

*CUTS Africa Resource Centre
Nairobi, Kenya*



2005

*Annual
Report*



CUTS
International

#0611

**CUTS Africa Resource Centre
Nairobi, Kenya**

ANNUAL REPORT 2005

Published by
Consumer Unity & Trust Society (CUTS)
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CUTS
International



Established in 1983, Consumer Unity & Trust Society (CUTS) is now at the cutting edge of the of the consumer movement in India as well as across the globe. Today, we operate out of five programme centres and an advocacy centre in India, two resource centres in Africa, and one resource centre in the UK, with a staff strength of over 100. Three programme centres are located in Jaipur and one each in Chittorgarh and Calcutta, India. The advocacy centre is located at New Delhi in India, and resource centres are at Lusaka, Zambia; Nairobi, Kenya; and London, UK.

The organisation elects its Board/Executive Committee every fourth year, while the Secretariat is headed by the Secretary General. Over 1200 individuals and 300 organisations are its members. The organisation is accredited to the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Commissions for Sustainable Development (UNCSD).

CUTS also works with several regional, national and international organisations, such as Consumer International (CI); the International Centre for Trade and Sustainable Development (ICTSD); South Asia Watch on Trade, Economics & Environment (SAWTEE); and the Consumer Coordination Council of India etc. It also serves on several policy-making bodies of the Government of India.

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From the Secretary General, CUTS International

I feel a sense of satisfaction as I present this report on the activities of CUTS Africa Resource Centre, Nairobi (CUTS ARC, Nairobi) for the year 2004-05. The Centre began its operation in 2003, two years after our Lusaka Centre took root, with a view to further consolidating and expanding CUTS' activities on South-South civil society cooperation in the areas of trade, economics and environment. In principle, this Centre was conceived to promote our endeavours in eastern & central Africa, because Nairobi is the gateway to Africa, as most of the international organisations are located there, including United Nations Environment Programme (UNEP).

The Centre worked in close cooperation with non-governmental organisations (NGOs) in eastern Africa in the areas of consumer protection, poverty reduction, development of trade and economic policy, training and advocacy. More importantly, the Centre was entrusted with the task of carrying forward our mission abroad, including coordination, networking and advocacy on various programmes of CUTS.

The Centre has been able to put efforts operating its activities in close consultation with the CUTS Head Office, Jaipur, and during the period, it focused on the programme areas with diligence. This is encouraging though more efforts and competencies are required to meet the growing challenges. As part of the planning process, the Centre identified a number of research, advocacy and networking organisations and donor agencies for collaborative work.

During the period under review, the Centre, jointly with CUTS Centre for International Trade, Economics & Environment (CUTS CITEE), Jaipur, coordinated the ongoing project entitled, 'Linkages between Trade, Development & Poverty Reduction (TDP)' supported by the Ministry of Foreign Affairs, The Netherlands and the Department for International Development (DFID), UK. In this project, the Centre worked closely with Institute of Economic Affairs (IEA) and Kenya Institute for Public Policy

Research and Analysis (KIPPRA), Kenya while in Tanzania, it worked with Economic and Social Research Foundation (ESRF).

The Centre, jointly with CUTS Centre for Competition, Investment and Economic Regulation (CUTS C-CIER), accomplished coordination work for the 7Up3 project whose theme is Capacity-building on Competition Policy in seven select countries, including: Uganda, Ethiopia, Mauritius, Botswana, Malawi, Mozambique and Namibia. In fact, the Nairobi Centre is coordinating the regional chapter of the project through partnering with its network in the region in research and advocacy.

In an another significant endeavour, the Centre, in partnership with CUTS London Resource Centre (CUTS LRC) undertook a project entitled, 'Capacity Building of Eastern and Southern African Civil Societies during the Economic Partnership Agreement (EPA) Negotiations'. The Centre partnered with *EcoNews Africa* in the area of campaigns and advocacy and also bought out a policy brief, *Economic Partnership Agreements: Cotonou Undermined* that addresses the key issues, which Kenya must consider on the ongoing debate on the EPAs.

CUTS NRC has made a mark though it needs to realise its full potential, as I put the highest possible standard and achievement at stake. I acknowledge the efforts of all stakeholders – big and small – for working towards cementing CUTS' global presence.

Jaipur
July 2006

Pradeep S Mehta
Secretary General

Our Organisation

CUTS Africa Resource Centre, Nairobi (CUTSARC, Nairobi) is a registered NGO that started its operations in the year 2002 to work in not only the region of east Africa but also the Horn of Africa. It was set up with the mandate of providing support to NGO's in eastern Africa in the areas of consumer protection, poverty reduction, development of trade and economic policy, training and advocacy in these regions. All this continues to be done with a view to consolidate and expand the activities of South-South civil society cooperation in economic development and trade.

The establishment of ARC, Nairobi is with a view to further consolidating and expanding CUTS activities on South-South civil society cooperation in the areas of trade, economics and environment. The Centre plans its activities in consultation with the CUTS Head Office, Jaipur, India. As part of the planning process, the Centre has identified a number of research, advocacy and networking organisations and donor agencies for collaborative work.

The Centre aims to become a reputable regional centre in eastern and central Africa on issues of policy research, advocacy, consumer protection and training on international trade. In collaboration with the Africa Resource Centre, Lusaka (CUTSARC, Lusaka), the Centre aims to have a well-networked outreach to all Anglophone countries in Africa. The Centre will, therefore, focus on both national and regional coverage.

MISSION AND OBJECTIVES

The Centre functions as a resource, coordination as well as networking centre to promote South-South cooperation for sustainable people-centred economic development. The Centre works closely with partner institutions in Kenya, Tanzania, Uganda and Ethiopia, among others.

In partnering with like-minded organisations, the Centre seeks to:

- promote civil society cooperation on trade and sustainable development by creating and building long-term capacity of civil society representatives in the region to address the issues of equity and accountability in the economic system.

- act as a resource centre for information on trade and development.
- build local, national and regional capacities on areas of trade and sustainable development through advocacy and dissemination of information in South-South partnership.
- undertake research on regional and international agreements that have impact on trade and sustainable development within the global, regional and national context.

STRUCTURE of ARC, NAIROBI

The governing structure of the Centre comprises the Executive and the Advisory Committee. The functions of these committees are as follows:

1. Executive Committee

- to give policy direction and guidelines to the organisation; and
- to ensure that the aims and objectives of the organisation are achieved.

2. Advisory Committee

- to advise on project works undertaken by the Centre; and
- to attend meetings of the Centre as resource persons, whenever called upon.

Currently, the Advisory Committee consists of two eminent Kenyan personalities:

- a. Professor Jasper Okelo, a senior lecturer at the University of Nairobi, School of Economics and heads the World Trade Organisation (WTO) training institute at the University.
- b. David Ong'olo, an economist and consultant on trade and is currently with the Netherlands embassy.

HUMAN RESOURCES

Five staff members, interns and consultants have carried out the activities of the Centre. The staff background stems from various disciplines ranging from economics, sociology and management.

FUNDS

The activities of the Centre for the year have mainly been carried out with the help and support of the Centre's head quarters in India, and more specifically from three of CUTS centres i.e.

- CUTS Centre for International Trade, Economics and Environment (CUTS CITEE) Jaipur, India;
- CUTS London Resource Centre (CUTS LRC), UK;

- CUTS Centre for Competition, Investment and Economic Regulation (CUTS C-CIER); and
- Friedrich Ebert Stiftung (FES).

STRATEGIC PLANNING, MONITORING AND EVALUATION

The Centre plans its activities that are theme based in consultation with the CUTS Head Office and its various resource centres. Centre advisors in the region and overseas are also key in developing and monitoring the strategic purpose. The programmes and activities for the year 2005 were discussed in detail during the mini Retreat and subsequently at the CUTS Annual Retreat held in Jaipur, in June 2005. During this period, the Centre identified and collaborated a number of research, advocacy and networking organisations, and donor agencies for the collaborative work.

The Centre aims to become a reputed regional resource centre in eastern and central Africa on issues of policy research, advocacy, consumer protection and training on international trade. In collaboration with the ARC, Lusaka, the Centre aims to develop not just a network but a vibrant one in its outreach to all Anglophone countries in Africa. The Centre, therefore, focuses on the above programmes having both a national and regional coverage.

Work Programme on Trade and Development

During the year 2005, CUTS NRC undertook the following activities:

- Projects
- Representations; and
- Outreach

PROJECTS

- EPAs
- Linkages between Trade, Development and Poverty Reduction
- 7Up3

Capacity Building of Eastern and Southern African Civil Society during the Economic Partnership Agreement (EPA) Negotiations

The Centre, in partnership with CUTS London Resource Centre (CUTS LRC) is implementing a project entitled, 'Capacity Building of Eastern and Southern African Civil Society during the Economic Partnership Agreement (EPA) Negotiations'. The projects' first phase of four months was funded by Danish Government, and started in the month of December 2005.

Through awareness raising, advocacy training and advocacy activities, this project will empower a broad range of civil society organisations (CSOs) in six African countries, namely Kenya, Uganda, Tanzania, Ethiopia, Malawi and Zambia to defend their rights and promote their economic interests by feeding their concerns into the negotiation process. The project will run for 27 months. In Kenya, the Centre is partnering with EcoNews Africa in the area of campaigns and advocacy.

The goal of the project is to contribute to the achievement of a rights-based development friendly gender-sensitised outcome of the EPA negotiations between the European Union (EU) and Eastern and Southern Africa (ESA). The objective of the project is to contribute towards the goal by feeding the concerns of grassroots civil society groups more directly into the EU-ESA EPA negotiation process. The aim of the project is to provide a voice to Southern civil society in the global economy. The project will contribute to

this aim by building the capacity of civil society groups in the project countries to communicate their concerns to the national policy makers so that they can better promote their economic interests in trade negotiations with the EU.

Linkages between Trade, Development and Poverty Reduction

The Centre, jointly with CUTS CITEE coordinated the ongoing project entitled, 'Linkages between Trade, Development & Poverty Reduction (TDP)'. It is supported by the Ministry of Foreign Affairs, The Netherlands and the Department for International Development (DFID), UK. This is an ongoing project being implemented in select countries in Africa, Asia and Europe in a partnership mode. The Centre coordinated advocacy and networking aspects of the project in the east African region with partner organisations in Kenya, Uganda and Tanzania. This project is on course and comes to conclusion in the year 2008. Research, capacity building and advocacy were continuously carried out during the period. The Centre worked closely with:

Kenya

- Institute of Economic Affairs – Advocacy Partner
- Kenya Institute for Public Policy Research Analysis (KIPPRA) – Research Partner

Uganda

- Consumer Education Trust (CONSENT) – Advocacy and Research Partner

Tanzania

- Economic and Social Research Foundation (ESRF) – Advocacy and Research Partner

7UP3

The Centre, jointly with CUTS Centre for Competition, Investment and Economic Regulation (CUTS C-CIER), is coordinating a project called 7Up3 whose theme is capacity-building on competition policy in select countries of eastern and southern Africa. The Centre is coordinating the regional chapter of the project through partnering with its network in the region in research and advocacy. The project involves seven African countries: Uganda, Ethiopia, Mauritius, Botswana, Malawi, Mozambique and Namibia.

RESEARCH

The Centre, jointly with CUTS C-CIER, undertook a study on 'Regulatory Framework in Kenya', under the project entitled, 'Comparative Study of Sectoral Regulation in Select Developing Countries', being funded by AFD, Paris. The findings have since been published.

Advocacy and Networking

Project Launch Meeting of ‘Capacity Building on Competition Policy in Select Countries of Eastern and Southern Africa’ (7Up3 Project)

The meeting was attended by delegates from several countries of Africa and other parts of the world. Apart from the project partners representing leading civil society organisations, universities, research institutions and consumer associations from the seven project countries, the meeting also drew experts on competition and representatives of competition authorities.

Following the Seminar, the project coordination and management unit representatives from CUTS, the project partners, project advisory committee members, development partners and experts engaged in a workshop to discuss the project implementation structure. Over the discourse, the Operational Strategy Note of the project was discussed at length. In addition, there was also discussion on the methodology for preparation of the Country Research Reports. Comments were also received on ways of enriching the research output/methodology of the project.



NRG Meetings

Under the 7Up3 project, NRG meetings were held in all the seven project countries, namely, Botswana, Ethiopia, Malawi, Mauritius, Mozambique, Namibia and Uganda

- Botswana – May 27, 2005
- Ethiopia – May 27, 2005
- Malawi – May 31, 2005
- Mauritius – June 03-09, 2005
- Mozambique –
- Namibia – August 16, 2005
- Uganda – June 01, 2005

Capacity Building

The Launch and NRG meetings served both as advocacy and capacity building meetings. The target group included among others civil society consumer groups, government/regulatory agencies, chamber of commerce, labour unions etc. The Centre played a key role in coordination with project partners.

REPRESENTATIONS

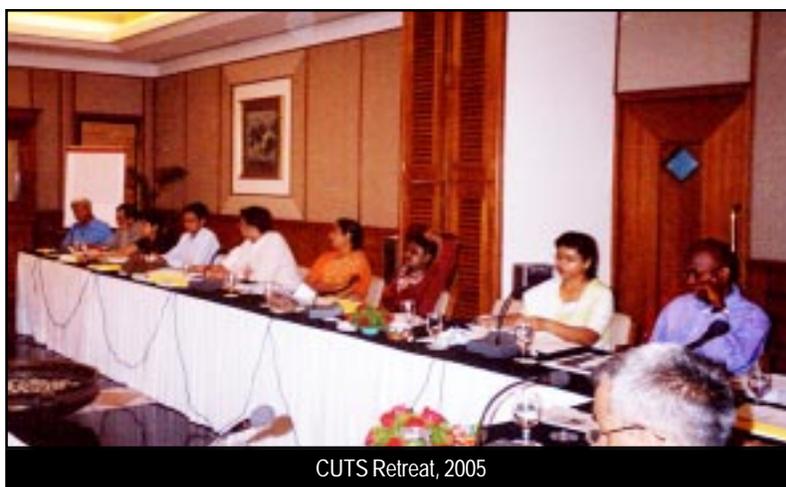
During the year, the representatives of the Centre took part in the following events:

- ‘Eastern and Southern Africa Civil Society on WTO towards Hong Kong’ organised by Econews on behalf of Africa Trade Network (ATN), on November 25-26, 2005.
- ‘Mechanisms for Civil Society Engagement, Dialogue and Policy Change on Trade, Aid and Conflict Prevention’ held at Nairobi, Kenya, on October 12-13, 2005.
- A workshop organised by the Institute of Economic Affairs (IEA) entitled, ‘Pre-Hong Kong National Trade Proposal’ on November 17, 2005.
- A workshop on EPA market access tariff reduction simulation scenarios organised by the Ministry of Trade and Industry Kenya under the EU-funded Kenya-EU Post Lome Trade Programme (KEPLOTRADE), on February 28, 2005.
- A launch meeting organised by the United Nations Development Programme (UNDP) to deliberate and receive feedback on the Kenyan Competition Law Review held on February 25, 2005.
- African Civil Society Meeting in preparation for the 6th Global Civil Society Forum at the World Agro Forestry Centre (ICRAF) held on February 18, 2005.

- Meeting on EPAs at the occasion of the visit of Karl Falkenberg – European Commission’s Director of Trade, Brussels organised by Ministry of Trade and Industry Kenya under the KEPLOTRADE, on January 18, 2005.
- An International Expert Group Meeting organised by United Nations Industrial Development Organisation (UNIDO) and YES campaign network entitled, ‘Key issues for youth entrepreneurship in renewable energy and agro-business in East Africa’, on October 13-14, 2005.
- Hong Kong Ministerial meeting held in Hong Kong, China, during December 13-18, 2005.

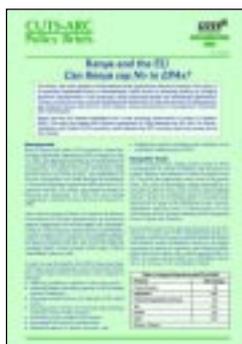
CUTS ANNUAL RETREAT, JAIPUR

In July 2005, the Centre participated in the CUTS Annual Retreat held at Jaipur, India. A review of the Centre’s activity was done and a work programme, to be overseen by the new head, was also prepared for the coming years.



Outreach

The Centre collaborated with CUTSARC, Lusaka for the quarterly newsletter entitled 'Tradequity'. The newsletter highlights the current hot topics and debates on trade, environment, and regional integration. Four issues of this newsletter were published and circulated among the stakeholders during the year.



Policy Briefs

Kenya and the EU: Can Kenya say No to EPAs?

For Kenya, the main objective of international trade agreements with the European Union (EU) is to promote sustainable forms of development, which assist in reducing poverty by bringing structural transformation in the economy, while enhancing growth and employment generation. There is a need to ensure a strong developmental dimension, to take into account the development gap between Kenya and the EU, which implies, linking achievement of development thresholds with liberalisation.

Kenya and the EU started negotiations for a new economic partnership in Lusaka, in October 2005. This pact will replace the Cotonou agreement of 2000 between the EU and 79 African, Caribbean and Pacific (ACP) countries, which allowed the ACP countries duty free access to the EU market.

E-newsletter

In January 2005, the Centre introduced an electronic newsletter. This is a quarterly newsletter and four issues of the same have been published during the year.

Regional Co-operation & Development Monitor

The aim of this e-newsletter is to bring to sharp focus regional issues of trade and economics around the eastern Africa region thus sensitising, enhancing capacity and providing the much-needed resources to various stakeholders. The maiden newsletter has already been uploaded on the CUTS website. Subsequent quarterly issues continued through out the year and can be accessed on the CUTS website (www.cuts-international.org).

Networking with Stakeholders and Other NGOs

The Centre in 2005 established links with a number of CSOs working on trade and development issues in eastern and central Africa. Collaborative work has thus been extensively done with like-minded organisations where skills and expertise are shared in the spirit of South-South civil society cooperation on trade and development issues.

During the period, the Centre worked, among others, with IEA, Kenya. The Centre also established contacts with key research institutions in both Kenya and Tanzania. In Kenya, the Centre worked with KIPPRA, while in Tanzania, the Centre worked with Economic and Social Research Foundation (ESRF). These institutions are involved with CUTS' project entitled, 'Linkages between Trade, Development and Poverty Reduction (TDP)', a global project initiated by CUTS CITEE. These were research partners in this four-year project ending in 2008.

In Uganda, the Centre worked with a key consumer organisation in the country – CONSENT.

In its continued competition programme, the Centre worked with the Kenya Monopolies and Regulatory Trade Practice Commission. In collaboration with it, the Centre worked on regulation of trade practices mainly on the theme of consumer protection and competition policy. The Centre also organised visits for the head of the Commission, Dr. Peter Muchoki Njoroge, to attend key meetings in India on competition policy. The Centre also worked closely with the government i.e. Ministry of Trade and Industry of Kenya and the Ministry of National Planning, Kenya.

ASSOCIATION

The Centre is a non-state actor (NSA) member representative of the Ministry of Trade and Industry Kenya under the EU-funded KEPLOTRADE. The Centre is represented in two clusters namely: market access and development aspects of the ACP-EU EPA negotiations.

Conclusion and the Road Ahead

The current and proposed future activities of the Centre were discussed in detail during the last CUTS retreat held on July 08-10, 2005, in Jaipur, India. A part of the strategic planning process is to establish strong partners in the area of international and regional trade, development and poverty and economic justice. The Centre will seek to strengthen the networks, partnerships, advocacy and collaborative work, in close association with the development partners/donors. The Centre will organise a follow-up to the Naivasha seminar on linkages of trade and development and poverty, with the help of FES.

In outreach and advocacy, the Centre will come up with policy briefs and circulate an electronic newsletter to the partnering and networking organisations. This e-newsletter will highlight relevant news items on regional trade and development and briefs on the organisation's activities from time to time. The policy brief that CUTS NRC aims at, will analyse and make assessment of international, regional and development issues, as they arise, and their impact on the Eastern African states. The Centre has, therefore, developed a dynamic mailing list for distribution of printed and electronic publications.

**Report of the Auditors
To the members of CUTS - CITEE
for the year ended
31st December 2005.**

We have audited the financial statements set out on pages 3 to 7 which have been prepared on a basis of the accounting policies set out on pages 4 and 5 in accordance with the approved standards.

We have obtained all the information and explanations which, to the best of our knowledge and belief, were necessary for the purpose of our audit and to provide a reasonable basis for our opinion.

Respective responsibilities of the Directors and The Auditors

The directors of CUTS - CITEE are responsible for the preparation of financial statements which give a true and fair view of the Organisation's state of affairs and its operating results. Our responsibility is to express independent opinion on the financial statements based on our audit and to report our opinion to you.

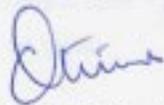
Basis of Opinion

We have conducted our audit in accordance with International Auditing Standards which require that we plan and perform an audit to obtain reasonable assurance that the accounts are free from material misstatement.

An audit includes an examination on test basis of evidence supporting the accounts and disclosures in the financial statements.

Opinion

In our opinion, proper books of account have been kept and the financial statements which are in agreement therewith, give a true and fair view of the state of the CUTS - CITEE's affairs as at 31st December, 2005 and of its operating results for the year then ended and comply with International Accounting Standards.



Certified Public Accountants (K)

Nairobi.

Date 25/05/06

CUTS - CITEE
Income & Expenditure Statement
For the year ended
31st December 2005

		2005 Kshs	2004 Kshs
Income			
External Source -			
Balance brought forward		780,830	-
CUTS - International		4,832,262	4,113,452
CUTS - London		158,460	-
CUTS - Lusaka		-	3,603,672
Friedrick Ebert Foundation		-	254,200
Others - Sale of Furniture		<u>6,500</u>	<u>-</u>
		<u>5,778,052</u>	<u>7,971,324</u>
Other Source - Interest		<u>102</u>	<u>284</u>
Total		<u>5,778,154</u>	<u>7,971,608</u>
Overheads			
Assets	B - 1	114,500	601,395
Direct Costs	B - 2	274,436	2,798,953
Personnel	B - 3	3,117,333	2,283,440
Establishment	B - 4	806,867	809,161
Administration	B - 5	758,544	569,681
Finance	B - 6	<u>66,933</u>	<u>127,948</u>
Total Overheads		<u>5,138,613</u>	<u>7,190,778</u>
Surplus/(Deficit) for the period		<u>639,541</u>	<u>780,830</u>

CUTS - CITEE
 Balance Sheet
 As at 31st December 2005

	Note	2005 Kshs	2004 Kshs
Fixed Assets	2	470,247	478,445
Current Assets			
Cash at Bank		804,424	776,085
Cash in Hand		35,117	45,745
		<u>639,541</u>	<u>821,830</u>
Current Liabilities			
Payables		55,000	41,000
		<u>55,000</u>	<u>41,000</u>
Net Current Assets/(Liabilities)		<u>584,541</u>	780,830
Net Assets		<u>1,054,788</u>	<u>1,259,275</u>
Financed by: -			
Capital Fund	3	470,247	478,445
General Fund	4	584,541	780,830
Net Worth		<u>1,054,788</u>	<u>1,259,275</u>

DIRECTOR



NAIROBI

DATE 17/05/06