ***Building Consensus on Services Reforms and Negotiations: the Private Sector and the Role of Services Coalitions***

**Aide Memoire**

**2-3 October 2009**

**Imperial Royale Hotel – Kampala, Uganda**

#### **Background**

Services constitute the most dynamic area of international trade, offering significant opportunities both in terms of increased exports and imports, aimed together at enhancing competitiveness, stimulating economic development and reducing poverty. At the same time services reforms and negotiations remain understandably contentious due to their potential to expose vulnerable stakeholders to a variety of risks.

Part of the difficulty in harnessing services reforms and negotiations to promote development results from the expansive nature of the sector. In reality there is no single 'services sector' to speak of, but rather a collection of sectors covering significant swathes of economic activity and impacting a diverse range of stakeholders. Coordinating such views and employing them to promote and develop the various sectors has proven challenging, both for governments and the private sector.

In light of this, firms in a number of sectors (notably in professional services) have tended to group themselves into industry associations. Such associations can play a myriad of roles. Externally, they often advocate on behalf of the sector, especially with governments, regarding policy reforms, trade barriers, negotiating positions and strategies for enhancing exports in their sector more generally. Internally, roles include raising awareness on the impact/relevance of services negotiations, basic information and knowledge sharing amongst members, and facilitating coordination and harmonization on standards, qualifications and licensing. Responsibilities can also include self-regulation (with vested authority to confer specific qualifications), as is often the case in a number of qualified professions, such as lawyers. Being adequately situated in the country's/region's broader institutional decision-making framework is an essential ingredient for success.

Such sectoral associations also operate at different levels. This can include national (or sub-national) representation, regional groupings, as well as participation in international bodies. Over the past decade, there has also been a move to pool together a range of cross-sectoral associations, bodies and firms into national and regional services coalitions, themselves

often associated with global bodies, such as the Global Services Network (GSN).<sup>2</sup> Such national and regional (and global) groupings can lend additional weight to positions being taken and help further promote private sectors interests in services reforms in the region and at varying national levels.

### **Objective**

Despite the acknowledged role such coalitions can and should play in harnessing services for development, their existence in Africa is virtually non-existent (including in East Africa). As such, the broader objective of this workshop is to help create awareness about the role of services coalitions in pursuing services reforms and negotiations, as well as to promote information and knowledge sharing amongst stakeholders of national/regional experiences with services associations. Building consensus for such coalitions is thus a key expected outcome. By helping to elaborate on how such coalitions can be properly situated within the existing institutional landscape, the ultimate aim is to help catalyze the formation of national coalitions in the EAC Partner States, as well as the formation of a regional body that can represent the region's diverse interests at the regional and global stage.

### **Organisation and participants**

The meeting is being organised by EABC and ILEAP, with a focus on laying the groundwork for the possible establishment of an EAC CSI organisation. Participants will be chosen from selected sectors, covering private sector professionals and association representatives within the region, as well as relevant public sector ministry and regulatory agency representatives. A select number of non-EAC representatives will also be in attendance, both to share experiences and act as advisors.

As such, target participants will include:

- Private sector operators and representatives of services associations;
- Government officials from relevant ministries and regulatory bodies involved in the development of services export strategies and/or services negotiations; and

Researchers in academia, think tanks and regional research networks concerned with trade and regulatory policies, as well as export development and promotion

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<sup>2</sup> The Global Services Network is an informal, private sector-led, forum which gathers the global services community of business people, government officials, academics, and others who are committed to increased trade and investment in services, and a rules-based, multilateral trading system.

## **Agenda**

<b>2 October 2009</b>	
9:00 - 9:30	Registration
9:30 - 10:30	<p><b>Opening Session</b></p> <ul style="list-style-type: none"> <li>• Gerald Sendaula, Vice-Chair (Uganda), EABC</li> <li>• David Primack, Acting Executive Director, ILEAP</li> <li>• Ambassador Julius Onen, Permanent Secretary, Uganda Ministry of Tourism, Trade and Industry</li> </ul>
10:30 - 11:00	<b>Coffee Break</b>
11:00 - 12:30	<p><b>Session I:       The role of services coalitions in international trade</b></p> <p>This session will provide an overview of the role of service coalitions, focussing in particular on the different needs between larger firms in advanced countries and relatively smaller firms in developing countries. A case study of the Barbados Coalition of Service Industries (BCSI) will be offered.</p> <p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• Ramesh Chaitoo, Advisor, ILEAP</li> </ul> <p><b>Q&amp;A</b></p>
12:30 - 13:30	<b>Lunch</b>
13:30 - 15:00	<p><b>Session II:       A proposed EAC Coalition of Services Industries</b></p> <p>This session will provide an overview of preliminary research on the formation of an East African Coalition of Services Industries.</p> <p><b>Presentation</b></p> <ul style="list-style-type: none"> <li>• Charles Yegella, EABC-ILEAP Fellow, EABC</li> </ul> <p><b>Discussant</b></p> <ul style="list-style-type: none"> <li>• Geoffrey Bakunda, Senior Lecturer, Makerere University</li> </ul> <p><b>Q&amp;A</b></p>
15:00 - 15:30	<b>Coffee break</b>

15:30 - 17:00	<p><b>Session III: EA national services associations in action</b></p> <p>This session will delve into the salient features of a pair of existing national services bodies. Attention will be drawn to issues such as objectives, activities, membership, and structure, etc., as well as the manner in which they interact with partners at the national, regional and international level.</p> <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>• George Walusimbi-Mpanga, CEO, Uganda Services Exporters Association (USEA)</li> <li>• Vincent Oluoch, Convenor (Public Affairs Committee), Association of Professional Societies in East Africa (APSEA)</li> </ul> <p><b>Q&amp;A</b></p>
<b>3 October 2009</b>	
9:00 - 10:30	<p><b>Session IV: EA regional services associations in action</b></p> <p>This session will delve into the salient features of a pair of existing regional professional services bodies. Attention will be drawn to issues such as objectives, activities, membership, and structure, etc., as well as the manner in which they interact with partners at the national, regional and international level.</p> <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>• Bobi Odiko, East African Law Society (EALS)</li> <li>• Vickson Ncube, Eastern Central and Southern African Federation of Accountants (ECSAFA)</li> </ul> <p><b>Q&amp;A</b></p>
10:30 - 11:00	<b>Coffee Break</b>
11:00 - 12:30	<p><b>Session V: CSIs in sector development – options for ICT/BPO</b></p> <p>ICT/BPO is a new and burgeoning sub-sector in East Africa, one that virtually all Partner States have prioritised in their national development plans. While both the public and private sector are involved in efforts to better organise the sector at the national level, there is as-yet no EAC-wide BPO Society. This session aims to take the BPO sector as a case study of what a regional (and/or national) CSI could do to support the sector.</p> <p><b>Presentations</b></p> <ul style="list-style-type: none"> <li>• Gilda Odera, Chairperson, Kenya BPO and Contact Society</li> <li>• Abubaker Luwaga, CEO, Cayman Consults Ltd (Uganda)</li> <li>• Fiona Asonga, Acting CEO, Telecommunication Service Providers Association of Kenya (TESPOK)</li> </ul> <p><b>Q&amp;A</b></p>

12:30 - 13:30	<b>Lunch</b>
13:30 - 15:30	<p><b>Session VI: Roundtable discussion: CSIs at the national and regional level</b></p> <p>This session will be held in roundtable format, with invited discussants asked to comment on the proposed regional EAC CSI, including on how a regional CSI might situate itself within existing national and regional structures. Questions surrounding the value and potential challenges of catalyzing national CSIs (as a new body or within an existing one), as well as how such a national body might relate to the regional umbrella are also to be addressed.</p> <p><b>Discussants</b></p> <ul style="list-style-type: none"> <li>• Carole Kariuki, Acting Chief Executive Officer, Kenyan Private Sector Alliance (KEPSA)</li> <li>• Moses Ogwal, Director of Policy, Private Sector Foundation Uganda (PSFU)</li> <li>• Adam Zuku, Senior Chamber Development Officer, Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA)</li> <li>• Lucas Murenzi, Director of Trade Policy &amp; Advocacy, Rwanda Private Sector Federation (RPSF)</li> <li>• Econi Nijimbere, President, Association of Manufacturers in Burundi (AIB)</li> </ul> <p><b>Q&amp;A</b></p>
15:30 - 16:00	<b>Coffee break</b>
16:00 - 17:00	<p><b>Session VII: Way forward</b></p> <p>This session will draw together insights and recommendations on forming coalition-type services bodies at the national and regional level in East Africa.</p> <p><b>Q&amp;A</b></p>

## Annex 2 – List of Participants

### ***Building Consensus on Services Reforms and Negotiations: the Private Sector and the Role of Services Coalitions***

**Participants List  
2-3 October 2009  
Imperial Royale Hotel – Kampala, Uganda**

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