

CHAPTER FOUR

POLICIES FOR SECTORAL DEVELOPMENT

PART ONE

INDUSTRIAL POLICY

ARTICLE 51

Objectives of the Community Industrial Policy

1. The goal of the Community Industrial Policy shall be market-led, internationally competitive and sustainable production of goods and services for the promotion of the Region's economic and social development.

2. In fulfilment of the goal set out in paragraph 1 of this Article, the Community shall pursue the following objectives:

(a) cross-border employment of natural resources, human resources, capital, technology and management capabilities for the production of goods and services on a sustainable basis;

(b) linkages among economic sectors and enterprises within and among the Member States of the CSME;

(c) promotion of regional economic enterprises capable of achieving scales of production to facilitate successful competition in domestic and extra-regional markets;

(d) establishment of a viable micro and small economic enterprise sector;

(e) enhanced and diversified production of goods and services for both export and domestic markets;

(f) sustained public and private sector collaboration in order to secure marketled production of goods and services;

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(g) enhanced industrial production on an environmentally sustainable basis;

(h) balanced economic and social development in the CSME bearing in mind the special needs of disadvantaged countries, regions and sectors within the meaning of Article I; and

(i) stable industrial relations.

ARTICLE 52

Implementation of Community Industrial Policy

1. In order to achieve the objectives of its industrial policy, the Community shall promote, inter alia:

(a) the co-ordination of national industrial policies of the Member States;

(b) the establishment and maintenance of an investment-friendly environment, including a facilitative administrative process;

(c) the diversification of the products and markets for goods and services with a view to increasing the range and value of exports;

(d) the organisation and development of product and factor markets;

(e) the development of required institutional, legal, technical, financial, administrative and other support for the establishment or development of micro and small economic enterprises throughout the Community; and

(f) in collaboration with the social partners, the advancement of production integration.

2. The Community shall establish a special regime for disadvantaged countries, regions and sectors.

3. COTED shall, in collaboration with competent organs and bodies of the Community and the private sector, establish criteria for according special consideration to particular industries and sectors. Such criteria shall include, in particular, arrangements relating to the prospects of the industry for successful production integration.

4. COTED shall collaborate with competent agencies to assist the Member States in designing appropriate policy instruments to support industries, which may include effective export promotion policies, financing policies, incentives and technology policies.

5. In implementing the Community Industrial Policy, COTED shall have regard to the

provisions of this Treaty relating to environmental protection.

6. The Member States undertake to establish and maintain appropriate macro-economic policies supportive of efficient production in the Community. In addition, they shall undertake to put in place arrangements for, *inter alia*:

- (a) effective payment mechanisms;
- (b) the avoidance of double taxation;
- (c) harmonised legislation in relevant areas;

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(d) the elimination of bureaucratic impediments to deployment of investments in industrial enterprises;

(e) the improvement of infrastructure and co-operation in the areas of air and maritime transport;

(f) communications systems.

7. In order to facilitate the implementation of the Community Industrial Policy, COTED shall, in collaboration with competent organs and agencies:

(a) develop strategies for the development and dissemination of market information and appropriate mechanisms to facilitate acquisition, storage and retrieval of such information;

(b) promote the establishment and development of capital markets in the Member States; and

(c) encourage the Member States to establish and develop export markets, especially in non-traditional sectors, through the development of sectorspecific incentives and appropriate policy instruments.

8. For the purpose of this Article, "production integration" includes:

(a) the direct organisation of production in more than one Member State by a single economic enterprise;

(b) complementary production involving collaboration among several economic enterprises operating in one or more Member States to produce and use required inputs in the production chain; and

(c) co-operation among economic enterprises in areas such as purchasing, marketing, and research and development.

ARTICLE 53

Micro and Small Economic Enterprise Development

1. The Community shall adopt appropriate policy measures to encourage the development of competitive micro and small economic enterprises in the Member States.

2. Without prejudice to the generality of the foregoing, the competent Organ shall encourage policy initiatives and the establishment of effective programmes to foster a facilitative legal, economic, and administrative framework in the Member States to enhance micro and small economic enterprise development, and shall promote:

(a) the development of the capacities of national and regional support agencies for micro and small economic enterprises, including the creation of entrepreneurial centres, by organising technical assistance inclusive of planning, delivery and evaluation of support services to the sector;

(b) access to, improvement in the quality of, and opportunities for training and education in areas such as technical skills, entrepreneurial competence and business management for micro and small entrepreneurs;

(c) access by micro and small economic enterprises to the technical assistance provided by the support agencies;

(d) the establishment, development or modernising, as the case may require,

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of financial institutions to provide, to micro and small economic enterprises, services by way of appropriate and innovative instruments;

(e) innovation within the micro and small enterprise sector; and

(f) the creation of, and access to, trade and technology information networks.

3. For the purposes of this Article, micro and small economic enterprises shall be economic enterprises within the meaning of Article 32 that satisfy such other criteria as may be

determined by the competent authorities.

ARTICLE 54

Development of the Services Sector

1. COTED shall, in collaboration with the appropriate Councils, promote the development of the services sector in the Community in order to stimulate economic complementarities among, and accelerate economic development in, the Member States. In particular, COTED shall promote measures to achieve:

- (a) increased investment in services;
- (b) increased volume, value and range of trade in services within the Community and with third States;
- (c) competitiveness in the modes of delivering services; and
- (d) enhanced enterprise and infrastructural development, including that of micro and small service enterprises.

2. In order to achieve the objectives set out in paragraph 1, the Member States shall, through the appropriate Councils, collaborate in:

- (a) designing programmes for the development of human resources to achieve competitiveness in the provision of services;
- (b) establishing a regime of incentives for the development of and trade in services; and
- (c) adopting measures to promote the establishment of an appropriate institutional and administrative framework and, in collaboration with the Legal Affairs Committee, promote the establishment of the appropriate legal framework to support the services sector in the Community.

3. In the establishment of programmes and policies of the Community for the development of the services sector, the relevant Councils shall give priority to:

- (a) the efficient provision of infrastructural services including telecommunications, road, air, maritime and riverain transportation, statistical data generation and financial services;
- (b) the development of capacity-enhancing services including education services, research and development services;
- (c) the development of services which enhance cross-sector competitiveness;
- (d) the facilitation of cross-border provision of services which enhance the competitiveness of the services sector; and

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- (e) the development of informatics and other knowledge-based services.

ARTICLE 55

Sustainable Tourism Development

1. The Community shall, in collaboration with competent international organisations, formulate proposals for sustainable tourism development. These proposals shall recognise the importance of the tourism sub-sector to the economic development of the Region, and the need to conserve its cultural and natural resources and to maintain a balance between a healthy ecology and economic development.

2. The programme for sustainable tourism development shall have the following objectives:

- (a) an enhanced image for the Region as a tourist destination;
- (b) a diversified tourism product of a consistently high quality;
- (c) an expanded market-base;
- (d) education programmes designed to ensure that appropriate practices are pursued by service-providers;
- (e) linkages with other sectors in the economy;
- (f) conservation of the natural and cultural resources of the Region through proper management; and
- (g) appropriate infrastructure and other services in support of tourism, considering the natural and social carrying-capacity of the Member States.

PART TWO

AGRICULTURAL POLICY

ARTICLE 56

The Community Agricultural Policy

1. The goal of the Community Agricultural Policy shall be:

- (a) the fundamental transformation of the agricultural sector towards market-oriented, internationally competitive and environmentally sound production of agricultural products;
- (b) improved income and employment opportunities, food and nutrition security, and poverty alleviation in the Community;
- (c) the efficient cultivation and production of traditional and non-traditional primary agricultural products;
- (d) increased production and diversification of processed agricultural products;
- (e) an enlarged share of world markets for primary and processed agricultural products; and
- (f) the efficient management and sustainable exploitation of the Region's natural resources, including its forests and the living resources of the exclusive economic zone, bearing in mind the differences in resource endowment and economic development of the Member States.

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ARTICLE 57

Implementation of the Community Agricultural Policy

1. For the achievement of the goal set out in Article 56, the Community shall, through competent Community Organs and Bodies, promote and support:

- (a) the production, diversification, processing and marketing of agricultural products;
- (b) the establishment of effective agricultural financing systems, including insurance, bearing in mind the special needs of artisanal fishers, small farmers, foresters and agro-processors;
- (c) the establishment of linkages among the Member States with complementary natural resources, industries, agricultural skills and technical abilities;
- (d) the development of human resources and delivery systems responsive to the requirements of the agricultural sector;
- (e) the development of appropriate policies for the use of land and marine space with a view to increased agricultural production;
- (f) appropriate land tenure systems to provide the farmer with security of tenure;
- (g) the establishment of effective information and market intelligence services;
- (h) research and development with a view to the adaptation, dissemination and application of appropriate technologies at all levels of the sector and all stages of production;
- (i) the adoption of effective measures for rural enterprise development;
- (j) public education to enhance the economic and social profiles of agriculture, particularly among the youth;
- (k) the establishment of an effective regime of sanitary and phytosanitary measures;
- (l) the establishment of a policy environment designed to attract investment to the agricultural sector; and
- (m) technical co-operation and the dissemination of knowledge in agriculture.

2. For the purpose of assisting the Member States to implement the agricultural policy set out in paragraph 1, COTED shall establish effective support measures including:

- (a) strengthening the relevant administrative and institutional framework to modernise and enhance the competitiveness of agriculture by:
 - (i) improving the capability of the Member States to undertake policy analysis, formulation, planning, execution and resource mobilisation

for the development of the sector;

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(ii) investigating and analysing developments in the agri-food sector;

and

(iii) improvement of the collection, analysis and dissemination of empirical data and other relevant information;

(b) upgrading of national and regional capabilities in the areas of sustainable natural resources management;

(c) enhancement of the capabilities of the Member States in the areas of agricultural trade analysis and negotiations; and

(d) promotion of a mechanism for the collaboration of farmers, fishers, foresters and the social partners in agricultural development.

3. The Community shall:

(a) promote collaboration among the Member States and competent regional organisations in the areas of policy formulation and implementation of regional agricultural policies; and

(b) establish an effective regime to protect regional agricultural production from dumping, subsidisation and other unfair trading practices.

4. The Community shall, as a matter of priority, and in collaboration with national, regional and international agencies and organisations, promote and adopt measures relating, *inter alia*, to:

(a) the provision of appropriate inputs; and

(b) the development of infrastructure, such as port facilities, drainage, irrigation, access roads, post-harvest handling and marketing facilities.

ARTICLE 58

Natural Resource Management

1. The Community shall adopt effective measures to assist the Member States in the management of their natural resources in support of the transformation and sustainable development of the agricultural sector.

2. Without prejudice to the generality of paragraph 1 and to obligations of Member States under existing international agreements, the Community shall adopt measures for:

(a) the effective management of the soil, air and all water resources, the exclusive economic zone and all other maritime areas under the national jurisdiction of the Member States; and

(b) the conservation of biological diversity and the sustainable use of biological resources of the Member States, especially those of important medicinal and traditional value.

ARTICLE 59

Marketing of Agricultural Products

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1. The Community shall, in collaboration with competent national, regional and international organisations, promote the development of effective agricultural marketing systems in order to respond to, influence and generate market demand for agricultural products of the Member States.

2. In effecting the promotion referred to in paragraph 1, the Community shall pay particular attention to:

(a) market information, intelligence and planning;

(b) improved post-harvest technology;

(c) risk insurance; and

(d) efficient distribution services.

3. In order to accomplish the objectives referred to in paragraph 1, the Community shall adopt measures to promote:

(a) the establishment of a regional market information system;

(b) the improvement of production and market information systems of the Member States in order to facilitate, *inter alia*, the efficient co-ordination of marketing strategies and systems;

(c) institutional arrangements including producer associations and joint venture marketing enterprises in order to respond to existing and changing market conditions;

(d) niche marketing;

(e) linkages between agriculture and other sectors in particular, the tourism sector;

(f) the identification and utilisation of sources of low cost alternative inputs;

(g) the establishment and adoption of regional standards and specifications compatible with international standards for products being traded;

(h) enhanced productivity and food quality;

(i) insurance coverage for primary agricultural products; and

(j) the development of efficient distribution services to facilitate intra-regional and extra-regional marketing.

4. In pursuance of the need to generate market demand for agricultural products of the Member States and to promote the agricultural development of the Less Developed Countries, the Member States shall agree to the arrangements for marketing oils and fats set out in Schedule III.

ARTICLE 60

Fisheries Management and Development

1. The Community, in collaboration with competent national, regional and international agencies and organisations, shall promote the development, management and conservation of the fisheries resources in and among the Member States on a sustainable basis.

2. The Community shall effect the promotion and facilitation referred to in paragraph 1 by:

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(a) enhancing the institutional capabilities of the Member States in areas such as policy formulation, registration and management systems, resource monitoring and assessment, and harvesting and post-harvesting technologies;

(b) establishing mechanisms to provide assistance in:

(i) the development, management and conservation of the fisheries resources;

(ii) the discharge of obligations relating to fisheries resources arising under Articles 62, 63 and 64 of the United Nations Convention on the Law of the Sea (1982).

(c) effective regional representation at international fora;

(d) establishing development programmes for aquaculture;

(e) encouraging the establishment of protected aquatic habitats and associated terrestrial areas and fish populations for the sustainable development of fisheries resources of the Member States; and

(f) establishing, facilitating and strengthening research and human resource development at the professional, technical and vocational levels.

3. The Community shall collaborate with the Member States in:

(a) the management of straddling and highly migratory fish stocks;

(b) ongoing surveillance of their exclusive economic zones;

(c) the delimitation of maritime boundaries; and

(d) safeguarding their marine environment from pollutants and hazardous wastes.

4. Without prejudice to the provisions of Article 56, COFCOR shall promote the establishment of a regime for the effective management, conservation and utilisation of the living resources of the exclusive economic zones of the Member States.

5. For the purpose of this Article, "fisheries resources" includes all the fishable resources, natural and cultured, in the inland and internal waters, territorial seas and the exclusive economic zones of the Member States.

ARTICLE 61

Forest Management and Development

1. The Community shall, in collaboration with competent national, regional and

international agencies and organisations, promote the development, management and conservation of the forest resources in the Member States on a sustainable basis.

2. The Community shall effect the promotion and facilitation referred to in paragraph 1 by formulating policies and programmes for:

- (a) the management of its forest resources;
- (b) the integration of forest development in rural communities;

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(c) enhancing the institutional capabilities of the Member States to design and implement forest management systems;

(d) establishing, facilitating and strengthening programmes for research and for human resource development at the professional, technical and vocational levels;

(e) encouraging public and private sector participation in the development and application of technology;

(f) providing incentives for forestry development to stimulate domestic, regional and foreign investment in the forestry sub-sector;

(g) harmonising standards for quality assurance, compatible with international specifications;

(h) promoting commercialisation of natural forest products in a sustainable manner; and

(i) undertaking national forest inventories.

3. For the purposes of this Article, "forest resources" are those natural assets of forest lands, including timber and other forest products, biological diversity, recreation, fish and wildlife habitat, wilderness, flora and fauna, air, water and soil.

ARTICLE 62

Saving

The provisions of this Chapter are without prejudice to obligations of the Member States under existing international agreements.

PART THREE

COMMON SUPPORTIVE MEASURES

ARTICLE 63

Human Resources Development

1. Without prejudice to any other provision of this Treaty relating to human resources development, the COTED shall, in collaboration with the COHSOD, adopt measures to develop the Community's human resources which shall, *inter alia*, support its thrust toward international competitiveness in the development, production and delivery of goods and services.

2. The measures referred to in paragraph 1 of this Article shall be designed to address the economic, social and cultural aspects of human resources development, and shall include the following:

(a) development of programmes that will assist Community nationals in engendering the attitudes and acquiring the competence to function effectively;

(b) development of the skills and attitudes required to foster a culture of entrepreneurship;

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(c) establishing and strengthening educational and training institutions for formal and informal modes of delivery and alternative modes for distance education;

(d) development of industry-oriented curricula designed to improve the competitiveness of regional industries; and

(e) promotion of multi-lingual skills at all levels for general education, with particular emphasis on the needs of the services sector.

3. The Community shall, in particular and on a continuing basis, adopt effective measures for the development of human resources to satisfy the requirements for cadres of skilled agricultural personnel at all levels in the Member States.

4. For the purposes of paragraph 3, provision shall be made to:

- (a) monitor and evaluate, on an on-going basis, the demand for, and appropriateness of agricultural education and training;
- (b) establish training programmes in the agricultural sector;
- (c) develop effective delivery of in-field training for farmers, foresters and fishers; and
- (d) improve the facilities and strengthen the capabilities of regional training institutions and national administrations in support of agricultural development.

5. In performing the functions referred to in paragraph 4 of this Article, the Community shall collaborate with education and training institutions and relevant regional and international organisations in developing harmonised agricultural syllabuses, training materials and case studies in key areas of farming, fisheries and forestry utilising distance education technology where appropriate.

ARTICLE 64

Research and Development

1. COTED shall promote market-led research, technological development and adaptation of technology in the Community in order to support the production, on a sustainable basis, of goods and services in the Member States with a view to diversifying such production and enhancing its international competitiveness.

2. In the discharge of its mandate set out in paragraph 1 of this Article, COTED shall adopt measures to encourage, inter alia, inventions and innovation, and acquisition, transfer, assimilation, adaptation and diffusion of technologies in the Community. Without prejudice to the generality of the foregoing, COTED shall:

(a) encourage public and private sector agencies, research establishments and tertiary institutions in their research and technological development activities and assist in identifying sources of funding for such activities;

(b) promote co-operation in research and technological development among the Member States and with third States and competent international organisations;

(c) facilitate co-operation:

(i) in training;

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(ii) in the exchange of scientific and technical information among competent institutions;

(iii) in the free movement of researchers in the Community;

(iv) among private sector enterprises to integrate the results of research and development in the production process;

(d) develop and implement technological policies and strategies, having due regard for the importance of technology management and protection of intellectual property rights;

(e) facilitate access by Community nationals to technological and research facilities of Member States; and

(f) promote the development of technology extension services.

3. In particular, COTED shall promote and encourage research and development, and the adaptation, diffusion and transfer of appropriate technologies in order to achieve increased agricultural production and productivity, bearing in mind the need to protect the independence and human rights of the farming community.

4. COTED shall, in collaboration with competent public and private sector research and development institutions, encourage and assist Member States:

(a) to facilitate access to and use of new and appropriate technologies in the agricultural sector;

(b) to develop:

(i) efficient systems for the generation and transfer of appropriate technologies; and

(ii) technological and institutional capabilities in the public and private

sectors,

compatible with competitive and sustainable agricultural production.

5. In the pursuit of its functions under this Article, COTED shall encourage the private sector to play a vital role in:

(a) the development, adaptation and transfer of appropriate technologies in the agricultural sector; and

(b) the development of producer associations as a basis for autonomous action and intra-regional transfer of technologies and research findings.

6. COTED shall co-operate with the Member States and competent organisations to devise means of protecting, developing and commercialising local knowledge about the value and use of the Region's biodiversity for the benefit of their populations, especially their indigenous peoples.

ARTICLE 65

Environmental Protection

1. The policies of the Community shall be implemented in a manner that ensures the prudent and rational management of the resources of the Member States. In particular, the
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Community shall promote measures to ensure:

(a) the preservation, protection and improvement of the quality of the environment;

(b) the protection of the life and health of humans, animals and plants; and

(c) the adoption of initiatives at the Community level to address regional environmental problems.

2. In formulating measures in relation to the environment, the Community shall take account of:

(a) available and accessible scientific and technical data;

(b) environmental conditions in the Member States;

(c) the potential costs and benefits of action or inaction;

(d) the economic and social development of the Community as a whole and the balanced development of the Member States;

(e) the precautionary principle and those principles relating to preventive action, rectification of environmental damage at source and the principle that the polluter pays; and

(f) the need to protect the Region from the harmful effects of hazardous materials transported, generated, disposed of or shipped through or within the Community.

3. In performing its functions under this Treaty, COTED shall ensure a balance between the requirements of industrial development and the protection and preservation of the environment.

4. In giving effect to this Article, the Community and the Member States shall, within their respective spheres of competence, co-operate with third States and competent environmental organisations.

ARTICLE 66

Protection of Intellectual Property Rights

COTED shall promote the protection of intellectual property rights within the Community by, inter alia:

(a) the strengthening of regimes for the protection of intellectual property rights and the simplification of registration procedures in the Member States;

(b) the establishment of a regional administration for intellectual property rights except copyright;

(c) the identification and establishment, by the Member States of mechanisms to ensure:

(i) the use of protected works for the enhanced benefit of the Member States;

(ii) the preservation of indigenous Caribbean culture; and

(iii) the legal protection of the expressions of folklore, other traditional

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knowledge and national heritage, particularly of indigenous

populations in the Community;

(d) increased dissemination and use of patent documentation as a source of technological information;

(e) public education;

(f) measures to prevent the abuse of intellectual property rights by rightsholders or the resort to practices which unreasonably restrain trade or adversely affect the international transfer of technology; and

(g) participation by the Member States in international regimes for the protection of intellectual property rights.

ARTICLE 67

Standards and Technical Regulations

1. COTED shall, in collaboration with competent agencies, develop a standardisation programme in furtherance of the objectives of this Chapter and consistent with the international obligations of the Member States.

2. In implementing the programme, the Member States shall not use standards, technical regulations and conformity assessment procedures as barriers to trade.

3. The programme shall have the following objectives:

(a) trade facilitation;

(b) enhanced efficiency in the production and delivery of goods and services;

(c) improved quality of goods and services traded within the Community and with third States; and

(d) consumer and environmental protection.

4. The programme shall include the following elements:

(a) harmonisation of standards and technical regulations, and transparency in the development and promulgation of standards and technical regulations;

(b) recognition of conformity assessment procedures through mutual recognition agreements or other means;

(c) facilitation of standards infrastructure development at the national and regional levels;

(d) facilitation of metrology infrastructure development; and

(e) arrangements for the exchange of information with respect to development and implementation of standards and technical regulations among the parties to this Treaty.

5. The Community shall promote the establishment of a regional standards body which shall, *inter alia*:

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(a) facilitate implementation of the standardisation programme;

(b) assist the Member States in understanding and fulfilling their obligations under this Treaty and other international agreements;

(c) promote the development of national standards bodies in the Member States; and

(d) facilitate access to technical assistance available in the Member States and in third States.

6. For the purposes of this Article, the following definitions apply:

(a) "technical regulations" means regulations which lay down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. The term may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

(b) "standard" means a guideline approved by a recognised body, that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. The term may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.

(c) "conformity assessment procedures" includes any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled.

ARTICLE 68

Community Investment Policy

COTED in collaboration with COFAP and COHSOD shall establish a Community Investment Policy which shall include sound national macro-economic policies, a harmonised system of investment incentives, stable industrial relations, appropriate financial institutions and arrangements, supportive legal and social infrastructure and modernisation of the role of public authorities.

ARTICLE 69

Harmonisation of Investment Incentives

1. The Member States shall harmonise national incentives to investments in the industrial, agricultural and services sectors.
2. COFAP shall, consistently with relevant international agreements, formulate proposals for the establishment of regimes for the granting of incentives to enterprises in the sectors mentioned in paragraph 1. In particular, such proposals shall accord support for industries considered to be of strategic interest to the Community.
3. In formulating the proposals mentioned in paragraph 2, COFAP shall give due consideration to the peculiarities of the industries concerned and, without prejudice to the generality of the foregoing, may provide for the following:
 - (a) national incentives to investment designed to promote sustainable, export-led industrial and service-oriented development;
 - (b) investment facilitation through the removal of bureaucratic impediments; and
 - (c) non-discrimination in the granting of incentives among Community nationals.

ARTICLE 70

Macro-Economic Policies

1. COFAP shall formulate proposals and adopt appropriate measures to promote a sound macro-economic environment in the Member States, consistent with their obligations under this Treaty and applicable international agreements.
2. COFAP shall, in collaboration with other competent Organs, promote economic development in the Member States through the development and application of convergent macroeconomic policies to ensure fiscal discipline, favourable balance-of-payments, stable currencies and moderate prices without prejudice to securing high levels of employment.
3. COFAP shall collaborate with COFCOR and COTED in co-ordinating:
 - (a) the economic policies of the Member States; and
 - (b) the positions and presentations of the Member States in all international economic, financial and trade meetings at which they are represented.
4. In support of the development of macro-economic policies, the Community shall provide for harmonisation of the output of the statistical services of the Member States.

ARTICLE 71

Financial Infrastructure

COFAP shall adopt proposals for the establishment of financial infrastructure supportive of investments in the Community. In particular, COFAP shall assist the Member States in establishing capital markets, financial institutions and appropriate financial instruments to facilitate capital investment on a sustainable basis.

ARTICLE 72

Double Taxation Agreements

1. The Member States shall conclude among themselves an agreement for the avoidance of double taxation in order to facilitate the free movement of capital in the Community.
2. The Member States shall conclude their double taxation agreements with third States on the basis of mutually agreed principles which shall be determined by COFAP.

ARTICLE 73

Industrial Relations

COHSOD shall, in consultation with COTED, formulate proposals and adopt appropriate measures for the promotion of harmonious, stable and enlightened industrial relations in the Community. In formulating such measures and proposals, COHSOD shall, *inter alia*, promote:

(a) the objectives of full employment, improved living and working conditions; adequate social security policies and programmes; tripartite consultations among governments, workers' and employers' organisations; and crossborder mobility of labour;

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(b) recognition of the principle of non-discriminatory treatment among Community workers in the pursuit of employment within the Community;

(c) the establishment and maintenance of effective mechanisms for the enhancement of industrial relations, particularly that of collective bargaining; and

(d) awareness among Community workers and employers that international competitiveness is essential for social and economic development of Member States and requires collaboration of employers and workers for increased production and productivity in Community enterprises.

ARTICLE 74

Legal Infrastructure

1. The Legal Affairs Committee shall co-operate with competent Organs of the Community to advise the Member States on the legal infrastructure required to promote investments in the Member States, including cross-border investments, bearing in mind the provisions of Article 68.

2. The Member States shall harmonise their laws and administrative practices in respect of, *inter alia*:

(a) companies or other legal entities;

(b) intellectual property rights;

(c) standards and technical regulations;

(d) labelling of food and drugs;

(e) sanitary and phytosanitary measures;

(f) competition policy;

(g) dumping;

(h) subsidies and countervailing measures; and

(i) commercial arbitration.

ARTICLE 75

Development of Social Infrastructure

1. In establishing its industrial policy, the Community shall promote appropriate measures for the establishment of adequate social infrastructure, the alleviation of poverty, and securing social stability in the Member States.

2. Without prejudice to the generality of the foregoing, the Community shall promote in the Member States:

(a) the establishment and improvement of health, education, sports and social security institutions and facilities;

(b) conclusion of reciprocal social security agreements among Member States in order to facilitate the movement of skills; and

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(c) training and retraining of workers, mobility of instructors and trainees, cooperation among educational and training institutions, and the development of distance education.

3. The Member States shall engender an understanding and appreciation of the Community through effective public relations, educational, cultural and youth exchange programmes.

ARTICLE 76

Role of Public Authorities

COTED shall promote the modernisation of government bureaucracies by, *inter alia*:

(a) encouraging the development of closer contacts between public sector administrations, industry and other stakeholders to ensure that challenges

presented by the global environment are understood and co-operative solutions developed;

(b) removing impediments and improving the regulatory framework for economic enterprises at national and regional levels;

(c) encouraging cost-effectiveness in the delivery of services to the public; and

(d) proposing adequate arrangements to address the changes in the business environment and future challenges to industry.

ARTICLE 77

Special Provisions for Less Developed Countries

Where in this Chapter Member States or competent Organs are required to adopt measures for the achievement of the Community Industrial Policy, the special needs and circumstances of the Less Developed Countries shall be taken into account.