

# UN/CEFACT Project Proposal

## Public-Private Partnerships in Trade Facilitation

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Version: 0.1

### 1. Project Purpose

This project's purpose is to formulate a recommendation regarding Public Private Partnerships (PPP) in Trade Facilitation.

A large number of trade facilitating initiatives are today made as Public Private Partnerships (PPP), often constructed as Build Operate Train and Transfer. The PPPs for Trade Facilitation can concern border crossing infrastructure, automation of trade documentation exchange, scanning equipment, Single Windows and many more. Some experience suggests that the cost of using such facilities can become very high for the end users.

A lot of resources on PPP are devoted to infrastructure development (hospitals, toll roads, energy, etc.), but there has as yet been no substantive work put together on PPP in the domain of Trade Facilitation. These types of PPP can include technology (Single Window, Port community, scanners, e-procurement) as well as infrastructure (One Stop Border Posts, Toll roads, bridges, railways, ports, airports).

### 2. Project Scope

The scope of this project is limited to Public Private Partnerships in Trade Facilitation. The background paper provides examples of Trade Facilitation mechanisms which can and / or have used PPP as a means of financing and / or implementation. This background paper is the result of a five month study project within the framework of UN/CEFACT.

A good deal of work has been conducted in other branches of the UN concerning PPP. In almost all cases, these concern infrastructure PPPs.

The UNECE PPP Programme has been active in promoting a better understanding of PPPs among government officials for the past 15 years through lesson sharing, capacity-building and training activities and elaboration of guides on best practices in PPPs. Under the auspices of the Committee on Economic Cooperation and Integration, the UNECE has a mandate to build the capacity of governments to undertake PPPs. In 2007 the UNECE Team of Specialists on Public-Private Partnerships was established as the leading intergovernmental body within the UN system devoted to PPPs to facilitate information-sharing and exchange practical experience in Public-Private Partnerships and contribute to the implementation of a capacity-building program for public and private sector officials from transition economies and developing countries on this topic. In February 2012, the UNECE International PPP Centre of Excellence (ICoE) was established to develop and disseminate PPP best practice. In June 2013, the ICoE decided to work on international PPP standards.

The United Nations Commission on International Trade Law (UNCITRAL) has also studied the issue. The Commission considered possible work to be undertaken in the field of privately financed infrastructure projects in 1996, in the light of a note by the Secretariat on build-operate-transfer (BOT) projects. The Commission decided to prepare a legislative guide and requested the Secretariat to prepare draft chapters of such a guide. The Commission reviewed the draft's chapters from its thirtieth to its thirty-third sessions and adopted the Legislative Guide at its thirty-third session, held in New York from 12 June to 7 July 2000, subject to editorial modifications left to the Secretariat, and requested the UNCITRAL Secretariat to ensure its widest possible dissemination. UNCITRAL held a colloquium on the subject in May 2013 which resulted in a mandate to work on the revision of

UNCITRAL PFIP Instruments (Legislative Guide, Legislative Recommendations and Model Legislation Provisions).

During the 21st Forum of UN/CEFACT, the ITPD organized a mini-conference on the subject which underlined not only the interest of experts in this domain, but also some of the key considerations to be taken into account. Both UNCITRAL and the UNECE PPP Programme participated in this mini-conference and both agreed on the interest of pursuing the topic of PPPs in Trade Facilitation within the UN/CEFACT structure.

The work of a UN/CEFACT project in PPPs in Trade Facilitation will need to work in close collaboration with both of these UN organs (UNCITRAL and the UNECE PPP Programme) in order to ensure harmonization of terms, concepts, standards and recommended practices.

### **3. Project Deliverables**

The project deliverables are:

- a) Document on Recommendation on PPPs in Trade Facilitation
- b) Document on Guidelines on PPPs in Trade Facilitation
- c) Online files for Case Study Repository

### **4. Exit criteria**

- a) Recommendation on PPPs in Trade Facilitation
  - Internal and external review logs showing how comments have been addressed
  - Final draft text ready for publication
- b) Guidelines on PPPs in Trade Facilitation
  - Internal and external review logs showing how comments have been addressed
  - Final draft text ready for publication
- c) Case Study Repository
  - Gathering and review of case studies completed

### **5. Project Team Membership and Required Functional Expertise**

Membership is open to experts with broad knowledge in the area of trade facilitation and Public-Private Partnerships (legal, procedural, implementation...). In addition, Heads of Delegations may invite technical experts from their constituency to participate in the work. Experts are expected to contribute to the work based solely on their expertise and to comply with the UN/CEFACT Code of Conduct and Ethics.

### **6. Head of Delegation support**

- Finland
- Italy
- Sweden

### **7. Geographical Focus**

The geographic focus is global.

### **8. Initial Contributions**

Background paper

### **9. Resource Requirements**

The Project should mostly be prepared in between Forums and there might be need for a conference call facility provided by the UNECE secretariat at some point.

### **10. Suggested Project Leadership**

Project Leader: Maurice Diamond: Maurice.Diamond@crowagents.co.uk  
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## 11. Milestones

Project Stages	Expected Completion Dates
Project Inception (continuation of Study Working group established June 2013)	2013-10-14
Recommendation on PPPs in Trade Facilitation <ul style="list-style-type: none"> <li>• Requirements gathering</li> <li>• Draft development</li> <li>• Public draft review</li> <li>• Publication</li> <li>• Maintenance – as necessary</li> </ul>	2013-11-01 2014-03-03 2014-06-02 2014-12-01
Guidelines on PPPs in Trade Facilitation <ul style="list-style-type: none"> <li>• Requirements gathering</li> <li>• Draft development</li> <li>• Public draft review</li> <li>• Publication</li> <li>• Maintenance – every 5<sup>th</sup> year</li> </ul>	2013-11-01 2014-03-03 2014-06-02 2014-12-01
Case Study Repository <ul style="list-style-type: none"> <li>• Requirements gathering / format for case studies</li> <li>• Gathering and review of case studies</li> <li>• Publication</li> </ul>	2013-12-01 2014-03-03 2014-12-01
Project Exit	2014-12-01