

Amendments

27. Amendments to the present statute shall be adopted by the Commission.

Matters not covered by the present statute

28. In the event of any procedural matter arising that is not covered by the present statute or rules of procedure adopted by the Governing Council under paragraph 12 of this statute, the pertinent part of the rules of procedure of the Economic and Social Commission for Asia and the Pacific shall apply.

Entry into force

29. The present statute shall enter into force on the date of its adoption by the Commission.

Resolution 69/6

Implementation of the Tehran Declaration to promote public-private partnerships in infrastructure development in Asia and the Pacific for sustainable development²⁹

The Economic and Social Commission for Asia and the Pacific,

Reaffirming the pivotal role of economic and social infrastructure in achieving sustainable development and the Millennium Development Goals,

Recognizing that the private sector can play an important role in developing infrastructure and related services to promote sustainable development,

Noting the continued relevance of its resolutions 64/4 on the implementation of the Seoul Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific and 66/5 on the implementation of the Jakarta Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific,

Recalling the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in June 2012, entitled “The future we want”,³⁰ in which the Conference recognized that the active participation of the private sector can contribute to the achievement of sustainable development, including through the important tool of public-private partnerships,

Noting the significant progress made by some countries in strengthening their public-private partnership readiness and institutional capacities to implement public-private partnership initiatives, including through the enactment of public-private partnership and related laws, the establishment of public-private partnership units in central government offices and the promotion of training activities for public officials,

Recognizing the important contribution that the United Nations regional commissions, together with development partners, such as bilateral donors, international and regional financial institutions and other organizations, are making to assist countries in increasing private sector involvement in infrastructure development, with a particular emphasis on the Build-Operate-Transfer Model as referred to in the *Handbook of Best Practices at Border Crossings – A Trade and Transport Facilitation*

²⁹ See chap. III, paras. 80-105.

³⁰ General Assembly resolution 66/288, annex.

Perspective published by the Organization for Security and Co-operation in Europe and the Economic Commission for Europe,³¹

1. *Takes note with appreciation of the Tehran Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific*³² as the successful outcome of the third Asia-Pacific Ministerial Conference on Public-Private Partnerships for Infrastructure Development, held in Tehran on 14 November 2012, and welcomes this Declaration;

2. *Invites* members and associate members, as appropriate, to review and assess:

(a) Opportunities to engage the private sector in infrastructure and related services which support sustainable development;

(b) Public-private partnership strategies, policy frameworks and action plans for infrastructure development, as well as legislative, regulatory and institutional arrangements for public-private partnerships at the general and sectoral levels in order to identify any barriers to their effectiveness;

(c) Capacities in the public and private sectors to develop and implement public-private partnership projects, including risk and financial management;

(d) Gaps and challenges encountered by the public and private sectors in the implementation of public-private partnerships and possible strategies/actions in improving and strengthening partnerships;

3. *Also invites* members and associate members to integrate sustainable development considerations into public-private partnership projects by:

(a) Involving all relevant stakeholders in planning and implementing public-private partnership projects;

(b) Ensuring the transparency and accountability of the public-private partnership implementation process;

(c) Enhancing infrastructure development through public-private partnership initiatives for women, children, youth, persons with disabilities, smallholder and subsistence farmers, fisherfolk and those working in small and medium-sized enterprises to improve the livelihood and empowerment of the poor and of vulnerable groups;

(d) Integrating respective climate change adaptation measures and disaster risk reduction strategies in public-private partnership plans and projects for infrastructure development at the local, national and regional levels to enhance their sustainability, preservation and maintenance, as well as increase the resiliency of infrastructure projects to the adverse impacts of climate change and natural calamities;

(e) Building social and environmental sustainability into the formulation, contract documents, awarding and implementation of public-private partnership projects, where appropriate;

(f) Creating open communication technologies/sites to ensure the sustainability and availability of data and access to information for both the public and private sectors and all relevant stakeholders;

³¹ See www.unece.org/trans/publications/wp30/best_practices.html.

³² E/ESCAP/69/24, annex.

4. *Encourages* members and associate members, as appropriate, to actively engage in regional cooperation initiatives, including the exchange of information, undertake steps for the standardization of contracts, processes and procedures, the sharing of experiences of both successful and unsuccessful public-private partnership projects, and the provision of training and technical assistance;

5. *Requests* the Executive Secretary, in collaboration with United Nations bodies and specialized agencies, relevant offices of the United Nations secretariat, international and regional financial institutions, bilateral donors and other organizations, to continue to support the promotion of public-private partnerships for sustainable infrastructure development in the region, in particular by:

(a) Assisting members and associate members in meeting sustainable infrastructure development challenges through: (i) regional and interregional cooperation in the development of public-private partnerships; (ii) the organization of meetings and regional networking arrangements aimed at promoting the exchange of experiences and information, particularly on disaster risk reduction and water resource management; (iii) promotion of the use of information and communications technology-based products, networks, services and applications, to help countries overcome the digital divide, as stipulated in the Plan of Action adopted by the World Summit on the Information Society,³³ and (iv) the mainstreaming of information and communications technologies in their work programmes and the provision of assistance for developing countries at all levels to enable them to be involved in the preparation and implementation of national action plans to support the fulfilment of the goals indicated in the Declaration of Principles and the Plan of Action adopted by the World Summit on the Information Society³⁴ while taking into account the importance of regional initiatives;

(b) Assisting members and associate members in their capacity-building programmes, including the formulation of public-private partnership policy frameworks, legislative and regulatory reform and the administrative arrangements for public-private partnerships;

(c) Working collectively to strengthen an Asia-Pacific network of public-private partnership units and programmes which would, among other things, provide ad hoc advisory and training services, disseminate information on public-private partnership and coordinate regional meetings of national public-private partnership units and programmes with the aim of developing public-private partnership programmes that contribute to sustainable development;

(d) Providing technical assistance, upon request, to help increase the public-private partnership readiness of countries of the Asia-Pacific region, giving special emphasis to least developed countries, landlocked developing countries and small island developing States, including but not limited to: (i) preparing regional financing and risk management tools to reduce transaction costs; and (ii) developing risk mitigation mechanisms against exchange rate misalignment, environmental adverse impact and natural disasters;

(e) Encouraging financial and monetary institutions as well as international development banks to invest in bankable public-private partnership projects, especially in the transport, energy, water resources, and information and communications technologies sectors;

(f) Exploring ways to facilitate cooperation among countries of the Asia-Pacific region on public-private partnership projects in their effort towards: (i) streamlining financial flows and motivating investment, especially through attracting

³³ See A/C.2/59/3, annex.

³⁴ Ibid.

foreign direct investment to public-private partnership projects; (ii) setting up forums to invite representatives of the private sector from different countries to cooperate in public-private partnership projects; (iii) launching a process for establishing a working group comprising interested Asian and Pacific countries to explore leveraging prudential financial institutions and instruments, including emerging ones, such as Islamic financial instruments, for financing public-private partnership projects; and (iv) encouraging and inviting countries of the Asia-Pacific region to consider setting up an Asian investment bank;

(g) Expanding their supporting activities on public-private partnerships through cooperation with all regional arrangements and organizations;

(h) Undertaking a periodic review of the progress made in infrastructure development through public-private partnerships and to report to the Commission at its seventy-fourth session on the implementation of the present resolution.

*Fifth plenary meeting
1 May 2013*

**Resolution 69/7
Intergovernmental Agreement on Dry Ports³⁵**

The Economic and Social Commission for Asia and the Pacific,

Recognizing the vital role of transport in promoting international trade and economic and social development,

Also recognizing that transport is central to sustainable development and that sustainable transport achieves better integration of the economy, as affirmed in the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil in June 2012, entitled “The future we want”,³⁶

Further recognizing the importance of the Joint Project on Developing Euro-Asian Transport Linkages, which is aimed at facilitating access to markets, economic opportunities and social services for the countries situated along the Euro-Asian transport routes, including landlocked and transit developing countries,

Acknowledging that dry ports of international importance along with the Asian Highway and the Trans-Asian Railway networks constitute important building blocks of a sustainable international integrated intermodal transport and logistics system,

Keeping in view the role of dry ports in integrating modes of transport, reducing border-crossing and transit delays and associated costs, facilitating the use of energy-efficient and environmentally sustainable means of transport and creating new opportunities for the growth and establishment of development clusters in inland areas, and addressing the specific needs of landlocked, transit and coastal States,

Recalling its resolution 66/4 on the implementation of the Bangkok Declaration on Transport Development in Asia and the request contained therein to work towards the development of an intergovernmental agreement on dry ports,

Also recalling the Regional Expert Group Meeting on the Development of Dry Ports along the Asian Highway and Trans-Asian Railway Networks and the second session of the Committee on Transport, both held in Bangkok from 1 to 3 November

³⁵ See chap. III, paras. 79-104.

³⁶ General Assembly resolution 66/288, annex.