

# CHARTER ON PRIVATE SECTOR DEVELOPMENT, RIGHTS AND PROTECTION ENVIRONMENT IN AFRICA

“A.k.A Private Sector Bill of Rights (PSBoR)  
for an Enabling Business Environment in Africa”



**FOR AN ENABLING BUSINESS  
ENVIRONMENT IN AFRICA**



African Trade Insurance Agency  
Agence pour l'Assurance du Commerce en Afrique



Golden Business Forum



Transforming Africa's Trade  
African Export-Import Bank  
Banque Africaine d'Import-Export



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# Table of Content

page

1. What does the Private Sector want?	4
2. a. What it is PSBoR?	6
b. Why a PSBoR?	6
3. What Happens if passed?	7
4. Benefits of Stakeholders	8
5. How the Private Sector and Stakeholders can help	10
6. What is the Status and Road Map	11
7. How to participate	12
8. Heeding the call for the PsBoR Campaign	13

Restore Africa's Image by standing together for the good of Africa ... Private Sector, Academia, Labor and Stakeholders MUST speak with one VOICE at the National level led by Chambers or National Business Federations.

The regional level is led by regional bodies, the Chamber Continental body is led by PACCI, and at the AU led by the Africa Business Council (AfBC).

APSS is standing with national, regional, and pan-african business associations, academia, labor, COSs, and stakeholders for a united, strong, independent, vibrant, and functional private sector.





# What Does the Private Sector Want in a PSBoR in Support of Implementation of RECS and AfCFTA Protocols ?

These Enabling elements are already within the RECs and AfCFTA protocols, the Private Sector is now claiming these as Rights and Enablers to insure and ensure their timely implementation to achieve the Fourth Industrial Revolution in Africa (FIRIA) in fulfillment of AU Agenda 2063.

The Private Sector simply seeks a predictable investment climate that is conducive for Business to exist, thrive and be successful.

These include elements of enablers such as:

- 1 The right to peace, security and stability to ensure trade and investment opportunities.
- 2 The right to a functional education system to meet the skills set demands by business/ industry.
- 3 The right to peace, security and stability to ensure trade and investment opportunities.
- 4 The right to proper, safe, and adequate infrastructures to propel trade & investment.
- 5 The right to free movement of people in Africa.
- 6 The right to a strong and acceptable currency for trade in Africa and beyond.
- 7 The right to seamless border crossing in Africa.
- 8 The right to access to credit supported by the Africa Trade Insurance (ATI)
- 9 The right to favorable credit terms to support short, medium and long terms investment projects.

- 10 The right to a functional legal system that works for timely redress for all.
- 11 The right to participatory ownership and or co-ownership of the development and transformation of natural resources leading to the Fourth Industrial Revolution in Africa (FIRIA).
- 12 The right to harmonized continental quality assurance standards matching global level for ease of continental and global trade.
- 13 The right to timely, functional, reliable, & efficient processing of documentation and clearing of imports and of expedited carriers and cargos.
- 14 The right to consultation on policy, regulation and laws prior to placement.
- 15 The right to a healthy consultative relationship between the public sector and private sector to propel trade and investment.
- 16 The right to participate in conflict mediation in & between countries considering that most conflicts are associated with job-related issues.
- 17 The right to freedom of establishment for African private businesses
- 18 The right to exceptions and subsidies for small and medium-scale enterprises
- 19 The right to one stop processes for banking and financial transfers.
- 20 The right to benefit from sharing and to benefit from scientific progress.
- 21 The right to an incentive to the private sector for development partnership - corporate tax discount for development projects singularly and or jointly undertaken by the private sector and or with the government.
- 22 The right to adapt labor and IP laws to require local content, capacity building of local workers, and technology transfer to African businesses.
- 23 The right of the Creative Industry as an inclusive partner for innovation and retaining traditional knowledge.
- 24 The right to open access to data and establish local databanks for African businesses.
- 25 The right to conduct business activities in RECs and AfCFTA Member States that prohibits bribery and corruption practices.



## 1. What is PSBoR?

**B**usiness owners/Investors look at investment opportunities in any country, region, or continent in general with an “eagle eye” as the enabling business environment for predictability and legal framework for prompt enforcement of business agreements and contracts. In the absence of such an Enabling Business Environment, serious minded, credible investors would not be willing to invest because of the inherent risks of doing business within such African countries.

## 2. Why a PSBoR?

WHY SHOULD PRIVATE BUSINESSES SUPPORT THE REGIONAL ECONOMIC COMMUNITIES (RECs) AND AfCFTA PROTOCOLS?

The RECs and AfCFTA protocols are composed of numerous trade and investment facilitation enablers that were signed by African Heads of State, that when implemented, would propel trade and investment in Africa. The Private Sector Bill of Rights (PSBoR) for an Enabling Business Environment in Africa seeks to harness the importance of the implementation of the signed treaties and protocols as a complimentary companion instrument to both RECs and AfCFTA protocols to ensure a predictable conducive investment climate in Africa under the vast business opportunities that exist for businesses to be successful.



# What Happens if the PSBOR is Passed/Enacted by Parliamentary Institutions of the RECs African Union or The Pan African Parliament and or Heads of State?

If such PSBoR is passed/enacted by parliamentary decree and or Heads of State at AU, then it becomes a vital instrument that would accelerate national, and regional development goals in fulfilment of the AU Agenda 2063!

## Note 1

We are trying to take the same route as was done with the passage/enactment of the AfCFTA. Get 22 countries to sign up and then ratification.

Some countries might have their parliament act on it, in pursuit of the country's national program.

## Note 2

We are making the argument that the PSBoR is a complimentary companion instrument to the AfCFTA agreement, and we are promoting it as such.

## Note 3

The basic source of the tenets of the PSBoR comes from the RECs and AfCFTA protocols.



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## BENEFIT TO STAKEHOLDERS FROM ENACTED PSBoR FOR RECs AND AfCFTA

### To Governments

- Pays Taxes to Governments, thus increase government revenues to provide services to citizens and residents
- Develop infrastructure to support their operations and thus positively impact host communities
- Creates Jobs directly and indirectly via own service providers and suppliers
- Contributes to Gross Domestic Product and Trade
- Supports the development of host communities in partnership with local nongovernmental organizations, trade groups, and chambers of commerce

### To Stock Exchanges

- Multinational Corporates with listings in multiple exchanges in Africa have the opportunity to develop the capacity to support development via Corporate Social Responsibility interventions that qualify for Integrated Reporting
- Thriving Private Sector contributes to listings and sustainability of the capital market
- Integrated Reporting, as a complete report of components involved in the creation of a company value over the short, medium, and long term sits well with the aspirations of the PSBoR, to strengthen the Private Sector play its development role in terms of systemic contributions via ESG [Environment, Social and Governance], which address developmental issues as applicable to National Development Plans as specified by countries

## To Development Partners

- Private Sector engagement and a conducive environment for the private sector to thrive, positively impacts Human Development Indices
- Thriving Private Sector that is engaged, provides a platform for local development partners by jurisdiction
- Thriving Private Sector holds the Bureaucracy accountable for service delivery.

## To General Public in Africa and Globally

- A thriving and engaged private sector that partners across sectors for wholesome social interventions
- Emergence of Africa as an innovation hub in the 4th Industrial Revolution, the Knowledge Economy
- Multiple opportunities for MSMEs to plug into the value chains of key sectors with multiplier effect on development and availability of talents, like health, education, food, security and logistics, etc
- Boost to tourism, the creative industry and ancillary services across the continent
- Africa, truly open for business!



## HOW THE PRIVATE SECTOR AND STAKEHOLDERS, CAN HELP IN GETTING THE PSBoR ADOPTED AT THE AU?

We must move forward together with purpose by exercising the use of the RECs and AfCFTA protocols as the GAVELS in our hands to Right the Wrongs of Doing Business in Africa under AfCFTA.

It is designed to build a strong, independent, and vibrant business climate in Africa thereby creating the New Breadbasket for the World. The PSBoR is about your business growth opportunities, protecting your business future, preserving family and society livelihood. To build Africa, we must work in concert for the Africa we want and must have! Now that we know better, we can do better!

The PSBoR is about a conducive investment climate for all. It is the Rebranding to Paint a New Image and Narrative for the Trade and Investment Climate in Africa. The PSBoR is about attaining the key tenets in the RECs and AfCFTA protocols, AU Agenda 2063, as well as the Sustainable Development Goals [SDG].

# ROAD MAP

## CHARTER ON PRIVATE SECTOR DEVELOPMENT, RIGHTS and PROTECTION ENVIRONMENT IN AFRICA

APSS

PACCI

### VETTING AND VALIDATION BY STAKEHOLDERS

- National Chambers of Commerce & Business Associations
- Regional Business Associations
- Regional Business Councils
- Academia & TVETs
- Labour
- CSOs
- Media
- Regional Economic Communities (RECs)

### AFRICAN BUSINESS COUNCIL & PARTIES

- Advocacy at the African Union (AU)
- Adoption by African Union Heads of State

*The Future of Africa lies in the Hands of a strong and vibrant private sector, functioning under a conducive investment climate!*





## BE A PART OF HISTORY IN MAKING THE PSBoR FOR AfCFTA FOR THE DELIVERY OF THE AFRICA WE WANT

Engage your local Chamber of Commerce and or Business Association to be a part of your country's delegation to the PSBoR Vetting gathering, Let Your Voice be Heard!

The vetting & validation will be led by APSS, PACCI in collaboration with the Regional Business Councils; Adoption of PSBoR will be led by Africa Business Council at The African Union.



VENUE

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DATE

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## HEEDING THE CALL FOR THE PSBoR CAMPAIGN

The AfCFTA protocol is a Gift to the Private Sector, Stakeholders and the People of Africa from the Politicians/Public Sector. It is a set stage for the development transformation for the Africa we want. The private sector and stakeholder actors must deliver AfCFTA as a historical act for the benefits of the future of Africa.

1 Obtain a copy of the Draft PSBoR from the PACCI or APSS website or contact your local Chambers or Business Associations.

2 Make the PSBoR a conversation of discussion in every gathering - family, social, business and with your politicians. Know the facts about the PSBoR, share the info and obtain the views of others.

3 Contribute to the document from your sector or the overall business perspective.

4 Invest in the process by supporting the vetting, validation and campaign leading to the adoption of PSBoR by African Union Heads of State

**Become a Champion of PSBoR** for a better Africa we want!

This call is to Presidents of countries, Business Leaders, Regional Business Organizations, RECs, National Chambers or Business Federations, Continental & National Professionals Associations, Individuals.

Watch Out for **The PSBoR Africa Awards** into the near future!



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