Conference Report

Private Sector Development and Poverty Reduction

REPORT ON THE SEMINAR PARLIAMENTARY AND PRIVATE SECTOR COOPERATION FOR SUSTAINABLE DEVELOPMENT AND POVERTY REDUCTION IN THE GREAT LAKES REGION,

ARUSHA, 8-9 SEPTEMBER 2006

AWEPA EUROPEAN PARLIAMENTARIANS FOR AFRICA

"A flourishing private sector is key to poverty reduction"

MPs present recommendations to help businesses thrive P 3

Code of Conduct: ethical guidelines for parliamentary and private sector relations

Developing a Code of Conduct for ethical and environmentally sustainable cooperation between parliamentarians and the private sector, is necessary P 13

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Private and public sector share common goals of development

"Parliamentarians and business people must cooperate"

Creating a network of parliamentarians and business people to enhance poverty reduction and development; increasing awareness among both partners, that cooperation is possible and necessary were some of the main goals of the seminar AWEPA organised in Arusha in September 2006.

This was the first meeting organised by AWEPA to discuss cooperation between parliamentarians and the private sector.

The discussion focused on four topics:

- What parliamentarians and businesses can do to create a climate conducive to investment in the Great Lakes Region;
- How to develop Public Private Partnerships that are socially responsible and provide new resources, expertise and infrastructure in African countries;
- How parliamentarians and the private sector can work together to achieve environmentally sustainable development that reduces poverty;
- How to give more people access to finance through microcredit schemes.

CONCRETE RESULTS

The seminar resulted in guidelines, recommendations, and a code of conduct, that focus on what parliamentarians can do to develop the private sector (see pages 11-14). In addition, representatives and parliamentarians took the first steps towards building a network that will allow them to exchange expertise. It is hoped that this will soon result in initiatives to reduce poverty and enhance sustainable development in the Great Lakes Region.

National meetings will be organised as follow-ups to the seminar on parliamentary and private sector partnership (for more information, see the back page of this report).

AWEPA wishes to thank the East African Legislative Assembly for its commitment, and cooperation with this seminar. I also express my gratitude to the Dutch, Norwegian and Swedish Governments, and the United Nations Environment Programme, for the support they gave to the Arusha meeting. AWEPA hopes that the cooperation between parliamentarians and private sector representatives that began in Arusha will be the start of a long and fruitful partnership. The needs of people in the Great Lakes Region are numerous, but so are the opportunities to work together for sustainable development.

"...take initiatives to reduce poverty..."
Brendan Howlin, AWEPA Vice-President

Brendan Howlin TD
AWEPA Vice President

Keeping the momentum going in the Great Lakes Region

The seminar on Parliamentary and Private Sector Cooperation for Sustainable Development and Poverty Reduction in the Great Lakes Region is part of a series of regional meetings and national follow-up seminars aimed at strengthening stability and development in this dynamic part of Africa. This programme, funded by the Dutch Government and running for a four year period (2005-2008), aims at generating concrete parliamentary action, to improve humanitarian and socio-economic development, and strengthen parliamentary democracy in the region.
The Arusha seminar focused on two of the key programme themes: private sector development and poverty reduction. The other two programme topics are:

- **strengthening the groundrules of parliamentary democracy**
- **Fighting HIV/AIDS**

See: www.awepa.org for more information on this programme, and AWEPA's other work.

Working with the private sector requires strict ethics

MPs: "A flourishing private sector is key to poverty reduction"

"The *'private sector'* is not a dirty word," said one of the speakers at the seminar in Arusha. For years it was unfashionable for African intellectuals and politicians alike, to consider the private sector as being of value to society. This has now changed dramatically. The seminar on Public Private Partnerships in Arusha was a case in point. The meeting led to concrete results, as MPs identified measures to promote sustainable growth in the private sector.

"Without a flourishing private sector, African governments cannot achieve poverty reduction, create jobs, educate children nor reduce avoidable child and maternal mortality," the MPs proclaimed in a common statement.

More than 50 parliamentarians from the Great Lakes Region, as well as MPs from Ireland, Sweden, and Germany, adopted a list of recommendations outlining what they could do to help businesses thrive in the region. They also committed themselves to developing a Code of Conduct for ethical and environmentally sustainable parliamentary and private sector cooperation. The parliamentarians furthermore made a number of recommendations on access to microcredit for women and the poor.

ENHANCING A CLIMATE CONDUCIVE TO BUSINESS

MPs stressed that by adopting the right laws and policies, parliamentarians can make a difference in enhancing the business environment of their country. To this end, they adopted a list of twelve recommendations (see p 11-14). One of the most ambitious of the twelve, is a recommendation promoting the establishment of an African common market, comparable to the European Union, "so the continent can become fully competitive with countries such as China and India."

When drafting bills that impact the business community, parliamentarians should consult business people, the MPs said. Parliamentarians must also insist on zero tolerance when it comes to corruption. "Enact laws that make it clear that the consequences of corrupt practices lead to the certainty of punishment, should laws be broken" the MPs strongly recommended.

African entrepreneurs and Small and Medium Enterprises (SMEs) deserve special protection and support from MPs, they said. One-stop investment centres should be established to encourage both national and international investment in the local economy.

ACCESS TO MICROCREDIT

In talks held on microcredit, MPs agreed that each country should develop a microfinance policy. Women and the very poor in particular should have easy access to small loans for sound business plans, and restrictions in family law and commercial law should be abolished, so that married women can take financial responsibility. Success stories about small businesses and microcredit should be widely publicised.

MPs should also do away with burdensome legislation, especially for small businesses. "Do not regulate more than absolutely necessary" the MPs advised.

CODE OF CONDUCT FOR PUBLIC PRIVATE COOPERATION

In a third declaration adopted at the seminar, participants said they wanted to establish a Code of Conduct, to ensure that cooperation between parliaments and the private sector is conducted ethically. They compiled a rough draft of such a code, and agreed to further elaborate on the project at follow-up meetings. A first draft will be presented at the next regional meeting on private sector development, planned for the second half of 2007.

In preparing the draft code, MPs suggested that property rights of local communities, and intellectual property rights, should be protected from unscrupulous exploitation.

The code will also contain a section calling on parliaments to vigilantly oversee the private sector's use and management of natural resources. The Code of Conduct, they stressed, should be in harmony with existing treaties and laws.

Both the preliminary outline of the Code of Conduct, as well as the recommendations on microfinance and on creating a climate conducive to investment, will be discussed at national workshops in the region. •

One-stop investment centres

Several African countries, including South-Africa, Nigeria and Tanzania, already have one-stop investment centres. Here, entrepreneurs receive support for setting up a new business and making financial investments. The MPs called on fellow African parliamentarians to set up similar entrepreneurial support centres.

African governments use PPPs to enhance service to the people

Sustainable private sector growth is on the parliamentary agenda

The private sector has become the central focus for the economic development of African countries in recent years. This has coincided with a greater responsibility on parliamentarians to create the right environment for business. Public Private Partnerships (PPPs) are widely promoted as a means of enhancing socially responsible, sustainable growth.

PPPs are contractual agreements between a public agency and a private sector entity that allow for greater private sector participation in the delivery of basic services such as water, wastewater & sanitation, energy, transportation, telecommunications, etc.

Expanding the private sector role allows public agencies to tap private sector technical, management and financial resources in new ways so as to achieve public agency objectives such as greater cost certainty, supplementing in-house staff, innovative technology applications, specialized expertise, and access to private capital. The private partner can expand its business opportunities in return for assuming these responsibilities and risks.

PPPs may, however, actually end up being more expensive to the government than if the government were to directly borrow the necessary capital. MPs need to consider, when investing in government infrastructure, the private sector's demand for higher profits, which could result in higher costs to the government and ultimately, to the community. PPPs have been unsuccessful when they were inappropriately applied and poorly understood.

IMPROVING INFRASTRUCTURE

Over the years, the role of the state on the African continent has changed, and while public institutions are no longer as directly involved in the provision of basic services, they still have an important role to play in the distribution of incomes and in regulating and promoting development.

African governments, most observers would agree, look to PPPs to radically improve infrastructure networks in their countries and enhance service delivery to their people. They hope this financing model – where the state shares risk and responsibility with private firms but ultimately retains control of assets – will improve services, while avoiding some of the pitfalls of privatization such as unemployment and higher prices.

MPs may need to talk openly with their citizens about their government's inability to continue to offer free, heavily subsidized services. They may need to pre-empt public complaint and suspicion by building consensus and transparency, and provide policy clarity about PPPs. MPs should certainly seek to root out corruption, and enforce accountability, experts say.

COMPETITION

The private sector has become the central focus for the economic development of African countries in recent years. But Africa remains a high risk place to do business. According to the World Bank, that risk is 40% above that of other developing regions.

This is due, among other things, to competition from well connected multi-nationals with dominant market positions. On average, large international firms in Africa have twice the market share they do in China and India. By helping to create a better infrastructure, MPs can empower local African businesses to compete more successfully with foreign multi-nationals. They should also work to create a level playing field and enhance competition.

Useful Links

World Bank – <http://www.worldbank.org/>
International Finance Corporation – <http://www.ifc.org/>
Investment Climate Facility – <http://www.investmentclimatefacility.org/>
Consultative Group to Assist the Poor (CGAP) – www.cgap.org <http://www.cgap.org/>
The World Bank Doing Business Database – <http://www.doingbusiness.org/>
NEPAD-OECD Africa Investment Initiative – <http://www.oecd.org/daf/investment/africa>

CLIMATE CONDUCIVE TO BUSINESS

Parliamentarians may also share responsibility in other areas. Economic growth and sustainable development are feasible only in an investment climate that is conducive to business, economists agree. Africa's investment climate has improved tremendously over the past two decades. Countries have begun to restructure their financial policies by cutting expenses and improving tax collection.

Countries that previously had price controls, profit margin ceilings, and large subsidies, have abandoned most of these. Business regulations have improved, and complex procedures to obtain permission to set up businesses are being dismantled. As a result of these measures, inflation has been kept under control and investments have grown.

Despite these improvements, for international standards Africa is still a risky and expensive place to do business. A lot of work needs to be done. "Markets require strong institutional foundations if they are to flourish. Appropriate laws and a sound judiciary, for example, are essential to protect property rights," the World Bank says in a booklet on private sector development in Africa. Parliamentarians, as watchdogs and initiators of legislation, can obviously make significant contributions to the development of the economy.

OBSTACLES

One of the obstacles to creating a climate conducive to investment is the continent's economic fragmentation. Africa, by and large, is still a kaleidoscopic market of small economies. This makes transaction costs high and market access difficult. The response to this problem is greater economic integration, such as in the East African Community in the Great Lakes Region. The harmonisation of policies across Africa's numerous regional economic communities will be a boost to the continent's economy and parliamentarians should play a role in this process.

Another obstacle to establishing a good business environment is, paradoxically, the strong position of the informal sector. Small and often one-man businesses, many of which pay few taxes and evade rules and regulations, play important roles in African economies as they provide subsistence incomes and safety nets for the people.

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But the informal sector fails to take African economies to the professional level required to compete in the global market. On average, the informal sector accounts for 50% of GDP in African economies. With governments accounting for another quarter of all economic activity, the private sector makes up the remaining 25%.

Improving infrastructure – transportation, communications, energy, water systems and finance – are all key to enhancing the business climate in the continent. Private sector participation in these infra-structures has been keenly sought in the past few years. Parliamentarians have a responsibility to encourage and oversee infrastructure development projects.

Women MPs: "root out corruption, enchance access to credit"

Microcredit: a shortcut to sustainable development

"Poverty in the world is an artificial creation; it does not belong to human civilization. We can change it." – Dr. Muhammad Yunus, 2006 Nobel Peace Prize Laureate.

Microcredits are an effective means of contributing on a sustainable basis to poverty reduction and the achievement of the Millennium Development Goals. In 1998, the UN General Assembly designated 2005 as the International Year of Microcredit.

The following year, Dr. Muhammad Yunus became the first business person to win the Nobel Peace Prize. The Nobel Laureate insists that it is possible to eradicate global poverty within two generations, through microcredit loans. Referring to the work of Bangladesh's Grameen Bank, Yunus said, "At the rate we're heading, we'll halve total poverty by 2015. We'll create a poverty museum in 2030."

In 1976, Yunus founded Grameen Bank (GB), a profit-making bank with a social mission to reduce poverty. The success of the bank since then has defied all conventional wisdom that lending to the poor is a risky business doomed to end in failure.

"These millions of small people with their millions of small pursuits can add up to create the biggest development wonder", Yunus says. No less than 96% of the bank's borrowers are women.

EMPOWERING THE COMMUNITY

A recent study, funded by UNIFEM, which interviewed over 600 women and over 200 men, in five Latin American countries, found that women invest their profits in their children and their families.

Empowering women through microcredit loans means empowering the entire community, and the next generation. Women are less likely to drink, gamble or otherwise fritter away their profits. They put it back in their business, and in the well-being of their children, their nutrition, schooling, and housing. The rate of repayment on loans was found to be similar between men and women.

Take Adama, for example, a Senegalese mother of six, who had never been to school. With an initial microcredit loan of US $250, she was able to set up a business to provide for her and her children. At first, Adama couldn't believe that strangers would lend her money. But her knowledge of cooking and selling dried African foods, proved resourceful when it came to raising money to maintain her business and paying back her loans to the strangers.

Inspired by his success, many others have embraced Yunus' concept. Today, 100 million people world-wide are enrolled in various microcredit schemes. Stimulating sustainable economic growth through micro enterprises is a better solution than direct aid, according to many microcredit experts. Too often, they say, direct aid has not only bred corruption and resulted in the misallocation of resources, but has also fostered dependency and skewed the value of goods and services.

A new approach to poverty alleviation that facilitates a "bottom up participatory" method of fighting poverty and deprivation, is considered to be a good alternative.

Opening Session

Clear Goals

The seminar in Arusha aimed at realising three clear results: guidelines for parliamentary action to create environments conducive to business; a joint code of conduct for private sector and parliamentary engagement in sustainable development and poverty reduction; and recommendations on the role of parliamentarians to improve access to finance. Speakers at the opening session discussed the dilemmas faced by parliamentarians and private sector representatives when seeking to enhance economic growth, while working to protect the environment and creating secure social conditions for all peoples of the Great Lakes Region.

"Enact laws that make the private sector thrive"

Dr. Juma Alifa Ngasongwa, Tanzanian Minister of Planning, Economy and Empowerment, called on parliamentarians to be aware of their responsibility to create an economic climate conducive to investment.

Dr. Ngasongwa: "...don't sacrifice right of consumers..."

MPs adopt laws for the private sector, he pointed out. "But are we aware that these laws can create costs for businesses, and can have a negative impact on competition?" he asked. "Our economies will grow and achieve sustainable double digit growth rates only if we understand clearly our roles as law makers and effectively participate in enacting laws that make it easier for the private sector to thrive, without necessarily sacrificing the rights of consumers and others whom we seek to protect through regulations. We have the experience from our friends in the European Union to learn from. Let us use this opportunity to learn from our own past and the experience of others" Ngasongwa said.

"Encourage entrepreneurship to face the challenges of globalisation"

Mr Abdulrahman Kinana, Speaker of the East African Legislative Assembly, called on MPs and other political leaders to enhance security and political stability in the region, so as to create an environment conducive to development and progress. "Leaders at all times should use their energies (...) to encourage entrepreneurship and investment in the region as a strategic response to the challenges of globalisation and unfavourable global market conditions," he said.
Parliamentarians in particular are required to use their talents and resources, Kinana stressed. "Adopt creative, imaginative and disciplined measures to tackle poverty" he said, adding, "The Great Lakes parliamentarians should take a position in the driver's seat and help define the shape of the initiatives."

"UNEP provides opportunities for PPPs"

Representing the **United Nations Environment Programme (UNEP) Regional Office in Africa, Mr Kilaparti Ramakrishna** said the UNEP is working to help nations and companies move towards environmentally sound policies. As a specialist in forging partnerships, the UNEP has several initiatives that offer opportunities for parliamentarians to liaise with the private sector and with fellow parliamentarians in other countries, Ramakrishna said.

Through its 'Global Compact', the UNEP works with the International Labour Organisation and the UN Commission on Human Rights to promote responsible corporate citizenship. The 'Global Compact' holds governments and companies accountable for the environment.

UNEP's Poverty and Environment Project is a pilot project aimed at finding creative ways to improve access to natural resources for the poor and include them in making decisions on how the resources are used.

Professor Wangari Maathai, Greenbelt Movement

"Bring the people's voice into the boardrooms"

"It is of enormous importance for the private and public sector to come together and diminish poverty in our region," said Prof. **Wangari Maathai**, founder of the Greenbelt Movement and winner of the 2004 Nobel Peace Prize, in a video message.

Poverty, disease and ignorance, the three major problems which African countries set out to fight in the years following their independence, are still not defeated. "We, as legislators and private sector representatives, need to ask ourselves what we should do to eradicate these three problems and improve the quality of life," Prof. Maathai said.

FIGHTING CORRUPTION

Corruption, or even the suspicion of corruption, is an obstacle to open exchange between lawmakers and 'big money', Maathai said. "Investors are seen as only coming in to make a profit, without any concern for ordinary people." Corruption also keeps rich countries from relieving Africa of its debt, as donor governments are unwilling to waive debts of corrupt regimes. To this end, she called on MPs to throw out corrupt practices and on the private sector to include people's representatives in business discussions.

Professor Wangari Maathai
Photograph: Graeme Robertson

Session One

Microcredit: from poverty to entrepreneurship

In the second session of the conference, parliamentarians and private sector representatives discussed microcredit as a way of combating poverty and advancing economic development in emerging economies.

Ms Ingrid Monroe, Jamii Bora Trust

"It doesn't matter where you come from.What matters is where you are going"

The Jamii Bora Trust (JBT), a microfinance organisation founded in 1999 by Ms Ingrid Munroe at the initiative of 50 street beggars in Nairobi, has grown to a size of 112,000 members, only six years since its establishment. The Trust was set up in order to enable its members to lift themselves out of poverty.

Ms Munroe, JJBT Manager, proudly noted that the Trust conducted its operations in 61 branches throughout Kenya. The majority of its members are society's poorest, who had to beg for a living prior to receiving a loan. With the Trust's financial help, they became financially independent so that today, most JBT members are on their way out of dire poverty, building a better future for themselves and their families. A few even consider themselves no longer "poor", and become mentors to those who are still living in poverty, helping them by being role models.

Making small loans available can have a life-changing impact.

A street beggar turned rich

Ms Claris Odhiambo and Mr Wilson Maina

For several years Claris Odhiambo was a beggar in the streets of Nairobi. After receiving a small loan from the Jamii Bora Trust, she started a business selling fried fish and chips to workers in Koma Rock.
She fried a few fish and sold them in small pieces to hungry lunch customers. Although initially her daily income was no more than what she got begging, she now had a sense of pride, coupled with dignity and self confidence. Ms Odhiambo's business grew slowly but surely, enabling her to receive ever larger loans from the Jamii Bora Trust. Today, Ms Odhiambo runs a wholesale business selling fish at the Gikomba Market to shops, hotels and restaurants, and to small vendors down town.

RFPAC Recommendations

"Abolish hindrances to women's access to microcredit"

Gaining access to loans is often especially difficult for women. In a seminar prior to the conference on Public Private Partnerships in Arusha, the Network of Women Parliamentarians of Central Africa (RFPAC) recommended that parliamentarians change laws so that women in the Great Lakes Region are on an equal footing with their male counterparts in getting microcredit loans.

In several countries in the Great Lakes Region, laws regulating financial services impose restrictive rules on grass-roots organisations and on NGOs that seek to give microcredit loans. These laws can be particularly disadvantageous to women. In the Democratic Republic of Congo for example, "the legal framework fails to support the emergence of the microcredit sector," said Marthe Lebughe of the DRC Bank. She suggested improving legislation on the rights of married women in order to better assist them gain access to finance for their business.

Participants at the RFPAC seminar made several recommendations to enhance women's access to microcredit. Among them:

- Countries in Central Africa should identify constraints that the poor, particularly women, face in accessing finance;
- Abolish laws which restrict financial freedoms of married women;
- Make women aware of the advantages of microcredit;
- Instruct parliamentary committees to oversee legislation on microfinance institutions.

Participants at the RFPAC seminar

Session Two

Creating an environment conducive to business

Parliamentarians and private sector representatives can learn valuable lessons from successes booked by organisations that were set up to support the business sector. Experts explained that these institutions walk a fine line between helping businesses thrive on the one hand, and acting responsibly without too much red tape, on the other.

"REDUCE RED TAPE"

Over the past few years, most African countries have come to recognize the significance of the private sector, and have established institutions which advocate for the sector's interests. In the Great Lakes Region, the **Rwanda Private Sector Federation**, established in 1999, is one of the most successful of its kind, said **Mr Kalisa Bosco**, senior official at the Federation. Based on his experience, Bosco made recommendations for creating a good business environment:

- Good governance as a precondition to attracting foreign investment,
- Increase a company's profit by reducing government red tape,
- Good policies stimulate business and create jobs and prosperity,
- Use PPPs to lead to "win-win" situations,
- Ask donors to support the advocacy role of business chambers.

Parliamentarians should remember that a thriving private sector generates revenues, which allow for investment in healthcare, education and other social programmes.

"KEEP MONITORING REGULATIONS"

Businesses, especially SMEs, are the lifeline of a country's economy, said **Dr. Jhonson Nkuuhe, former Ugandan MP and coordinator of the UN Millennium Project.** "The private sector is not a dirty word," he added, and noted that good laws and regulations promote business. All over the world, however, parliaments still pass laws that do more harm than good.

A few years ago, Uganda launched a Regulatory Best Practice project to analyse when regulations work well for business. The project led to several conclusions:

- do not regulate unless absolutely necessary;
- keep the law short, clear and simple;
- consider the impact on competition and trade;
- have flexibility in regulations, which will allow for changes in circumstances.

Nkuuhe also said the regulations must be enforced at reasonable costs and continually monitored. He recommended all governments conduct a regulatory best practice project, noting that "it's not rocket science."

Debate

Fighting corruption is an effective way to create a climate conducive to business, several parliamentarians said in the debate at the end of the session. Some parliamentarians proposed introducing mandatory good governance training for all public servants.

Parliamentarians also said institutions to promote private business should be run by private sector representatives.

Some participants to the debate even suggested all parliamentarians in the Great Lakes Region learn the Millennium Development Goals by heart.

Dr. Ken Kwaku, senior advisor to the ICF

"A good investment climate hinges on implementing the right laws"

Dr. Ken Kwaku, senior advisor to the ICF

Based in Africa, the Investment Climate Facility for Africa (ICF) is a unique partnership between African governments, the private sector and donor agencies. "Africa's investment climate is not as good as it should be, but it is frequently portrayed as being much worse than it actually is," said Dr. Ken Kwaku, a senior advisor to the ICF and Special Advisor to former President Mkapa of Tanzania.

Endorsed by the African Union and the G8 at Gleagles, the ICF was set up in 2005 to improve Africa's investment climate. With the US$ 550 million grant it received, the ICF is able to support initiatives that seek to remove regulations that hinder competition. It is also keen to help fight corruption, an issue that Dr. Kwaku advised parliamentarians to act on. "Parliaments should insist that individuals appointed to public enterprise boards, must avail themselves of good corporate governance training within three months of appointment, or resign," he noted. Protection of property rights is another major concern to investors, he said, and here, parliaments have a role to play as well.

ROLE OF PARLIAMENTARIANS IS CRITICAL

Establishing a good investment climate boils down to implementing the right laws and regulations, Kwaku pointed out, adding that it is the core business of the ICF to implement them. "The oversight role of parliament makes its contribution to monitoring the effectiveness of implementation very critical," he said. The ICF will seek to improve the image of African countries among investors, by widely publicizing successful investment ventures.

Session Three

Pros and Cons of Public Private Partnerships

Public Private Partnerships can enhance development in various industries, such as agriculture and the provision of water services. There are, however, pros and cons in deciding which partner does what, and this needs to be thoroughly looked into, before embarking on a project, so as to ensure its success.

Frank Jaspers: "Set clear performance targets for PPPs."

"Public private Partnerships help us realize the Millennium Development Goals"

By means of Public Private Partnerships (PPPs), **Mr Piper, Deputy Country Director of TechnoServe Tanzania**, said his company is able to be successful in the cashew industry in Tanzania, Mozambique and Kenya. Working with both small and large processors and agrochemical suppliers, TechnoServe's main objective is to increase the income of the poor through marketing, policy and advocacy.

TechnoServe develops new business through an analysis of the industry's "value chain," which incorporates both the farm and private sectors, Mr Piper explained. The government's facilitating role of setting economic policies for production, processing and marketing is key to the success of PPPs, he said.

The pros and cons of private sector running utilities

In which basic services should the private sector be involved and to what extent? **Mr Frank Jaspers, UNESCO-IHE Institute of Water Education,** asked in a speech exploring the current debate on Public Private Partnerships (PPPs).

To illustrate the pros and cons of involving the private sector in basic services, Jaspers gave some examples of what the private sector could do in the area of water and sanitation. According to many experts, the private sector can provide services more efficiently, and has more capacity and skills available than government agencies.

In some cases, however, private sector involvement may not be a good idea, Jaspers pointed out. Markets could fail to provide services in line with public needs because certain elements in the provision of water are subject to a natural monopoly. Since water is considered a basic human right, can the private sector be relied upon to provide this basic service to all, at a reasonable price, given that its main objective is profit, Jasper questioned.

Jasper said the 'French Model' might be an option for some countries. Under this model, the role of the government is that of a provider, enabler and regulator of the partnerships. In order to avoid risks on either side, Mr Jaspers said three major conditions must be met: clear tariff structures and adequate institutional arrangements; transparent bidding procedures; and good contracting design with regard to performance targets, clear responsibilities, autonomy, incentives and adequate sanctioning of non-compliance.

Ms Beatrice Birungi Kiraso, East African Community

"Regional integration improves the investment climate"

Regional integration, as conducted in the newly established East African Community (EAC), helps create a business climate that is conducive to enhancing the international competitiveness of the Great Lakes Region, said Ms Beatrice Birungi Kiraso, Deputy Secretary General of the EAC.

"Regional integration is the only viable and effective response to the rapidly evolving world economic system," Ms Kiraso said. The EAC Customs Union that Kenya, Tanzania and Uganda launched in January 2005 is aimed at improving the position of the Great Lakes Region within the international market.

Its main socio-economic goal is to improve the standard of living of the population, through increased competitiveness, trade, and investment, Kiraso explained. By pooling their resources, Uganda, Kenya and Tanzania are in a better position to realise their development goals.

INVESTORS INTERESTED IN BIG REGIONAL MARKET

Investors are already taking a keen interest in the EAC, according to Kiraso, because of the size of the market. The EAC comprises 100 million people, making it the second largest market in Africa, after Nigeria. In November 2006 Rwanda and Burundi also joined the EAC. Through Kenya and Uganda, investors also have access to the COMESA market of 385 million customers, and through Tanzania, to the SADC market of 215 million. All three partners enjoy preferential access to EU markets as well as the US market, for several products.

Ms Beatrice Kiraso: "Regional integration good for business."

All EAC partners attach great importance to the role of the private sector, Kiraso said. The business sector was involved in designing the Customs Union, and will also be included in future economic projects.

Session Four

Sustainable Private Sector Development in the Lake Victoria Basin

Sustainable development requires reconciling rapid economic growth with considerate use of natural resources and minimal environmental damage. As the Lake Victoria Basin is rich in resources, sustainable development of the area needs particular attention. The lake is an important waterway connecting the five countries of the region, it is a source of hydraulic power, a supply of water, a fish sanctuary, and is rich in biodiversity. Sustainable development also means building industries and a strong agricultural sector that are socially responsible.

Mr Subramonia Ananthakrishna, UN HABITAT

Promoting Youth-led Development

A country that fails to invest in its youth, holds back its own development, said Mr Subramonia Ananthakrishna, Director Partners and Youth Section Monitoring and Research Division, UN Habitat, and Representative of the Global Partnership Initiative (GPI).

Although youth represents 70% of the population in most African countries, they are being excluded from major decision-making issues that affect them profoundly, Mr Ananthakrishna said. Investing in youth brings healthier communities and increases the possibilities of realizing the Millennium Development Goals, he added.

Mr Subramonia Ananthakrishna, UN HABITAT

URBAN YOUTH CENTRES

UN-Habitat uses urban youth resource centres, which provide a space for programmes in economic development, prevention of violence, delivery of education and services on HIV /AIDS prevention. The centres also train youths to become peace builders.

Currently GPI is currently active in Nairobi, Dar Es-Salaam, Kigali, Kampala, Vancouver and Oslo Ananthakrishna said that for the GPI to take root in the Great Lakes Region, parliamentarians need to implement policies which focus on youth employment and economic development. MPs could also mentor youth leaders in national and local governance.

"Technology allows clean production

Mr Elphas Ojiambo, Regional Programme Officer of the Lake Victoria Initiative, a project supported by the Swedish Government, urged people from the region to develop ideas to enhance sustainable development. Currently, more ideas are coming from Swedish organisations than from the Lake Victoria Basin, he said. Sustainable development, Ojiambo pointed out, is about encouraging entrepreneurship. The role of the private sector should be to provide financing and develop technology that allows countries to maintain socially responsible, clean and "eco-efficient" industrial and agricultural sectors, he said.

"Good opportunities for private sector projects in EAC"

Mr Teun Morselt, RebelGroup Advisory, Netherlands, challenged parliamentarians and governments in the region to explore opportunities for the private sector to get involved in utility services, such as water and sanitation. He said the World Bank estimated that private sector involvement increases the capacity and efficiency of utilities by 10% - 30%. He warned, however, that private sector involvement comes with risks. In Bolivia, for instance large scale private sector involvement in water supply led to tariff increases and loss of public support. In Macau, China, on the other hand, large scale private involvement has been successful. Morselt said that the East African Community provides good opportunities for large scale private sector projects, as it is a market of 100 million people.

Hon. Kanyomozi Yonasani, East African Legislative Assembly

"Build a market that sustains development"

Hon. Kanyomozi Yonasani, East African Legislative Assembly (EALA), closed the seminar by stressing that it is first and foremost up to the peoples of the Great Lakes Region to address the many problems facing them.

The East African Community, and the Customs Union it launched in January 2005, provide good opportunities to create a business climate conducive to investment, Mr Yonasani said. He called on countries in the region to enlarge the EAC and continue building "a market that can sustain the region's development."

Speaking on behalf of the Speaker of EALA, Yonasani said the seminar successfully provided "ammunition" to parliamentarians to enhance the business climate in the region.

IMPROVE ACCESS TO MICROCREDIT

He called on MPs to hold national discussions to finalize the preliminary draft guidelines which were adopted at the seminar for parliamentary action on creating an environment conducive to business, and the code of conduct for Public Private engagement in sustainable development (see p. 3). He also urged parliamentarians to take measures in their own parliaments to improve access to finance, especially microcredit loans for women.

Hon. Kanyomozi Yonasan, EALA

These draft guidelines are also available at: www.awepa.org.

Guidelines on Creating an Environment Conducive to Business

Draft Guidelines for Parliamentary Action on Creating a Conducive Environment for Business, Entrepreneurship, Investment and Trade

Arusha, Tanzania, 8-9 September 2006

1. BACKGROUND

1.1 Only 6-7% of foreign direct investment (FDI) and around five per cent of remittances flowing to developing countries go to sub-Saharan Africa (World Bank 2003). It is estimated that around 40% of private sector wealth is held outside Africa – much of this due to capital flight - compared to 3% for South-East Asia. In general terms Africa has been an unattractive continent for investment both by Africans themselves and for outsiders. Furthermore, Africa only contributes to total world trade of 2%.

1.2 To meet the Millennium Development Goals, African countries need to achieve and sustain a real growth rate of 7% by 2010 from current levels of close to 3%. At this rate of growth, which has been achieved by some African countries, African economies would double in a decade.

1.3 Investment - both foreign and domestic - is the key to stimulating economic growth. Growth is essential for Africa to overcome poverty and create sustainable political stability. Without a flourishing private sector, African governments cannot achieve sustainable poverty reduction, create jobs, educate children nor reduce avoidable child and maternal mortality.

1.4 There are a number of barriers to the establishment of an effective and facilitative business environment in which the private sector can flourish. More enabling and business-friendly systems for enforcing contracts, recovering debts and dealing with the state are essential to promoting investment, economic growth and industrialisation. Much of Africa experiences severe deficiencies in judicial systems, ambiguity over property rights, bureaucratic red tape and in the ability to enforce contracts. The World Bank found that many developing countries could improve their annual growth rates by as much as 1.4 % if they created an efficient regulatory environment for business.

1.5 The private sector opinion is that a favourable investment climate can only be created by a corruption-free environment, civil service efficiency, and policy consistency, and supportive infrastructure. There is a need for greater private sector participation and more publicly available information on the business environment. Dialogue between the private sector and government is essential to improving the business climate.

1.6 Many of Africa's obstacles to growth are immediate – such as excessive regulation and corruption; poor customs administration (that hampers both trade and investment within Africa as well as externally); and anti-competitive practices by both public and private entities. These include practices like price fixing, bid rigging, abuse of dominant market positions and tied sales. All these prevent firms entering new markets and expanding, while pushing up costs. They also deny to ordinary people, including the poor, the wider benefits that competition can bring. As a result, the country becomes less competitive, damaging long term growth and employment opportunities.

1.7 A key area that will benefit from an improved business environment is the small enterprise sector, which tends to suffer more than bigger firms from a weak investment climate. Africa needs a strong and vibrant small enterprise sector – and one of the recommendations made by the Millennium Project in 2005 is that African governments need to work in close partnership with civil society, established businesses and the international community to develop specific actions for small enterprise development and poverty reduction. Access to affordable credit is a constraint facing many small enterprises, especially farmers.

1.8 Excessive red tape impacts on trade facilitation among African countries – where cumbersome customs procedures, excessive bureaucracy, corruption, lack of transport regulatory frameworks and lack of automated systems lead to inefficiency and abuse. Africa suffers from the highest average customs delays in the world. The Commission for Africa Report recommends that trade "must be made more of a priority in national development strategies and be properly integrated with other areas of economic reform. Ministers of Trade must work more closely with their counterparts in finance, planning, agriculture and industry, to ensure that strong government efforts are directed at undertaking necessary reforms to secure both growth and trade, and to ensure that these contribute to poverty reduction."

1.9 A major challenge is the perception held by the international business community that Africa is a difficult place in which to do business – that security and health issues, coupled with weak infrastructure and a lack of human resources, make it difficult for many companies to make profits there. This "afro-pessimism" is often driven by negative media coverage and lack of country specific knowledge among investors.

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2. ACTIONS FOR PARLIAMENTARIANS

2.1 The business community must be made aware of the role and importance of parliamentary committees, and consultations should take place when any relevant bills relating to the business community are to be tabled. Meetings between parliamentarians and organised business groups and stakeholders should take place at least twice a year. Parliamentarians should actively be involved in any Public Private dialogue involving multilateral institutions including the African Union and NEPAD. On the whole, there is far too little interaction between legislators and business communities in a number of African countries. African governments often refer to the private sector as "the engine of growth" but give this little practical recognition.

2.2 Investment, business and tax procedures should be stream-lined both nationally and within the regions by scrutinising and challenging policies and legislation in parliament that impact on business and investment. Where possible, policies, such as cross-border trade and taxation, should be harmonised between regional economic communities.

2.3 There must be zero tolerance for corrupt practices and maximum effort for exposing areas where corruption is known to exist, such as the issuing of licences or tendering for contracts. Parliaments should enact laws that make it clear that the consequences of corrupt practice lead to the certainty of punishment should laws be broken. All countries should be urged to embrace the African Peer Review Mechanism (APRM).

2.4 Parliamentarians should encourage and promote policies for stimulating the growth of African entrepreneurs and SMEs in the formal and informal sectors, particularly for young people and women. Young people should be trained (and qualified) in business procedures in order that they can pursue worthwhile careers. Parliamentarians should also support policies to ensure affordable credit is made available to such groups.

2.5 Given that appropriate ethical guidelines have been met and corporate social responsibility issues addressed, investors, foreign and local, should receive a warm welcome and an effective and rapid response from investment promotion organisations. One-stop investment centres should be established where they do not exist, or otherwise improved to facilitate investment. Any discrimination against local investors should be removed.

2.6 Parliamentarians should help to promote the investment attractions of their country or region, not least when travelling outside the country and addressing business audiences – and ensuring that there are good promotional materials available from parastatal trade and business organisations.

2.7 Parliamentarians should encourage positive reporting of business subjects by the newsmedia and should counteract any inaccurate, negative or damaging publicity which impacts on confidence in the economic performance of their countries.

2.8 Parliamentarians should be provided with adequate research and support facilities so that they are better informed on all matters coming up for legislation, including business matters.

2.9 Parliamentarians should campaign to strengthen and expand the regional economic blocs, recognising the disadvantages of small economies. There should be an over-arching goal of achieving an eventual common market for Africa so that the continent can become fully competitive with countries such as India and China.

2.10 Parliamentarians should support model business enterprises, particularly in agriculture, where they can set standards and provide good examples in rural communities.

2.11 Parliamentarians should work with AWEPA members and other parliamentary colleagues internationally. African and European parliamentarians should regularly exchange information on matters impacting business and trade relations between Europe and Africa.

2.12 Implementation of these guidelines should be reviewed annually by parliamentarians and the private sector on a regional basis.

Code of Conduct

Towards a Draft Code of Conduct for Parliamentary and Private Sector Engagement in Sustainable Development and Poverty Reduction

Arusha, Tanzania, 8-9 September 2006

At the first meeting of the AWEPA working group on a Draft Code of Conduct for Parliamentary and Private Sector Engagement in Sustainable Development and Poverty Reduction, a number of first principles were agreed.

It was agreed among the working group that it would be desirable to establish a Draft Code of Conduct to define the best and most ethical form of co-operation between businesses and parliaments, in the interest of furthering sustainable development and poverty reduction, in each of the countries represented.

However, it was also agreed that it would first be necessary for each of the countries' elected representatives to consult among themselves at national parliamentary level on the specific requirements of such a Draft Code of Conduct, before they began to co-operate again on an international level.

It was also proposed that representatives try to reach an agreed means of poverty reduction and an agreed means of safeguarding the natural environment of the region's present and future generations in their further consultations.

In doing so, they should remain mindful of a number of the most important legislative foundations for sustainable development and human rights in Africa, including the **African Charter on Human and Peoples' Rights**, the **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa**, the **African Union Convention on Preventing and Combating Corruption**, the **African Charter on the Rights and Welfare of the Child** and the **African Convention on the Conservation of Nature and Natural Resources** (Revised Version).

A number of other specific ideas were proposed at the first meeting of the working group for possible insertion to the Draft Code of Conduct, including:

- That political stability was the best basis for an environment conducive to ethical business, poverty reduction and sustainable development

- That the Draft Code of Conduct was primarily intended to table discussion of ethical business, poverty reduction and sustainable development at parliamentary level

- That the legislative frameworks, punitive powers and enforcement of the Code of Conduct should be discussed at a later stage

- That discussion of the Draft Code of Conduct for Parliamentary and Private Sector Engagement in Sustainable Development and Poverty Reduction should take place at the appropriate parliamentary committee level within each national parliament

- That discussion of the Draft Code of Conduct might develop between national parliaments using the internet as a means of communication and exchange of ideas

- That the Draft Code of Conduct should be intended as a means of stimulating public debate, as well as parliamentary debate, in each country in which it is discussed

- That parliamentarians should take a more targeted approach to addressing the related issues of unfair price rises for essential goods and services and of fair trading in general

- That local communities' property rights and intellectual property rights should be protected when they come into contact with the private sector, perhaps by offering appropriate legal advice

- That countries should be vigilant of the exploitation of their natural resources by the private sector
- That countries should be particularly vigilant of the issue of child labour

- That quantitative, as well as qualitative, targets should be set for the principles of Sustainable Development and Poverty Reduction

- That the Millennium Development Goals should be considered as a means of setting quantitative targets of Poverty Reduction

- That stricter definitions of vital terms such as 'sustainable development', 'harmful products' and 'resources' should be reached

- That the establishment of a Draft Code of Conduct for Parliamentary and Private Sector Engagement in Sustainable Development and Poverty Reduction should be considered by AWEPA members in countries beyond the Great Lakes Region and also in Europe

- That the Pan African Parliament and the regional parliamentary bodies should be considered as fora for the discussion of the Draft Code of Conduct

- That the Draft Code of Conduct should be discussed within the framework of NEPAD.

During the Working Group on this product, participants discussed a Draft Code of Conduct. This document will form the basis for further discussions on the Code of Conduct, and is included in an Annex to the full document which can be found on the AWEPA website www.awepa.org.

Recommendations on Improving Access to Finance

Draft Recommendations on the Role of Parliamentarians in Improving Access to Finance, Arusha, **Tanzania, 8-9 September 2006**

A well-working financial system is the key to economic growth, which in turn is the engine for development. In an ideal situation, there is a Central Bank maintaining a stable currency and acting as a supervisory body for a banking system. In most African states, this ideal situation does not exist. Banks are absent in rural areas and their services are out of reach for the poor.

The idea of 'microfinance' can offer a way-out for those poor people who have at present no access to financial services. The established success of women in the field of microcredits, has already contributed significantly to the GNP of some countries and – in that way – to their economic success. Even if the full results of microfinance can only be obtained in the ideal situation, many actions can already be taken now.

RECOMMENDATIONS

(1) Analysis/strategy

- To elaborate, in every country, a policy for the microfinance sector, to be based on a thorough socio-economic analysis, in order to identify the constraints on access to financial services for women and the very poor;
- To define strategies on the national level, that will reach out to women and the very poor and engage them in a process of development;
- To create, within the Parliament, a follow-up Committee for all credit lines destined for microfinance.

(2) Conditions

- To ensure or create, with the help of NGOs active in the field of microfinance, proper training for people to create and manage small businesses;
- To make sure free, obligatory primary education is available for all and to construct the necessary infrastructure;
- To inform national or local audiences about the successes of microfinance, through the promotion of role models (specially successful businesswomen);
- To suppress existing restrictions on the freedom of (financial) action of married women (as foreseen in Family Law, Commercial Law and Rules of Work).

(3) Environment

- To ensure a conducive business environment for small-scale credit institutions, on a national level and on a local (constituency) level, e.g. by giving these favourable fiscal treatment and by offering fiscal advantages for investors in microfinance;
- To distribute the 'Blue Book' of the U.N. and discuss the BIFSA programme (Building Inclusive Financial Systems in Africa) in the Finance Committee of the Parliament;
- To make so-called HIPC (Highly Indebted Poor Countries) funds available for microcredits to women who have already shown that they can generate income. The mechanism for the establishment of this type of funding should guarantee the transparency of the structures of such funds and of their allocation practices, as well as the follow-up to the loans and the assistance to the women, in order to obtain effective repayment on the established schedules;
- To avoid or diminish burdensome legislation and/or make sure the legislation is flexible on small-scale business and microcredit (the norm: do not regulate more than absolutely necessary to protect third parties);
- To search, on a local level when national policies can not be applied, for local norms and practices on the promotion of small-scale businesses and microfinance institutes.

(4) Orientation

- To define, as Members of Parliament, as the principal orientation of every policy in the field of microfinance, the socio-economic interests of the very poor and promote participation of women and vulnerable groups as economic actors;
- To organize information meetings, to be used to publicise the exemplary successes of microcredit and small-scale enterprises and underline their contribution to the national income;
- To promote small-scale businesses, local markets and other points of sale; to buy their products and to advertise the quality of their work;
- To promote research on small-scale enterprises and on microcredit, in order to better understand their strengths and weaknesses and to encourage the distribution of results, in particular in the local (constituency) situation;
- For AWEPA organize field visits for Members of Parliament and the media, to microfinance institutions and to promote exchanges of views and results.

For the full text of these recommendations see: www.awepa.org

Participant	Institution
Hon. Schadrack Niyonkuru	Burundi Parliament
Hon. Toyi Gabriel	Burundi Parliament
Hon. Senator Audace Cegetera	Burundi Parliament
Hon. Radjabu Zaituni	Burundi Parliament
Hon. Petronie Habanabashaka	Burundi Parliament
Hon. Brigitte Mebande	Cameroon Parliament
Hon. Blandine Eyanga	Cameroon Parliament
Hon. Jacqueline Man Simbe	Cameroon Parliament
Hon. Emilia Lifaka Monjowa	Cameroon Parliament
Hon. Khadidja Nassour Hassan	Chad Parliament
Hon. Rosalie Pouzere	Central African Republic Parliament
Hon. Mohamed Farah	Djibouti Parliament
Hon. Abdillahi Ofleh	Djibouti Parliament
Hon. Pierre Marini Bodho	DRC Parliament (Speaker)
Hon. Jean Muganza Aswiba	DRC Parliament
Hon. Marie-Claire Kikontwe Tumbwe	DRC Parliament
Mr. Moses Ogwal	Trade Economist, East African Business Council
Dr. Ken Kwaku	Senior Advisor to the Investment Climate Facility for Africa
Hon. Beatrice Kiraso	Deputy Secretary General of the East African Community
Hon. Abdulrahman O. Kinana	East African Legislative Assembly (Speaker)
Mr. Justin Bundi	Clerk of East African Legislative Assembly
Hon. Lydia Wanyoto Mutende	East African Legislative Assembly
Hon. Dr. Norman Sigalla	East African Legislative Assembly
Hon. Capt. Richard Baker Ddudu	East African Legislative Assembly
Hon. Calist Andrew Mwatela	East African Legislative Assembly
Hon. Mahfoudha Alley Hamid	East African Legislative Assembly
Hon. Ochieng Gilbert Mbeo	East African Legislative Assembly
Hon. Sheila Kawamara Mishambi	East African Legislative Assembly
Hon. Prof. Margaret J. Kamar	East African Legislative Assembly
Hon. George Francis Nangale	East African Legislative Assembly
Hon. Sarah Nanziri Bagalaaliwo	East African Legislative Assembly
Hon. Yonasani Bankobeza Kanyomozi	East African Legislative Assembly
Hon. Mabere Nyaucho Marando	East African Legislative Assembly
Hon. Maxwell Shamala	East African Legislative Assembly
Hon. Abdirahin Haji Haithar Abdi	East African Legislative Assembly
Hon. Amb. Isaac Abraham Sepetu	East African Legislative Assembly
Hon. Rose Wairimu Waruhiu	East African Legislative Assembly
Prof. Dr. Herta Daubler-Gmelin	German Parliament, AWEPA Council Member
Hon. Brendan Howlin Td.	Irish Parliament, AWEPA Vice President
Mrs. Ingrid Munroe	Jamii Bora Trust
Mr. Wilson Maina	Jamii Bora Trust
Ms. Claris Adhiambo	Jamii Bora Trust
Prof. Wellington Wamicha	Jomo Kenyatta University
Hon. Mutinda Mutiso	Kenyan Parliament
Hon. David Mwiraria	Kenyan Parliament

Participant	Institution
Mr. Victor Mathale	NEPAD Secretariat
Mr. Teun Morselt	Netherlands Water Partnership
Ms. Marie-Marthe Lebughe	Director Microfinance, Central Bank of the Congo
Mr. Patrick Orr	Raitt Orr Consultants
Hon. Mountou Bayonne	RC Parliament
Hon. Senator Gaston Oba	RC Parliament
Hon. Rugema Mike	Rwandan Parliament
Hon. Esperance Mwiza	Rwandan Parliament
Hon. Senator Speciose Ayinkamiye	Rwandan Parliament
Mr. Kalisa Bosco	Rwandan Private Sector Foundation
Mr. Elphas Ojiambo	SIDA Lake Victoria Initiative
Hon. Gabriel Matur Malek	Southern Sudanese Parliament
Hon. Pascal Bandidi	Southern Sudanese Parliament
Hon. Jaqueline Nyibol Benjamin	Southern Sudanese Parliament
Hon. Lotta Hedström	Swedish Parliament, AWEPA Council Member
Hon. Dr. Juma Alifa Ngasongwa	Tanzanian Minister of Planning, Economy and Empowerment
Hon. Susan Lyimo	Tanzanian Parliament
Hon. Adam Kighoma Malima, MP	Tanzanian Parliament
Hon. William Shellukindo	Tanzanian Parliament
Mr. Tim Piper	TechnoServe Tanzania
Kristin Meersschaert	TRIAS Tanzania
Hon. Stephen Tashobya	Ugandan Parliament
Hon. Jessica R. Apel Alupo	Ugandan Parliament
Hon. Matia Nsubuga	Ugandan Parliament
Dr. Johnson Nkuuhe	Former Ugandan MP, Country Coordinator for UN Millenium Project
Mr. Kilaparti Ramakrishna	UNEP Regional Office in Africa
Mr. David Ombisi	UNEP Regional Office in Africa
Mr. Frank Jaspers	UNESCO-IHE Institute for Water Education
Mr. Subramonia Ananthakrishnan	UN Habitat
Ms. Julie Standaert	AWEPA, Coordinator RFPAC
Dr. Jeff Balch	AWEPA, Director Research & Evaluation
Ms. Gertrude Bamba	AWEPA DRC, Project Officer
Ms. Henny Boersma	AWEPA, Logistics Officer
Mr. Pieter Boersma	AWEPA, Photographer
Ms. Marie Heuts	AWEPA Kenya, Programme Officer
Mr. Arend Huitzing	AWEPA, HIV/AIDS Policy Advisor
Mr. Thiongo Kagicha	AWEPA Kenya, Project Officer
Ms. Jeniffer Kwarisiima	AWEPA Uganda, Project Officer
Ms. Marianne Lateste	AWEPA Kenya, Head of Office, Nairobi
Mr. Lawrence Makigi	AWEPA Tanzania, Project Officer
Ms. Béata Mukabaranga	AWEPA Rwanda, Project Officer
Ms. Ruth Mungai	AWEPA Kenya, Administrative Officer
Mr. Simon Murtagh	AWEPA, Policy Officer Irish Section
Ms. Jocelyne Nahimana	AWEPA Burundi, Project Officer
Ms. Peninah Ogeto	AWEPA Kenya, Office Manager
Ms. Zoë Ware	AWEPA Int., Project & Research Officer

Colophon

Text Jos Havermans, Salwa de Vree, Zoë Ware
Editing Salwa de Vree, Zoë Ware
Photos Pieter Boersma
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Printing drukkerij Mart.Spruijt bv

AWEPA International
Prins Hendrikkade 48
1012 AC Amsterdam,
The Netherlands
Tel. +31 20 524 5678
Fax. +31 20 622 0130
Email: amsterdam@awepa.org

AWEPA Nairobi Office
Chaka Place, 2nd floor
Argwings Kodhek/Chaka Road
PO Box 1189-00606
(Sarit Centre/Westlands)
Nairobi, Kenya
Tel: +254 20 2733977
Fax: +254 20 2733473
Email: awepakenya@accesskenya.com

Follow-up activities on Private Sector Development

As a result of the Arusha Seminar, national workshops on private sector development were held in the Republic of Congo (September), Tanzania (October) Kenya (November) and Uganda (December). A second workshop in Kenya took place on 29th January 2007, and in Rwanda the national workshop will be held in March 2007. In Uganda, further private sector development workshops are planned for March and May 2007. Throughout the course of 2007, national follow-up workshops will also take place in the DRC, Burundi, Tanzania and the Republic of Congo.

A regional follow-up to the September 2006 Arusha Seminar is planned for 27-28 September 2007, in Nairobi. It will cover private sector development and poverty reduction, with particular emphasis on agriculture.

For more details on these activities, see the 'Actions for Change' page on the AWEPA website: *www.awepa.org*.

Other AWEPA conferences

On 18-19 April 2007, a regional seminar on HIV/AIDS will take place in Nairobi, for parliamentarians from the Great Lakes Region.