

Jakarta Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific

We, the Ministers and government representatives attending the Asia-Pacific Ministerial Conference on Public-Private Partnerships (PPP) for Infrastructure Development 2010, held at Jakarta, Republic of Indonesia, 17 April 2010,

Stressing the crucial role of economic and social infrastructure, including but not limited to transport facilities and services, water, wastewater treatment, solid waste management, drainage system, energy, power supply, Information and Communication Technology (ICT), education, health and welfare facilities in supporting development and achieving the Millennium Development Goals,

Recognizing that inadequate infrastructure facilities and services have strong adverse effects on the movement of goods and services, production and transaction costs and on levels of social and personal health and welfare, which are affecting development efforts and preventing the countries of the region from realizing their full development potential,

Realizing that, typically, infrastructure requirements are significantly larger than budget provisions and that innovative solutions are needed in order to raise financing for the development of infrastructure, improve the efficiency of infrastructure operations and create incentives to promote the maintenance of infrastructure,

Recognizing the strength of the public and private sectors working together in bringing their financial, management and technical resources together to improve the supply, provision and maintenance of infrastructure facilities and services,

Recognizing that the impacts of the financial and economic crisis necessitate government's review of their legislative, regulatory and procedural environment for public-private partnerships,

Noting that the important role given to the development of physical infrastructure in economic stimulus packages has created new opportunities for public-private partnerships,

Taking note of the outcomes of the Ministerial Conference on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific, held in Seoul from 2 to 4 October 2007,

Also noting the continued relevance of the ESCAP Resolution 64/4 on Implementation of the Seoul Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific, adopted by the Commission at its sixty-fourth session held in Bangkok in 2008,

Recalling the United Nations Millennium Declaration, the 2005 World Summit Outcome, the Johannesburg Declaration on Sustainable Development and the Monterrey Consensus of the International Conference on Financing for Development, all of which support and promote the concept of public-private partnerships in the development process,

Recognizing the benefits of sharing the rich experience among countries in the region to resolve issues of major concern to both the public and private sectors that act as barriers to developing effective partnerships,

Recognizing the need to enhance or create an environment conducive to private sector participation in the provision of infrastructure facilities and services, including:

- (a) Formulating public-private partnership policy frameworks;
- (b) Reforming legislative and regulatory regimes through proactive government participation;
- (c) Encouraging countries and regional programs to establish institutional mechanisms and partnership performance assessment tools to promote good governance of public-private partnerships; and
- (d) Enhancing the capacity of the public sector to implement public-private partnerships,

Taking note of the eight major characteristics of good governance, namely that it is participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and follows the rule of law,

Noting the significant progress made in many countries that have facilitated and promoted public-private partnerships,

Recognizing the important contribution that bilateral donors, international financial institutions, and other organizations are making in order to assist countries to reach their full development potential in supporting economic growth, social development and poverty reduction through their public-private partnership endeavours,

Reiterate the commitments that we made in ESCAP Resolution 64/4 on Implementation of the Seoul Declaration on Public-Private Partnerships for Infrastructure Development in Asia and the Pacific, particularly with respect to using PPP as an effective means of complementing government development efforts and enhancing the principles of good governance;

Invite countries of the Asia-Pacific region, as appropriate, to review and assess their:

- (a) Public-private partnership, sectoral and other relevant policy frameworks and action plans for infrastructure development;
- (b) Public-private partnership readiness and to identify key issues to be addressed by Governments in promoting the role of public-private partnerships in infrastructure development;
- (c) Processes and procedures for implementing public-private partnerships, including effective management over their life cycle;
- (d) Legislative, regulatory and institutional environments for public-private partnerships at the general and sectoral levels in order to identify any barriers to their effectiveness;
- (e) Internal and external barriers to Public-Private Partnership (PPP) in Infrastructure Development;
- (f) Capacity to implement public-private partnerships and evaluate their impact on development;

- (g) Availability of innovative capital resources to meet the funding needs of PPP projects; and
- (h) Availability of domestic risk management mechanisms and instruments to reduce or mitigate project risks and lowering overall project costs;

Encourage countries of the Asia-Pacific region, as appropriate, to actively engage in regional cooperation initiatives, including: networking arrangements; educational and training programmes; compilation and dissemination of information; standardization of contracts, processes and procedures; and provision of technical assistance;

Request United Nations bodies and the specialized agencies, the relevant offices of the United Nations Secretariat, international financial institutions, other organizations and bilateral donors:

- (a) To assist countries of the Asia-Pacific region in meeting infrastructure development challenges through: (i) regional and interregional cooperation in the development of public-private partnerships; and (ii) the organization of meetings and regional networking arrangements aimed at promoting the exchange of experiences and information;
- (b) To assist countries of the Asia-Pacific region, on a mutually agreed basis, in their capacity-building programmes, including public-private partnership policy framework formulation, legislative and regulatory reform and the administrative arrangements for public-private partnerships;
- (c) To provide technical support, upon request, to help increase the public-private partnership readiness of countries of the Asia-Pacific region, including but not limited to: (i) preparing regional financing and risk management tools to reduce transaction cost; and (ii) developing risk mitigation mechanisms against currency mismatches that occur;
- (d) To establish a Task Force to elaborate the elements of a regional financial architecture that could assist the Asia-Pacific region with increased capital availability for infrastructure development; and
- (e) To work collectively to establish an Asia Pacific Network of PPP units and programmes which would, amongst other matters, provide ad hoc advisory and training services,

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