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TRADE AND DEVELOPMENT BOARD  
Commission on Investment, Technology  
and Related Financial Issues  
Eighth session  
Geneva, 26-30 January 2004  
Item 2 of the provisional agenda

**PROVISIONAL AGENDA AND ANNOTATIONS\***

**1. PROVISIONAL AGENDA**

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8. Provisional agenda for the ninth session of the Commission
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\* The late submission of this document was due to the fact that the agenda had to be formulated on the basis of the outcome of the Expert Meeting relating to item 3 and clearance of item 4 was delayed pending the outcome of the Cancún Conference.

## II. ANNOTATIONS TO THE PROVISIONAL AGENDA

### Introduction

1. At its nineteenth special session, held in April 2002 within the context of the UNCTAD Mid-term Review, the Trade and Development Board reviewed the functioning of its intergovernmental machinery and adopted guidelines to improve the machinery's efficiency (TD/B(S-XIX)/7). The guidelines state that the Commission should conduct a policy discussion on the basis of secretariat research, reports of expert meetings and other relevant inputs, including from panelists and from other intergovernmental organizations and civil society. It should also place the outcome of the discussions within the appropriate policy context and framework. While considering the outcome of expert meetings, the Commissions should complement the issues dealt with by expert meetings, and avoid duplicating their debates as much as possible.

2. When deciding on the nature of the outcome, a main objective should be to maximize the time devoted to substantive dialogue among government representatives so as to build consensus on issues within UNCTAD's competence and reduce to the necessary minimum the time devoted to drafting exercises. The Bureau and the regional coordinators will indicate the nature of the outcome they seek from the Commissions. Whenever possible the outcome should be a Chairman's summary reflecting substantive dialogue and separate concise recommendations to the UNCTAD secretariat. Further options for the outcome may include: principles, guidelines, best practices, agreed conclusions, etc.

3. To this end, the Commission will have before it the reports of the expert meetings held during the previous months, as well as background documentation prepared by the secretariat identifying policy questions for discussion by the Commission.

### Item 1: Election of officers

4. In accordance with rule 18 of the rules of procedure of the main Commissions of the Trade and Development Board, the Commission is to elect a Chairperson, five Vice-Chairpersons and a Rapporteur from among the representatives of its members, taking into account the need to ensure equitable geographical distribution. Moreover, rule 19 of the rules of procedure states that the Bureau of the Commission is to consist of seven members (i.e. four members from Lists A and C combined, two members from List B and one member from List D, referred to in the annex to the General Assembly resolution 1995 (XIX) as amended).

5. Accordingly, following the cycle of rotation established after UNCTAD X, the bureau for the eighth session of the Commission will be as follows: Chairperson from List C, Rapporteur from List D; and five Vice-Chairpersons (3 from List A and C combined and 2 from List B).

**Item 2: Adoption of the agenda and organization of work**

6. The eighth session of the Commission is scheduled for 26-30 January 2004. At the closing plenary of its seventh session (20-24 January 2003), the Commission approved the provisional agenda for its eighth session and topics for the related expert meetings.

7. With regard to the organization of the work of the session, the Commission has five days available to it. The first four days (26-29 January 2004) will be devoted to the deliberations on the agenda items as approved for the session. The first plenary meeting, on Monday, 26 January, will be devoted to procedural matters and introductory statements. In order to take advantage of the presence of experts, representatives of other international organizations and delegates during the Commission, an NGO side-event is being organized for the fifth day (30 January 2004), which will continue the substantive discussion on issues related to items 3 and 4 of the Commission.

8. The secretariat will prepare a detailed programme, which will be available on the first day of the session.

*Documentation*

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“Provisional agenda and annotations”

**Item 3: Policy issues related to investment and development**

9. Under this item, the Commission will continue its debate on the policies that can help developing countries to attract and benefit more from FDI to achieve their development objectives. In a context of declining FDI flows worldwide, as illustrated in the latest *World Investment Report* (WIR 2003, part I), competition for FDI between countries has intensified. Ensuring that, through proper policies, the contribution of FDI to development is maximized remains extremely important in this context. The Commission may wish to focus its debate on FDI in services – the largest FDI sector nowadays – and its impact on competitiveness, bearing in mind its development dimension. It may discuss in particular policies bearing on FDI in services aimed at enhancing the competitiveness of host countries and addressing other development impacts.

10. The Commission will also deliberate on the outcomes of two expert meetings requested at its seventh session: (i) Expert Meeting on the Effectiveness of FDI Policy Measures (held in June 2003), and (ii) Expert Meeting on FDI and Development (held in October 2003). The reports of the Expert Meetings and the Chairmen’s summaries will guide the discussions, particularly on the policy questions raised therein.

*Documentation*

TD/B/COM.2/EM.13/2	“Effectiveness of FDI policy measures: Note by the UNCTAD secretariat”
TD/B/COM.2/51	“Report of the Expert Meeting on the Effectiveness of FDI Policy Measures”
TD/B/COM.2/EM.14/2	“FDI and development: The case of privatization-related services FDI; Trends, impact and policy issues: Note by the UNCTAD secretariat”
TD/B/COM.2/57	“Report of the Expert Meeting on FDI and Development”
TD/B/COM.2/55	“FDI and development: Policy issues related to the growth of FDI in services. Note by the UNCTAD secretariat”
UNCTAD/WIR/2003	“World Investment Report 2003: FDI Policies for Development: National and International Perspectives”

**Item 4: Issues related to international arrangements**

11. Under this agenda item, the Commission will review recent trends in international investment agreements (IIAs). International policy/rule making in investment continues, with the trend towards agreements at the bilateral and regional level. As a result, the challenge of reflecting the development dimension adequately will not only remain but become even greater. The Commission will have before it a note by the secretariat to guide the discussions. It is proposed to organized a panel session on: “Regional economic integration organizations (REIOs) and the development dimension: An exchange of experiences.”

*Documentation*

TD/B/COM.2/54	“Issues related to international arrangements. Note by the UNCTAD secretariat”
UNCTAD/ITE/IIT/2003/3	“Progress Report: Implementation of post-Doha technical assistance work in the area of investment: Report by the UNCTAD secretariat”

**Item 5: Investment policy reviews: exchange of national experiences**

12. This item deals with the review at the intergovernmental level of national policies related to investment. The rationale for such a process is to exchange national experiences in

attracting and utilizing FDI in an effective and efficient manner through in-depth policy reviews in individual countries and peer-review at the intergovernmental level.

13. The Commission will have before it two policy reviews (Algeria and Sri Lanka). The deliberations will follow the format of the previous sessions of the Commission, which proved to be acceptable to the Commission, that is a peer review country by country. Each review panel will consist of a high-level representative from the Government concerned, an international expert, and representatives from the domestic private sector and the international private sector. The secretariat and the high-level representative will introduce each country report, followed by comments of the panellists and general discussions. In addition, the general introduction by the secretariat will cover the follow-up activities at the national level of the first round of reviews. As at the previous session, the discussions on the reviews will be summarized by the secretariat in the final report of the Commission.

14. The secretariat will also present an oral report on the follow-up to the recommendations of previous policy reviews (Nepal, Lesotho). The Commission will have before it the chairpersons' summaries of those reviews.

15. Under this item, the Commission will also hold a joint session with the World Association of Investment Promotion Agencies (WAIPA), which will be holding its executive meeting in parallel with the Commission session. A high-level panel discussion will be organized to deliberate on the role of investment promotion agencies in policy advocacy.

#### *Documentation*

UNCTAD/ITE/IPC/2003/9	“Investment Policy Review of Algeria”
UNCTAD/ITE/IPC/2003/8	“Investment Policy Review of Sri Lanka”
TD/B/COM.2/59	“Summary of deliberations of the Investment Policy Reviews of Lesotho and Nepal”

#### **Item 6: Reports of the subsidiary bodies of the Commission**

16. Under this item, the Commission will consider the report of the twentieth session of the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting (ISAR) and the report of the fifth session of the Intergovernmental Group of Experts on Competition Law and Policy.

*Documentation*

TD/B/COM.2/52	“Report of the Intergovernmental Group of Experts on Competition Law and Policy on its fifth session”
TD/B/COM.2/58	“Report of the Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting on its twentieth session”

**Item 7: Implementation of agreed conclusions and recommendations of the Commission, including post-Doha follow-up**

17. The guidelines adopted by the Trade and Development Board at its nineteenth special session (TD/B(S-XIX)/7) state that “Commissions’ agendas will continue to include an item on follow-up and implementation of past recommendations. The secretariat will report on its implementation of recommendations addressed to it, and member States will be invited to report on their own implementation in statements to the Commission.” In this context, the UNCTAD secretariat has prepared a progress report on the implementation of agreed recommendations and conclusions adopted at the seventh session of the Commission.

*Documentation*

TD/B/COM.2/56	“Progress report on the implementation of agreed conclusions and recommendations of the Commission, including post-Doha follow-up.”
UNCTAD/ITE/IIT/2003/3	“Progress report: Implementation of post-Doha technical assistance work in the area of investment: Report by the UNCTAD secretariat”

**Item 8: Provisional agenda for the ninth session of the Commission**

18. A draft provisional agenda for the ninth session of the Commission will be submitted for consideration and approval.

**Item 9: Other business**

19. Under this item, the Division on Investment, Technology and Enterprise Development will make a presentation on its activities during the period between the seventh and eighth sessions of the Commission. The Commission will have before it the DITE Activity Report for 2003.

20. Representatives of other international organizations will be invited to report briefly on their activities. The President of WAIPA will report on the outcome of WAIPA's Executive Meeting.

*Documentation*

UNCTAD/ITE/MISC/2004/1 "DITE's Activity Report 2004"

**Item 10: Adoption of the Report of the Commission**

21. The report of the Commission will be adopted at its final plenary meeting and submitted to the Trade and Development Board for consideration.

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