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TRADE AND DEVELOPMENT BOARD
Commission on Investment, Technology and Related
Financial Issues
Expert Meeting on Development Implications
of International Investment Rulemaking
Geneva, 28–29 June 2007

PROVISIONAL AGENDA AND ANNOTATIONS*

I. PROVISIONAL AGENDA

1. Election of officers
2. Adoption of the agenda
3. Development implications of international investment rulemaking:
Stocktaking and challenges
4. Adoption of the outcome of the meeting

* This document was submitted on the above-mentioned date as a result of processing delays.

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1. Election of officers

1. It is recommended that the Expert Meeting elect a Chairperson and a Vice-Chairperson-cum-Rapporteur.

Item 2. Adoption of the agenda

2. The provisional agenda for the meeting is in section I above. A detailed programme will be available one week before the meeting.

Documentation

TD/B/COM.2/EM.21/1 Provisional agenda and annotations

Item 3. Development implications of international investment rulemaking: Stocktaking and challenges

3. The forty-first executive session of the Trade and Development Board decided to convene an Intergovernmental Expert Group Meeting on “International investment rulemaking: the development implications” within the framework of the Commission on Investment, Technology and Related Financial Issues.

4. The international system of investment rules continues to grow at a rapid pace, with investment components increasingly added to bilateral and regional preferential trade agreements, either in their own right or as part of the services chapters. The total number of all investment-related agreements (including bilateral investment treaties, double taxation treaties and free trade agreements with investment provisions) stood at 5,500 at the beginning of 2007, growing on average by an additional three agreements per week. As a result, the current international system of investment rules is highly atomized, complex, multi-layered, multi-faceted, only slightly transparent, and rapidly evolving.

5. The development challenges arising from this dynamic and intricate system are manifold. The main issues for developing countries are capacity-related and concern establishing and maintaining policy coherence, preserving regulatory flexibility, and ensuring that the development dimension is adequately addressed in these agreements, in the interest of utilizing them to attract and benefit from foreign direct investment.

6. Experts will be requested to elaborate on how best to respond to these development challenges in the further evolution of the International Investment Agreement (IIA) universe and to elaborate on the most adequate means to fully harness the development potential of IIAs, with a view towards developing a checklist of issues that should be considered at the expert level in future meetings.

7. To facilitate the discussions, the UNCTAD secretariat will prepare an issues paper on “Development implications of international investment rulemaking: Stocktaking and challenges”. In addition, experts are encouraged to prepare brief papers on the subject under discussion. These papers will be made available at the meeting in the form and language in which they are received.

Documentation

TD/B/COM.2/EM.21/2 Development implications of international investment rulemaking: Stocktaking and challenges. A report by the UNCTAD secretariat

Item 4. Adoption of the outcome of the meeting

8. The expert meeting will adopt its outcome, which will be submitted to the Commission on Investment, Technology and Related Financial Issues at its next session.

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