

CHAPTER TWENTY FIVE

THE PRIVATE SECTOR AND THE CIVIL SOCIETY

ARTICLE 127

Creation of an Enabling Environment for the Private Sector and the Civil Society

1. The Partner States agree to provide an enabling environment for the private sector and the civil society to take full advantage of the Community. To this end, the Partner States undertake to formulate a strategy for the development of the private sector and to:
 - (a) promote a continuous dialogue with the private sector and civil society at the national level and at that of the Community to help create an improved business environment for the implementation of agreed decisions in all economic sectors; and
 - (b) provide opportunities for entrepreneurs to participate actively in improving the policies and activities of the institutions of the Community that affect them so as to increase their confidence in policy reforms and raise the productivity and lower the costs of the entrepreneurs.
2. For purposes of paragraph 1 of this Article, the Partner States undertake to:
 - (a) improve the business environment through the promotion of conducive investment codes, the protection of property rights and other rights and the proper regulation of the private sector;
 - (b) stimulate market development through infrastructural linkages and the removal of barriers and constraints to market development and production;
 - (c) regularly provide up-to-date commercial intelligence to speed up market response through co-operation among the chambers of commerce and industry and other similar organisations of the Partner States;
 - (d) facilitate and support the exchange of experience and the pooling of resources through, inter alia, cross-border investments;
 - (e) strengthen the role of their national business organisations or associations in the formulation of their economic policies; and

- (f) collaborate with their national chambers of commerce and industry to establish lending institutions that shall primarily cater for the private sector especially the small-scale entrepreneurs who find it difficult to obtain credit from commercial banks and financing institutions.
- 3. The Partner States agree to promote enabling environment for the participation of civil society in the development activities within the Community.
- 4. The Secretary General shall provide the forum for consultations between the private sector, civil society organisations, other interest groups and appropriate institutions of the Community.

ARTICLE 128

Strengthening the Private Sector

- 1. The Partner States shall endeavour to adopt programmes that would strengthen and promote the role of the private sector as an effective force for the development of their respective economies.
- 2. For purposes of paragraph 1 of this Article, the Partner States undertake to:
 - (a) encourage the efficient use of scarce resources and to promote the development of private sector organisations which are engaged in all types of economic activity, such as, the chambers of commerce and industry, confederations and associations of industry, agriculture, manufacturers, farmers, traders, and service providers and professional groups;
 - (b) encourage and sponsor practical and resourceful methods of income generation in the private sector; and
 - (c) establish a quality information system which will allow collection, harmonised processing and timely dissemination of data and information.
- 3. For purposes of paragraph 1 of this Article, the Partner States may take such other additional steps as the Council may determine.

ARTICLE 129

Co-operation among Business Organisations and Professional Bodies

- 1. The Partner States undertake to co-operate in promoting common measures

to ensure the strengthening of linkages among their business organisations, employees' and employers' organisations and professional bodies. To this end, the Partner States agree to:

- (a) support joint activities which will promote trade and investment among the Partner States;
 - (b) recognise and contribute to the efficient operation of federations of business organisations, professional and commercial interest groups and similar associations within the Community; and
 - (c) encourage and promote the taking of useful decisions by the Council and other relevant institutions of the Community in areas affecting the private sector, and to monitor the implementation of such decisions.
2. The Council shall establish modalities that would enable the business organisations or associations, professional bodies and the civil society in the Partner States to contribute effectively to the development of the Community.
 3. The Council shall formulate a business and business related dispute settlement mechanism.