

OECD-ASEAN Training on investment Policy Making in the CLMV to Support the Initiative for ASEAN Integration

Furama Resort
Truong Sa Street, Khue My Ward, Ngu Hanh Son District
Da Nang, Viet Nam
12-14 June 2013

Background

Investment flows into ASEAN have been trending upwards over the past few years, with FDI inflows in 2011 reaching USD 60 billion, up from USD 32 billion in 2008, due to stronger global and regional economic performance. Continuing to attract investors into the region and ensuring that this investment contributes to sustainable development will require continuous improvements to the investment climates of ASEAN Member States, particularly for the CLMV countries where economic growth is forecasted between 6-7% over the medium term.

The IAI Work Plan II (2009-2015) has identified the free flow of investment as a priority, calling for capacity building programmes to review, streamline and simplify procedures for investment applications and approvals. The training aims to strengthen the capacity within the civil service in CLMV countries to design, develop and implement sound investment policies. It aims to achieve this through a 3-day seminar based on the *Policy Framework for Investment (PFI)*.

The modules focus on investment policy, investment promotion and facilitation, responsible business conduct and investment in infrastructure. Issues of governance and green investment cut across these four topics and would be discussed within each module.

Five participants from each of the 4 CLMV countries would be invited based on the following criteria:

- Mid-level managers in public institutions involved in investment policy making
- Preferably from different institutions
- Good command of English
- At least one participant from each group should be familiar with issues related to i) the legal framework for investment, ii) investment promotion, iii) business licensing procedures, iv) responsible business conduct.

This training seminar is jointly organised by the Government of Viet Nam's Ministry of Planning and Investment, ASEAN, and the OECD. It is sponsored by the government of Japan.

DRAFT AGENDA

Day 1	12 June 2013
9:30 – 10:30	<p>Opening</p> <ul style="list-style-type: none"> • Nguyen Ba Cuong, Deputy Director General, Ministry of Planning and Investment, Viet Nam • Megumi Kito, Delegation of Japan to the OECD • Anna Mae Tuazon, Senior Director, ASEAN Secretariat • Stephen Thomsen, Head of Investment Policy Reviews, OECD • Seminar Overview, Mike Pfister, OECD
10:30 – 10:45	Coffee Break
10:45 – 12:15	<p>Module 1: Principles and applications of the PFI</p> <ul style="list-style-type: none"> • Stephen Thomsen • Country investment climate presentations: Cambodia and Myanmar

12:15 – 13:30	Lunch Break
13:30 – 17:00	<p>Module 2: Investment Policy</p> <ul style="list-style-type: none"> • Stephen Thomsen, OECD: How investment policy affects investment • Sovyana Putranti, Technical Officer, Investment , ASEAN Secretariat, ASEC: National investment policy commitments under ACIA <p>Discussion</p>
	Coffee Break
19:00	<ul style="list-style-type: none"> • H�el�ene Fran�ois, Legal Expert, OECD: Options for protecting and regulating foreign investment • Mr. Nicolas Audier, Attorney-at-Law, Audier & Partners Vietnam LLC: Legal Investment Protection in Practice, lessons from Viet Nam and others <p>Country investment climate presentations: Viet Nam and Lao PDR</p> <p>Moderated discussion</p> <p>Group Dinner</p>

Day 2	13 June 2013
9:00 – 11:00	<p>Module 3: Investment Promotion and Facilitation</p> <ul style="list-style-type: none"> • Mike Pfister, Investment Policy Officer, OECD: Best practices in investment promotion and facilitation, and promotion of SME-MNE linkages • Harjit Kaur, Senior Director, Investment Policy, Ministry of International Trade and Industry (MITI), Malaysia: Promoting investment to spur economic development <p>Moderated and interactive discussion Participants will be asked to explain the structure of investment promotion in their respective countries and provide examples of streamlining of business licensing regimes</p>
11:00 – 11:15	Coffee Break
11:15 – 13:00	<p>Module 4: Responsible Business Conduct</p> <ul style="list-style-type: none"> • Mike Pfister, Investment Policy Officer, OECD: What can Governments do to promote RBC? • Kai Partale, Tourism Sector Specialist, EU-funded Environmentally & Socially Responsible Tourism Capacity Development Programme, Vietnam: Promoting Responsible Investment in Tourism <p>Moderated and interactive discussion: Participants will discuss what RBC initiatives governments and companies have been taking in their respective countries.</p>
13:00 – 14:00	Lunch Break
14:00 – 15:15	<p>Module 5: Improving the investment climate: infrastructure, finance and productivity challenges</p> <ul style="list-style-type: none"> • Fernando Mistura, Policy Analyst, OECD: Promoting private investment in infrastructure – regulatory and financial aspects • Tu Than Ha, COO and Head of South, McKinsey & Company Viet Nam: Addressing productivity challenges <p>Discussion</p>

15:15 – 15:30	Coffee Break
15:30 – 17:00	<p>Module 6: PFI Working Groups – case studies</p> <p>Four groups of 4 will be formed to address specific investment policy challenges.</p> <p>Group 1</p> <p>Moderator: H��l��ne Fran��ois, OECD</p> <p>Country A, part of a regional grouping, is negotiating a bilateral investment treaty hoping to attract more investment from a partner country that is not a member of the regional grouping. What could be the main provisions of the treaty and what are the main concerns that should receive specific attention? What alternative measures might be considered to achieve the same objectives as the investment treaty?</p> <p>Group 2</p> <p>Moderator: Fernando Mistura, OECD</p> <p>Country B, with limited government capacity, aims to attract more private investment to develop its infrastructure. No significant reforms have been undertaken over the past 15 years in this regard. What infrastructure development policy should be adopted and what short- to medium-term steps should be taken to improve the framework for private sector participation in infrastructure?</p> <p>Group 3</p> <p>Moderator: Mike Pfister, OECD</p> <p>Country C aims to attract more foreign investment. The Government tasks the Investment Promotion Agency (IPA) to design and implement specific measures to meet this objective. As members of the IPA, please provide a concrete action plan to attract more and better investment over the next 10 years. The country is rich in natural resources and is geographically well-located with good access to maritime transport.</p> <p>Group 4</p> <p>Moderator: Stephen Thomsen, OECD</p> <p>Country D is considering opening up a particular sector to greater foreign investment. What are the steps to consider?</p> <p>The OECD team will explain the different exercises and answer any questions to clarify the exercises before the groups break to prepare their presentations. Representatives from the private sector may also be available for guidance.</p>

Day 3	14 June 2013
9:00 – 10:30	Presentation and discussion of Groups A and B
10:30 – 10:45	Coffee Break
10:45 – 12:15	Presentation and discussion of Groups C and D
12:15 – 13:30	Lunch
13:30 – 15:30	<p>Module 7: (Roundtable Discussion format): Identifying Capacity Building needs in CLMV</p> <p>ASEAN Secretariat-moderated roundtable discussion on capacity building needs and possible follow-up activities.</p> <p>Closing</p> <p>Stephen Thomsen, Head of Investment Policy Reviews, OECD</p>

OECD Contacts:

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Speaker Profiles

Stephen Thomsen:

Stephen Thomsen heads the OECD Investment Policy Review Unit in the Directorate for Financial and Enterprise Affairs and holds a PhD from the Graduate Institute of International Studies in Geneva. Prior to joining the OECD, he worked as a Research Fellow at Chatham House in London. He has published widely on foreign direct investment, with particular emphasis on its impact on economic integration and development and its relationship with trade. In addition to several books, articles have appeared in *Columbia Journal of World Business*, *Foreign Policy*, *Harvard International Review*, *International Affairs*, *International Investment Perspectives*, *Journal of Common Market Studies*, and the *World Economy*.

Mike Pfister:

Mike is an economist specialized in investment policies, value chains and enterprise development. He is part of the OECD Investment Policy Review Unit and manages various investment for development programmes. Mike has worked for the German Government, consulting groups and the United Nations Conference on Trade and Development (UNCTAD) in the areas of investment promotion and business linkages. He has advised governments and companies in Africa, Central Asia, China, Southeast Asia and Latin America. He graduated from the Graduate Institute of International Studies in Geneva.

Hélène François:

Hélène François is a legal analyst at the Directorate for Financial Affairs of the OECD, where she primarily focuses on legal issues related to international investment agreements and investment arbitration. Prior to joining the OECD, she worked at UNCTAD and at the French Embassy to Morocco. She graduated from University Paris I La Sorbonne in Business Law and from University Paris II Panthéon-Assas in International Economic Law.

Fernando Mistura:

Fernando is a policy analyst in the Investment Division at the OECD. He has worked on investment policy reviews of Asian, Latin American and Middle Eastern countries and on policy restrictions to foreign direct investment across G20 countries. Prior to the OECD, Fernando has worked on strategic and sustainability consulting, and as a financial market analyst. He holds an MSc in International Management from the London Schools of Economics (LSE), HEC Paris and FGV-EAESP under the CEMS joint-degree programme and a Bachelor in Public Administration from FGV-EAESP. Fernando is a Leader of Tomorrow from the 40th class of the St. Gallen Symposium.

Harjit Kaur:

Harjit Kaur d/o Chand Singh is Senior Director of the Investment Policy and Trade Facilitation Division at Malaysia's Ministry of International Trade and Industry (MITI). Past functions included management roles in the Ministry of Works of Malaysia and the Road Transport Department of Selangor. She holds degrees in Mathematics and Economics.

Kai Partale:

Kai is a consultant in tourism development and management, specialising in market intelligence, strategy, investment promotion, destination management, human resources and sustainable development. At present, Kai works as a Tourism Sector Specialist in the EU-funded Environmentally and Socially Responsible Tourism Capacity Development Programme in Vietnam. Prior to this, Kai worked in strategic planning and investment promotion to strengthen the General Authority for Investment in Egypt, and advised UNCTAD and the Center for Investment Promotion (CPI) in Mozambique in a business linkages programme on community-based tourism. Kai also helped to develop a National Hotel and Tourism Institute and a training hotel in Yemen, SME strategies for the Mongolian hotel and tourism sector, and advised governments on FDI attraction in the tourism sector. For the European Tourism Institute, Kai was in charge of business development and acquisitions within the Swiss tourism market and managed a range of tourism consulting, research and master planning projects in Europe and as Chief Representative in Xiamen, China. Kai studied Tourism Geography, Business Administration and Sociology at the Universities of Trier, Germany and Murcia, Spain.

Nicolas Audier:

Nicolas Audier is graduated from Paris University, (Advanced Specialised Degree – DESS - with High Honours), from New York University (LLM), and is a former auditor of IHEDN. He is a member of the Paris Bar and has more than 17 years of experience in Vietnam and the region. He was a partner of a major International law in charge of Vietnam, Laos and Cambodia up to 2008, date of establishment of Audier & Partners LLC which is active in Vietnam, Myanmar and Mongolia. His particular areas of expertise are corporate law, finance law, and foreign investment law.

He is a special trade advisor on Vietnam for the French Ministry of Finance, members of the board of EuroCham and of the French Chamber of Commerce and Industry. He is frequently appointed to advise on the drafting of laws and regulations. Nicolas has been honoured, (“Bang Khen”), by the Vietnamese Minister of Justice in recognition of his contribution to the development of Vietnam’s legal system. This is the highest award that the Ministry of Justice can bestow on a foreign lawyer on behalf of the Vietnamese government.

Tu Than Ha, COO and Head of South, McKinsey & Company Viet Nam

Ms. Tu Ha is Country Expert based in McKinsey & Company Office in Hanoi. She has over 10 years of experience in business development and consulting focus on Vietnamese state owned enterprises, Government and private sector development. Prior to McKinsey, she worked with Vietnamese government agencies and business community on improving country competitiveness and local economic governance. She had involved in multiple developmental and research efforts including Vietnam Competitiveness, Provincial Economic Governance Best Practices, Provincial Competitiveness Index (PCI), Business Policy Dialogues, and Public Participation in Lawmaking. She holds a Master of Public Administration from Harvard Kennedy School of Government.