



Sustainable Development Goals and the public
interest in the current efforts to update the
UNCITRAL Model Legislative Provisions on
Privately Financed Infrastructure Projects
(PFIPs)

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UNCITRAL Model Legislative Provisions on PFIPs

- Adopted in 2003
- Preceded by the PFIPs Legislative Guide (2000) that included legislative recommendations and commentaries thereto
- Based on the UNCITRAL work on industrial contracts and on public procurement
- Address large-scale long-term concession-type PPPs, called PFIPs
- Addressed to legislators, not to contracting parties

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Procurement & Infrastructure Development

Model laws

- [UNCITRAL Model Law on Public Procurement \(2011\)](#)
 - [Guide to Enactment \(2012\)](#)
 - [Guidance on Procurement Regulations \(2013\)](#)
 - [Glossary \(2013\)](#)
- [UNCITRAL Model Law on Procurement of Goods, Construction and Services \(1994\)](#)
- [UNCITRAL Model Law on Procurement of Goods and Construction \(1993\)](#)

Legislative guides and recommendations

- [UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects \(2000\)](#)

Model provisions

- [UNCITRAL Model Legislative Provisions on Privately Financed Infrastructure Projects \(2003\)](#)

Explanatory texts

- [UNCITRAL Legal Guide on Drawing Up International Contracts for the Construction of Industrial Works \(1987\)](#)

The current work on PPPs

- Consolidation of two texts of UNCITRAL on PFIPs
- Compliance with the UN Convention against Corruption (UNCAC)
- Alignment with the 2011 UNCITRAL Model Law on Public Procurement and its Guide to Enactment (2012)
- Factoring in economic, social and environmental dimensions of sustainable development - achieving the right balance between competing goals
- Other updates in the light of accumulated experience with the use of the UNCITRAL texts and evolving practices with PPPs

Provisions under review

- Scope (projects to be covered)
- Project planning and preparation
- Procurement aspects
- Unsolicited proposals

Relevance to SDGs targets

- Access to justice (target 16.3)
- Public access to information (target 16.10)
- Other anti-corruption safeguards (target 16.5)
- Effective, transparent and accountable institutions (target 16.6)
- Non-discriminatory laws and policies (targets 10.3 and 16.b)
- Broadened and strengthened participation of developing countries in the institutions of global governance (targets 10.6 and 16.8)
- Resource mobilization (targets 1.a, 10.b, 17.1, 17.3, 17.5 and 17.16)
- Resilient infrastructure (target 9.a)
- Innovation (target 8.3)
- Sustainable procurement practices (target 12.7)
- Policy coherence (target 17.14)
- Capacity building (target 17.9)
- Effective partnerships (targets 17.16 and 17.17)

Conclusions

- Work in progress
- Major influencing factors: the United Nations sustainable development agenda, UNCAC and UNCITRAL texts in related areas
- Learning from the experience of MDBs and UN regional economic commissions
- Keeping an eye on revisions of the WTO GPA and legislative processes in EU, CIS and other regions
- Idea is to put in place solutions for legislators that will stand the test of time

THANK YOU!