



**MULTI-YEAR EXPERT MEETING ON SERVICES, DEVELOPMENT AND TRADE:  
THE REGULATORY AND INSTITUTIONAL DIMENSION**

**17-19 March 2010**

Room XXVI, Palais des Nations, Geneva

**PROGRAMME**

**Wednesday, 17 March**

**Opening Session**

**10:00 -  
10:30**

*Opening Statement*

Mr. Petko Draganov, Deputy Secretary-General, UNCTAD

*Introduction of the Background Note prepared by UNCTAD Secretariat*

Ms. Mina Mashayekhi, OIC, Division on International Trade in Goods and Services, and Commodities, UNCTAD

**Session 1 – Trends in Infrastructure Services**

This session will focus on recent trends in infrastructure services sectors (ISS) and national and regional experiences with ISS reforms. Trends include rapid expansion of demand for ISS, particularly in developing countries; increasing importance of ISS employment, trade, and investment; evolution of the role played by government and the private sector across infrastructure services sectors; new approaches to infrastructure finance; improvement of performance of ISS providers and the impact of the global economic crisis and climate change challenge and of the policy responses to these developments on ISS.

**10:30 -  
13:00**

**Issues for discussion:**

- What are the opportunities and challenges in infrastructure services reform in various countries and regions?
- What are the key characteristics of regulatory systems which have been successful in adapting to changing economic, social and political realities?
- What are the impacts of the global financial crisis and of climate change on infrastructure services and ISS regulation and institutions?
- What methodologies can be used to assess performance of ISS providers?
- What are the new sources of financing for infrastructure development in developing countries?
- How does ISS regulation adapt to technology development?

**Panelists:**

Professor Ashley Brown, Executive Director of the Harvard Electricity Policy Group, Harvard University

Mr. Houlin Zhao, Deputy Secretary-General, ITU

Professor John S. Nkoma, Director General, Tanzania Communications Regulatory Authority (TCRA), Tanzania

Mr. Purushottam Ojha, Secretary, Ministry of Commerce and Supplies, Nepal

**Interactive debate**

## Wednesday, 17 March

15:00-  
18:00

### Session 2 – Key Regulatory Issues

Based on country experiences, this session will review the rationale and objectives of infrastructure services regulation, aim to identify elements of effective regulation and explore ways countries can achieve a balance among varied policy objectives for infrastructure services. Discussions will cover inter alia: forms of ownership and management of ISS, the pricing of consumer access to essential facilities and services; universal access and competition issues including competition for the market as well as competition in the market.

#### Issues for discussion:

- Is the public-private partnership (PPP) model an effective alternative to public or private provision of ISS?
- Do small-scale providers of ISS provide a solution for countries that lack the capacity to build a nationwide ISS network for infrastructure services?
- What are the pros and cons of various pricing options?
- What are the key competition-related issues and how can the main anticompetitive risks in infrastructure services markets be avoided (e.g. high-cost interconnection, collusion, etc.)?
- How can universal access be ensured through concession contracts, subsidy mechanisms, and universal funds?

#### Panelists:

Mr. Stephane Jacobzone, Senior Economist, Regulatory Policy Division, Public Governance and Territorial Development Directorate, OECD

Professor Tresna P. Soemardi, Chairman, Commission for the Supervision of Business Competition (KPPU), Indonesia

Mr. Shri L. Mansingh, Chairperson, Petroleum and Natural Gas Regulatory Board (PNGRB), India

Mr. He Gang, Director of Policy and Regulations Department, State Electricity Regulatory Commission (SERC), China

Professor Kern Alexander, University of Zurich Law Faculty and the Centre for Financial Analysis and Policy, University of Cambridge

#### **Interactive debate**

**18:15 Cocktail**

**10:00 -  
13:00**

**Session 3 – Institutional Arrangements**

This session will focus on the functioning of various institutional arrangements in infrastructure services and their development impact. The success and sustainability of regulatory reforms in infrastructure sectors will in large part depend upon the independence and credibility of regulatory agencies and the quality of their work. Different approaches to undertaking regulatory assessments will be reviewed as well as the impact of regulatory appraisals. The session will also discuss whether regulatory assessment can assist in establishing regulatory systems that correspond to countries' "institutional endowment".

**Issues for discussion:**

- In terms of outcomes, what are the development implications of the following specific institutional arrangements: industry-specific, sector wide, multi-sector and regional regulatory agencies?
- What are the main criteria for appraising the performance of institutional frameworks for infrastructure services sectors?
- How should the relationship between ISS regulators and competition authorities be defined?
- What mechanisms and procedures should be in place for reviewing and appealing rulings and decisions by regulators?
- What is the role of consumer panels in assessing the effectiveness of regulators as institutions?

**Panelists:**

Ms. Sophie Trémolet, Trémolet Consulting, UK

Mr. Rémi Rabarivelo, Director of Energy Planning, Ministry of Energy, Madagascar

Mr. Leong Keng Thai, Deputy Chief Executive, Infocomm Development Authority (IDA), Singapore

Mr. Ansord Hewitt, Secretary of Office, Office of Utilities Regulation, Jamaica

Mr. Ularbek Mateev, President, Kyrgyzaltyn Management Consulting

**Interactive debate**

15:00-  
18:00

**Session 4 – Financial Services: the Changing Regulatory Landscape and its Implication for Growth and Development**

This session will discuss changes in the regulatory landscape of the financial services sector, their implications as well as strategies to strengthen regulatory and institutional frameworks in both developing and developed countries. The crisis has challenged assumptions on which previous regulatory approaches were built in particular the theory of rational and self-correcting markets as well as the interplay of recent financial innovation, market disciplines and the globalization of financial institutions.

**Issues for discussion:**

- What changes in the regulatory and institutional frameworks are occurring in the financial sector in key countries and international fora?
- What are the emerging common elements in the regulatory reform proposals?
- What are the implications of the financial crisis for developing countries with particular reference to regulatory design and reform in the financial services sector?
- Will proposed regulatory reforms impact on developing countries?
- What are the implications of regulatory reform for WTO negotiations on financial services from the perspective of cross border liberalization of financial services, new financial products and international standard setting?

**Panelists:**

Dr. Yaga Venugopal Reddy, Former Governor, Reserve Bank of India and Member of the Commission of Experts of the President of the UN General Assembly on Reforms of the International Monetary and Financial System

Mr. César Enrique Marroquín Fernández, Senior advisor, Superintendent of Banks of the Central Bank, Guatemala

Mr. Patrick M. Liedtke, Secretary General and Managing Director, International Association for the Study of Insurance Economics

Mr. Martin Khor, Executive Director, South Centre, Geneva

Ms. Myriam Vander Stichele, Senior Researcher, Centre for Research on Multinational Corporations (SOMO)

**Interactive debate**

## Friday, 19 March

10:00-  
13:00

### Session 5 – Cooperative Mechanisms for Regulatory and Institutional Frameworks

This session will examine cooperative approaches for enhancing the quality and credibility of infrastructure services regulations and institutions and securing highly qualified professional staff that can manage the knowledge and information intensive ISS regulations. The majority of countries are engaged in some form of bilateral, regional or international cooperation on regulation. Supporting the exchange of national experiences and know-how, cooperative mechanisms are important tools that help developing countries to overcome regulatory resource and capacity constraints at the national level.

#### **Issues for discussion:**

- What are the main cooperative mechanisms for building capacity of developing countries in providing and regulating infrastructure services and which work best?
- How can cooperation be improved in terms of transfer of knowledge, methodologies and practices?
- What benefits does regional cooperation among developing countries bring to their infrastructure services and their regulation?
- Do the private sector and consumer groups have a role to play?

#### **Panelists:**

Dr. Mark Jamison, Director, Public Utility Research Center, University of Florida

Mr. Djamah Segui Honoré Bogler, Director, African Forum of Utility Regulators (AFUR)

Mr. Nick Carter, Director General, Regulation & Supervision Bureau, UAE

Mr. George Walusimbi Mpanga, Executive Secretary, Uganda Services Exporters Association (USEA)

#### **Interactive debate**

## Friday, 19 March

15:00-  
17:00

### Session 6 – Regulatory and Institutional Aspects in Trade Agreements

This session will examine the regulatory and institutional aspects of trade agreements with a view to identifying how regulatory provisions in trade agreements can both facilitate trade and serve other wider national social, developmental, and environmental policy objectives. Regulatory measures have become an important aspect of trade negotiations at bilateral, regional and multilateral levels, which need to take into account development imperatives. Infrastructure services are also given special attention in trade agreements. Hence close collaboration and mutual understanding between policy-makers, regulators and trade negotiators are essential to ensure coherence and reap benefits from trade agreements and it is desirable to include regulatory capacity building in the trade agreements.

#### Issues for discussion:

- How can barriers to export of infrastructure services be addressed in bilateral, regional and multilateral trade agreements?
- How do trade agreements impact national regulatory and institutional frameworks for infrastructure services?
- How far have WTO Members gone in bilateral and regional services trade agreements beyond GATS in terms of regulatory provisions?
- What regulatory provisions might be desirable in trade agreements to increase regulatory and institutional capacity of the less developed partner(s) regarding infrastructure services?
  
- How can GATS Mode 4 in infrastructure services be facilitated through regulatory and institutional provisions in trade agreements?
- What are the measures taken in the infrastructure services sectors to mitigate the financial and economic crisis and its impact on trade agreements?

#### Panelists:

H.E. Mr. Fernando De Mateo Y Venturini, Ambassador, Permanent Mission of Mexico to the WTO

Mr. Abdel-Hamid Mamdouh, Director, Division of Trade in Services, WTO

Mr. Timothy Odle, Deputy Programme Manager (Services), CARICOM Secretariat

Mr. Sebastine Sáez, Senior Trade Economist, World Bank

Mr. Jose Victor Chan-Gonzaga, Permanent Mission of the Philippines to the WTO

#### **Interactive debate**

17:00-  
18:00

### Concluding Session: Way Forward

This concluding session aims to take stock of the meeting's discussions, identify areas for further work, and propose practical approaches to improve regulatory and institutional frameworks.