

CURRICULUM VITAE

OF

GEOFFREY W.M. KIRYABWIRE
ESQ

[LL.B (Muk); LL.M (Lond); Dip. LP. (LDC); AUII; FUArbA]

JUDGE COMMERCIAL DIVISION, HIGH COURT OF UGANDA

COURTS OF JUDICATURE

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CURRICULUM VITAE

A. PERSONAL DETAILS AND CONTACT ADDRESS

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Kiryabwire@judicature.go.ug

kiryabwire@commercialcourt.go.ug

Nationality: Ugandan

Profession: Lawyer

Married : To Dr. Winifred Tarinyeba Kiryabwire

B. FORMAL EDUCATION

University of London

1989 to 1990 Masters of Laws Degree (LL.M) (International Law with a bias in International Economic Law)

Law Development Centre

1984 to 1984 Post Graduate Diploma in Legal Practice (Dip.L.P.)

Makerere University

1981 to 1984 Bachelor of Laws Degree (LL.B)

Kings College Buddo

1979 to 1981 Uganda Advanced Certificate of Education (UACE)

Nabumali High School/Kiira College Butiki

1974 to 1978 East African Certificate of Education (EACE)

C. CONTINUING LEGAL EDUCATION AND OTHER COURSES ATTENDED

May 2009	Copyright Enforcement in the Internet era organised by the United States Patent And Trademark Office Global Intellectual Property Academy in Nairobi Kenya
March 2007	Mediation by The Centre for Dispute Settlement Washington DC followed by a one week attachment at the Superior Court Washington DC USA.
October 2006	Arbitration for Judges- Prof Mark Ball in conjunction with the Uganda Judicial Studies Institute held in Kampala Uganda
January 2006	US State Department Visitors Programme to USA for Judicial officers
December 2005	Effective case management and Harmonised sentencing- Uganda Judicial Studies Institute. Held in Kampala Uganda.
June 2005	Clear and Effective Judgement writing. Seattle University USA Faculty of Law held in Kampala Uganda
November 2003	Judicial Reform for Improving Governance in Anglophone Africa by World Bank Institute and International Law Institute Uganda.
July 2003	Study tour of the Commercial Court, Royal Courts of Justice London England. Arranged by Commercial Law project/Foreign and Commonwealth office.
May 2000	Centre for Dispute Resolution (CEDR) and Centre for Arbitration and Dispute Resolution (CADER) – Joint Workshop at Alternative dispute Resolution (ADR) Awareness Workshop Kampala, Uganda.
December 1997	Training of Trainers Course for Continuing Legal Education at International Law Institute (ILI) Washington - Kampala, Uganda Regional Centre.
July 1996	Enterprise and Investment Lawyers Course at International Development Institute (IDLI) Rome Italy.
July 1995	Legal Aspects of International Finance at Centre for Commercial Law Studies, Queen Mary and Westfield College, University of London.
July 1994	Academy of American and International Law at The Southwestern Legal Foundation Dallas Texas.
April 1993	Board Secretary Seminar at Management Training and Advisory Centre (MTAC) Kampala, Uganda.
March 1992	Sensitization and Training at The Institute of Computer Science, Makerere University.
January 1992	Legal Aspects of Debt Management at The United Nations Institute for Training and Research (UNITAR) Kampala,

Uganda.

December 1991	Copyright Protection at World Intellectual Property Organization (WIPO) Workshop in Kampala-Uganda.
June 1990	Negotiating Advising in International Contracts at Institute of Advance Legal Studies London in co- operation with the International Development Law Institute, Rome.
May 1990	The Lawyers Role in the Settlement of International Commercial disputes at Institute of Advanced legal studies London in co-operation with the London Court of International Arbitration, London.

D. PROFESSIONAL QUALIFICATIONS ATTAINED

1. Advocate of the High Court of Uganda: enrolled in 1987
2. Commissioner of Oaths
3. Fellow of the Uganda Arbitration Association (FU Arb A)
4. Associate of the Uganda Insurance Institute (AUII)

E. PROFESSIONAL ASSOCIATIONS

1. Member, Uganda Law Society (ULS)
2. Member, International Bar Association (IBA)
3. Member, Uganda Arbitration Association (UAA)
4. Member, London Court of International Arbitration (Pan African Council)
5. Founder, Centre for Development Law and Research (CEDLAR)
6. Member, Past President Rotary Club of Kampala West.
7. Past Chairman, Uganda Insurers Association.
8. Member Commonwealth Magistrates and Judges Association

F. EMPLOYMENT RECORD

a) *Current Employment (September 2003 – Present)*

COURTS OF JUDICATURE UGANDA Judge of The Commercial Division of the High Court

(i) Job description

To adjudicate on all cases filed in the commercial division of the High Court. These include but are not limited to investment disputes, banking, insurance, capital markets, sale of goods and services and alternative dispute resolution (ADR) methods. The Division has established itself as a model court for increased access to justice, judicial innovation and expeditious disposal of cases.

(ii) Personal mission as a judicial officer.

The resolution of disputes using contemporary, efficient and effective methods that better promote access to Justice for all.

(iii) Significant achievements as a Judge

- **Responsible for** the development of a concept paper for the introduction of a small claims/fast track procedure to introduced in the court **(June 2004)**
- **Appointed as** Member/Rapporteur of East African Community Judicial Task Force on Anti Terrorism **(October 2004)**
- **Introduction of** a pre trial scheduling/conferencing memorandum for use in the court **(March 2005)**
- **Appointed by** The Chief Justice to the committee on Improving the terms and conditions of service for judicial officers in Uganda. **(2005)**
- **Appointed to** Head the rules and procedures Committee of the Commercial court with the task of evolving new and efficient methods of case management, pleadings and resolving disputes **(March 2005).**
- **Appointed by** The Chief Justice on the committee to restructure the management and administration of the judiciary in Uganda **(2006)**
- **Commissioned as lead Consultant** on the establishment of small claims courts/procedures in Uganda. **(January 2007)**

- **Appointed as** member of the round table on the subject “mediating corporate Governance disputes” by The Global Corporate Governance Forum. World Bank/IMF. **(February 2007).**
- **Lead Trainer** for Judges of the newly created commercial court of The Republic of Rwanda **(July 2008).**
- **Lead Trainer** Commercial Training Module for Chief Magistrates in Uganda at The Judicial Studies Institute **(October 2008)**
- **Appointed by** Chief Justice as Coordinator Uganda Judiciary / Pepperdine University School of Law Cooperation Programme
- **Key note speaker** at University of Pepperdine School of Law Malibu Los Angeles USA on the Mediation in Uganda **(November 2008)**
- **Lead Trainer** On the use of ADR for The Disciplinary Committee Of The Law Council Uganda **(December 2008)**
- **Chairman** Technical Committee for implementing Small Claims procedure in Uganda **(May 2009)**
- **Keynote Speaker** at Conference on Regulation and Liberalisation of The Pension Sector in Uganda **(June 2009)**
- **Initiator** Annual Uganda Judiciary Distinguished Speaker’s Dinner **(June 2009)**

b) PAN WORLD INSURANCE COMPANY LIMITED (PWICO)

(i) **Ag. General Manager/Chief Executive Officer (1999-2003)**

Charged with the successful restructuring of the Company and preparing it for an International Joint Venture with M/s Zimnat Insurance Company Ltd leading to the creation of a new company called M/s Lion Assurance Company Limited. Received a certificate of recognition from the Board of Directors for the successful restructuring exercise.

(ii) **Company Secretary (1993-1999)**

- a) Secretary to the Board of Directors and to all Board Committees.
- b) Chief Legal Advisor to the Company on all matters including the filling of the Company returns and court litigation.
- c) Head Administration in the Company. This includes the maintaining of Personnel records and the administration of the staff rules and regulations. The coordination of all the company’s insurance schemes and policies. To plan and carry out the annual staff evaluation exercise. Processing of staff recruitment and promotions.

- d) To oversee company investments and joint ventures.
- c) OTHER ASSIGNMENTS AND SECONDMENTS WHILE WITH PAN WORLD INSURANCE CO. LTD.:
1. Rwenzori Properties Ltd

Alternate Director:- On behalf Pan World Insurance Co. Ltd of this joint venture company which deals in real estate development i.e. Rwenzori House. (other joint venture partners are DFCU, CDC, IFC, DEG, and Marples Alandis).
 2. Enterprise Ltd Dar-es-Salaam, Tanzania

Director:- On behalf Pan World Insurance Co. Ltd of this joint venture company which is involved in insurance brokerage in Tanzania (other partners being Tanzania Development Finance Co. Ltd. – TDFL)
- d) MINISTRY OF JUSTICE
- November 1985 to March 1994 **Ministry of Justice** (Directorate of Civil Affairs Solicitor General's Department) – Senior State Attorney: Civil Litigation for and on behalf of Government; advising Government departments and Public Corporations; International Contracts/Agreement negotiation and drafting; travelling with Government delegations abroad as legal counsel.
- e) SECONDMENTS AND OTHER DUTIES WHILE AT THE MINISTRY OF JUSTICE
- 1987 to 1989 **The Law Council** (the Governing body for the Legal Professional in Uganda)
- Assistant Secretary:* Assistant to the Secretary to the Uganda Law Council, in the absence of the Secretary acting as Secretary to the Law Council, carrying out and effecting the resolutions of the Law

Council, acting as Secretary the Disciplinary Committee of the Law council, preparing Lawyers to be enrolled as Advocated of the High Court of Uganda.

1988 to 1989

The Uganda Medical and Dental Surgeons Council (the Governing body for the Medical Profession in Uganda).

Legal Advisor: Advising the Medical Council on all legal matters; investigating and instituting disciplinary proceedings for unethical behaviours; and advising on ethical behaviours.

1988 – 1989

Task Force on Barter/Counter Trade Ministry of Commerce.

Overall supervision of all Barter/Counter Trade Agreements entered into by the Government of Uganda and Public Corporations; negotiation and clearance of all new agreements.

Jan. 1991 to May 1991

Embassy of Uganda Kigali-Rwanda.

Second Secretary (legal): Short assignment at the request of His Excellency Uganda's Ambassador to Rwanda to handle legal work at the Embassy.

May 1991to May 1992

Asian African Legal Consultative Committee (AALCC)

Desk Officer: Liaison person in the Ministry for the Asian African legal Consultative Committee (AALCC)

May 1991 to May 1992

Human Rights Desk.

Desk Officer: Handling all correspondence received by the Attorney General on Human Rights Violations and responding to them after investigations.

May 1991 to May 1992

Office of the Minister of Justice/Attorney General to the Minister of Justice Attorney General.

Legal Assistant: Personal Legal Assistant to the Minister of Justice/Attorney-General.

G. PRIVATE PRACTICE

CENTRAL LAW OFFICES

Silent partner and advisor to the firm
(Corporate and Commercial partners and
legal associates practice) **now resigned.**

H. ARBITRATOR

Appointed as a private Arbitrator in over 10 commercial disputes both party and court referred.

I. OTHER SIGNIFICANT ACTIVITIES CARRIED OUT

1. Law Development Centre **Professional Advisor/External Examiner:-**

Since 1988 on the Post Graduate Bar Course in the subjects of International Commercial Transactions, Arbitration and Commercial Transactions
2. Faculty of Law Makerere University **Guest Lecturer:-**

December 1994 Human Rights class on the subject "The United Nations and Human Rights".
3. Commission of Inquiry **Secretary to the Commission:-**

(Mismanagement of Criminal cases) The Porter Commission April 1993 to June 1995. Commission to investigate the mismanagement of criminal cases in Uganda and to make recommendations to Government.
4. World Bank Consultancy on the Reform of Commercial Laws in Uganda February, 1997 **Legal Consultant:-**

Reform of Commercial and related laws that affect Private Sector Economic Development. Under the Uganda institutional Capacity Building Project Legal Sector Component CR-2736 – UG.
5. World Bank Consultancy on **Legal Consultant:-**

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| the Preparation of the Uganda Law Reports | Preparation of Uganda Law Reports 1958-1970 and 1973-1995. Under the Uganda Institutional Capacity Building Project Legal Sector Component. |
| 6. International Law Institute (ILI) Washington- Kampala Uganda Regional Centre | Lecturer since 1997 (course is conducted yearly):-

International Commercial Arbitration. |
| 7. Uganda Christian University Mukono | Part time Lecturer:-

Department of Law Business/ Commercial Law and the Law of Contract. |
| 8. Commission of Inquiry into the closure of Banks February 2000 | Lead Counsel:-

Judicial probe into the causes of the failure of the International Credit Bank, The Cooperative Bank and the Greenland Bank. |
| 9. Commission of Inquiry into the purchase of 2 Military helicopters November 2001. | Member of Commission(Commissioner):

Judicial probe into the purchase of two “junk helicopters” by the Army. |
| 10. Danida Review team on Danish Government support to the Judiciary Project November 2000. | Legal Consultant:

Local legal consultant to the team. |
| 11. Justice, Law and order sector Ministry of Justice and Constitutional Affairs Uganda together with The Department of International Development. (DFID) UK February, 2001. | Legal Consultant:

Local legal consultant to develop invitation to bid for a baseline survey on commercial laws in Uganda. |
| 12. Uganda Marty's University Nkozi February 2001 to 2003 | Part Time Lecturer:

Lecturer for the Masters of Business Administration (Regulation of financial Institutions) MBA. |
| 13. Justice, law and order sector Ministry of Justice and Constitutional Affairs | Legal Consultant.

Evaluation of bids for a computerised motor vehicle management system for the Uganda Police Force.(Sept. 2001) |
| 14. Justice, law and order sector Ministry of Justice and Constitutional Affairs November 2001 | Lead Consultant:

Evaluation of bids for The Criminal Justice Baseline User survey. |

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| 15. | Justice, law and order sector
Ministry of Justice and
Constitutional Affairs March
2002 | Lead Consultant:
Evaluation of Expression of interest for
Financial Management Study for Secretariat. |
| 16. | Commission of Inquiry into
allegations of corruption in the
Uganda Revenue Authority.
April 2002. | Secretary to the Commission:
Judicial probe into corruption and abuses in
the Uganda Revenue Authority. |
| 17. | Uganda Insurers Association
April 2002-May 2003 | Secretary to the Association and Head of
the Secretariat 6 months.
Chairman of Association 6 months (did not
complete term to join judiciary) |
| 18. | Ndejje University
February 2005-to present | Part-Time Lecturer:
Masters Of Business Administration class
(Regulation of financial Institutions) MBA |
| 19. | Makerere University
Faculty of Law
August 2005 to date | External Examiner:
Bachelor of Laws Degree. |

J. AWARDS AND RECOGNITIONS

Winner of 2007 Uganda British Alumni Award Presented By H. E. The British High Commissioner to Uganda

K. PUBLICATIONS AND PAPERS

1. **“Economic Development in Uganda (A case for Legal Reform)”**
Paper delivered to the workshop on “law reform and private sector development” held by the Uganda Law Reform commission on 19th October, 1994.
2. **“Arbitration in Uganda (a review)”**
Paper delivered to the London Court of International Arbitration Inaugural Conference Nairobi, Kenya on the 7th December, 1994.
3. Co-author **“Arbitration in Africa”** published by Graham & Trotman Ltd. C. 1995.
4. **“The Demise of the substantive law of Insurance in Uganda? The case of Uganda Motors versus Wavah Holdings Ltd.” article in The Magistrate Journal Vol. 4 October, 1995 P.9.**
5. **The role of the Courts in maintaining a correct investment climate”**
Paper delivered to the British Council workshop for Judges 11th January, 1996.
6. **“National and Regional options in Africa for the resolution of International Trade and Investment disputes; Past Present and Future - a case study from EAST AFRICA”**
Paper presented to the Conference of the Resolution of International Trade and Investment disputes in Africa in Johannesburg, South Africa 8th March, 1997.
7. **“Expediting Commercial Litigation what must be done: The court users perspective”.**
Paper delivered to the workshop for Judges under the Judicial training programme on the 10th May, 1997.
8. **The impact of The Insurance Statute 1996 on The Insurance Industry and The Insuring Public**
Paper presented as KEY NOTE ADDRESS AT 32ND Annual General Meeting of The Insurance Institute of Uganda and published in the **INSURANCE NEWS MAGAZINE** APRIL- JUNE 1997.

9. **An overview of the Motor Third Party Insurance (Third Party Risks) Statute 1988.**
 Paper presented to the workshop on the introduction of the new Motor Vehicle Third Party Insurance Certificates on the 25th November, 1998.
10. **External Consultant** to the Uganda Law Reform Commission in putting together **“The Draft Marine Insurance Statute for Uganda”**
11. **Banks and the control of Money Laundering** by **Andrew Briscoe**
 Contributor on the chapter on Uganda: – Published by Carlton laws of the World Limited 1999.
12. **Alternative dispute resolution a perspective from the private sector.**
 Paper given to the ILI/SPEED/USAID Round table on ADR 25th September, 2001 Kampala Uganda.
- 13 **The Law of Insurance in Uganda and Road Safety.**
 Paper given Senior Officers of the Uganda Police Force at a workshop 28th February 2002 Equatorial Hotel Kampala Uganda
- 14 **The Role of Board of Directors in Corporate Governance: A Legal Case For the Professionalisation Of The Board Room In Uganda.**
 Paper given at the 8th Annual Seminar of The Institute of Certified Public Accounts of Uganda on the 29th October 2003 at Entebbe Uganda
- 15 **Mediation and Arbitration**
 Paper delivered at The International Law Institute Seminar for The Nigerian Communications Commission on The 29th January, 2004. Kampala Uganda
- 16 **Interlocutory Applications – Principles and Practices.**
 Paper delivered at the Specialised Training Program for The Judicial Personnel (Judges) Of The New Sudan on The 13th May 2004 At The Law Development Centre Kampala Uganda. The Journal of Uganda Judicial Officers Association Vol. 11 March 2005.

17 Court Based ADR.

Paper delivered to The Training Of Trainers Workshop For The Law Development Centre on The 11th June 2004. Jinja Uganda

18 Alternative Dispute Resolution (A Ugandan Judicial perspective)

Paper delivered at a continuing legal education seminar for Magistrates Grade One at Colline Hotel Mukono Uganda 1st April 2005

19 Court connected mediation

Paper delivered to a panel of Sri Lankan Judges at The IDLO Institute Rome Italy 19th August 2005

20 ADR- A catalyst in commercial development

Paper delivered to The Association of Law Reform agencies Of Eastern and Southern Africa at Imperial Beach Hotel Entebbe Uganda, September, 2005.

21 Medical Malpractice/negligence in Uganda: Current Trends and Solutions.

Delivered as The Prof. Sebastian Kyalwazi Memorial Lecture to the Uganda Association of surgeons. 28th April 2006

22 Dispute Resolution Mechanism in Uganda: Which way Forward for the Business Community; reform or Changes of Attitudes

Paper delivered at a Law Reform Commission workshop for the business community in Uganda. Speke Resort Munyonyo, June, 2006.

23 The Transformation Of The Arbitration In Uganda by The Arbitration and Conciliation Act 2000

Presentation at a continuing education seminar of The Uganda Law Society October 2006

24 Mediating Corporate Governance Disputes. A case study from Uganda.

Paper Presented at the Global Corporate Governance Forum/ Paris France February 2007

25 Commercial Courts: A Case study from Uganda.

Published in the Commonwealth Judicial Journal Vol. 17 no. 2 December 2007
Page 12

26 Legal and Ethical Issues: in Mediation.

Paper delivered at the launch of the mediation rules 2007 to judicial officers and members of the bar December 2007.

27 The legal aspects of electronic commercial transactions and information technology: its relevance to commercial transactions in Uganda.

Paper delivered at the 2007 Nkumba University Annual law conference and lawyers day.

28 To serve or to be served is the Question?

Commencement speech given to the 2008 S.A.L.T. graduation class on the 11th December 2008 equatorial Hotel Kampala

29 The Development of the Commercial Judicial System in Uganda: A Study of the Commercial Court Division, High Court of Uganda

The Journal of Business, Entrepreneurship & The Law (Pepperdine University School of Law) Vol. II Number II pg. 349

30 The Role of Corporate Governance in The Pension Sector in Uganda

Paper delivered at the Conference on Regulation and Liberalisation of the Pension Sector in Uganda. Kabira Country Club 23rd June 2009

Signed:
GEOFFREY W. M. KIRYABWIRE
JUDGE

Date: