



Colloquium
Possible future work on PPPs
3-4 March 2014
Vienna International Centre
Session 2

Caroline Nicholas
UNCITRAL Secretariat
March 2014

Possible future work in PPPs

Governance and social responsibility

Not addressed as a discrete topic in the PFIPs Instruments



- Rio + 20 declaration
 - Transparency and accountability
 - Articulation of goals, VFM, affordability
 - Infrastructure plan
- Various stages of project
 - Decision-making
 - Procurement
 - Operation
 - Termination

Possible future work in PPPs

Governance and social responsibility

- More complex than corporate govern
 - Wide range of stakeholders
 - Complex organisational structure
 - Public service delivery obligation
 - Long-term relationships
- Accountability and oversight in practi



Possible future work in PPPs

Consistency between PPPs and other laws

Legislative Guide, Chapter VII



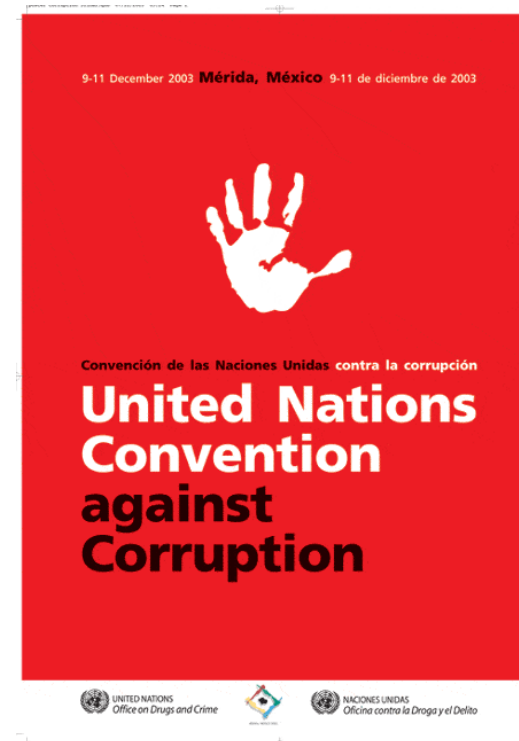
- Recognised as critical for success of project
 - Wide range of relevant laws; updating for
 - promotion and protection of investment
 - licensing issues
 - data protection and information disclosure
 - emerging risk areas
 - Role of legislation vs guidance from UNCITRAL

Possible future work in PPPs

Consistency between PPPs and other laws

Legislative Guide, Chapter VII

- Anti-corruption and integrity
 - UN Convention against Corruption, arts 9 and 12
 - PFM and public procurement
 - OECD Principles for Public Governance of PPPs



Possible future work in PPPs

Consistency between PPPs and other laws

Legislative Guide, Chapter VII

- Anti-corruption and integrity (*continued*)
 - Conflicts of interest
 - complex issue
 - Further elaboration recommended, given
 - many stakeholders
 - many contractual arrangements
 - parties in various capacities
 - colliding interests

