



Agenda

APEC Workshop on Secured Transactions: Best Practices for Dynamic Business Growth

21-22 March 2018

Secretaría de Relaciones Exteriores
Mexico City, Mexico

| DAY ONE | | 21 March 2018 | |
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| 8.00 – 8.30 am | | Registration and arrival | |
| 8.30 – 9.00 am | | <p>Opening Remarks and Introductions</p> <p>Elsa Ayala, Director of Commercial Legislation and SELI Representative, Ministry of Economy, Mexico</p> <p>Remarks from:</p> <ul style="list-style-type: none"> • Jason Martínez, Deputy Director General for Asia, Oceania and Multilateral Organization, Acting SOM to APEC, Ministry of Economy, Mexico • Emilio Granados Franco, General Director of Cooperation and Bilateral Economic Relations, Ministry of Foreign Affairs, Mexico • Daniel Zulauf, Deputy Chief of Mission and Chargé d'affaires, Embassy of Switzerland • Margaret Elizabeth Spears, Deputy Mission Director, USAID/Mexico • Ary Naim, Country Manager, International Finance Corporation, World Bank Group, Mexico City, Mexico | |
| Session I 9.00 – 10.15 am | | <p>Making the Case for a Comprehensive Approach to Secured Transaction Reform</p> <p><i>This session will lay the foundation for the workshop by offering a common definition for secured transaction reform, highlighting economic benefits that commonly result from reform and how access to credit and competition are positively affected by secured transaction reform. Panelists will discuss the 'big picture' for secured transactions reform and how passing legal reforms is one important step, among others, towards achieving a fully functional modern secured transaction system.</i></p> | |

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| | <p>Successful secured transaction depends also on the establishment of registries, improvements to institutional frameworks and capacity building. This session will cover the importance as well as nuance of each of these steps as part of a holistic approach to growth-oriented reform.</p> <p>Moderator: Michael Dennis, Senior Attorney Advisor, Department of State, United States</p> <p>Panel:</p> <ul style="list-style-type: none"> • Jae Sung Lee, Legal Officer, International Trade Law Division, UNCITRAL Secretariat • John Wilson, Secured Transactions Specialist, World Bank Group <p><i>Discussion</i></p> |
| 10.15 – 10.30 am | Coffee break |
| <p>Session 2 10.30 – 11.00 am</p> | <p>US-ATAARI Research on the Current Status of Secured Transactions in APEC</p> <p><i>This session will discuss the results of APEC research on the current status of secured transaction reform in the region, including shared challenges, individual economy successes, and how the APEC region compares to others around the globe. The goal of this session is to highlight each economy’s current standing with secured transaction reform, create awareness on how this is affecting their economy and how they are empowered to create change.</i></p> <p>Moderator: Michael Dennis, Department of State, United States</p> <p>Presenter:</p> <ul style="list-style-type: none"> • Boris Kozolchyk, Director of Research, NatLaw |
| <p>Session 3 11.00 am – 12.00 pm</p> | <p>Experiences in Implementing Secured Transactions Reforms – Part I</p> <p><i>This session will welcome representatives of relevant liaising agencies for secured transaction reform to discuss their first-hand experiences, including successes and challenges, in implementing secured transaction reform.</i></p> <p>Moderator: Mark Walter, Deputy Chief of Party/Technical Advisor, US-ATAARI</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Bruce Whittaker, Chair, UNCITRAL Working Group on Secured Transactions • Elsa Ayala, Ministry of Economy, Mexico • Diana Talero, STCR Consultant, World Bank Group |

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| | <i>Discussion</i> |
| 12.00 – 1.30 pm | Lunch |
| Session 4 1.30 pm – 3.00 pm | <p>Experiences in Implementing Secured Transactions Reforms – Part 2</p> <p>Moderator: Mark Walter, US-ATAARI</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Elaine MacEachern, Secured Transactions Specialists, World Bank Group • Oral Shaw, Deputy Director, Ministry of Industry, Commerce, Agriculture & Fisheries, Jamaica • Nguyen Minh Thao, Director, Ministry of Planning and Investment, Viet Nam • Generose Yap Ballesteros, Senior Economic Development Specialist, National Economic and Development Authority, the Philippines and Aurora Luc Diokno, Division Chief, Department of Finance, the Philippines <p><i>Discussion</i></p> |
| 3.00 – 3.15 pm | Coffee break |
| Session 5 3.15 – 4.15 pm | <p>Movable Asset-Based Financing Products</p> <p><i>This session will provide an overview of movable financing products geared toward improving access to finance for SMEs and their reliance on effective credit infrastructure. Products discussed will include: leasing, factoring, supply chain financing, receivables financing, asset-based lending secured revolving lines of credit, and agri-finance, among others.</i></p> <p>Moderator: Lina Kee, Senior Sector Financial Specialist, World Bank Group</p> <p>Panel:</p> <ul style="list-style-type: none"> • Ricardo Garza, ABL Specialist, IFC Financial Institutions Group • Richard Palmieri, Managing Partner, ANR Partners, LLC and previous Chairman, Commercial Finance Association • John Wilson, World Bank Group <p><i>Discussion</i></p> |
| Session 6 4.15 – 5.15 pm | Addressing Legal Gaps: Building an Improved Enabling Legal Environment for MSMEs |

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| | <p><i>This session will focus on the ‘big picture’ of the place secured transactions occupies within the broader business enabling environment for MSMEs. The session will provide an overview of the interdependence between secured transactions and insolvency reform, as well as the importance of simplified corporation alternatives for business formalization. The session will also provide a survey of other topics policymakers should keep in mind for improving access to finance for MSMEs, including establishment of credit bureaus.</i></p> <p>Moderator: John Stables, Financial Economist, U.S. Department of State, United States</p> <p>Panel:</p> <ul style="list-style-type: none"> • Michael Dennis, Department of State, United States • Andres Martinez, Senior Financial Sector Specialist, World Bank Group • Elsa Ayala, Ministry of Economy, Mexico <p><i>Discussion</i></p> |
| 5.15 – 5.30 pm | Wrap up and overview of day one |
| DAY TWO 22 March 2018 | |
| 8.00 – 8.30 am | Registration and arrival |
| Session 7 8.30-9.00 am | <p>Coordinating with Other Related Instruments Such as the Assignment of Receivables Convention and UNIDROIT Instruments</p> <p><i>This session will discuss challenges, lessons learned and best practices involved in coordinating secured transactions reforms with other related reform initiatives including the UN Convention on Assignment of Receivables, the UNIDROIT Cape Town Convention, and the UNIDROIT Model Law on Leasing.</i></p> <p>Moderator: Michael Dennis, Department of State, United States</p> <p>Panel:</p> <ul style="list-style-type: none"> • Marek Dubovec, Executive Director, NatLaw • William Byrdie-Watson, UNIDROIT |
| Session 8 9.00 – 9.30 am | <p>The Development, Use and Potential Regulation of Fintech and Digitalized Movable Assets</p> <p><i>This session will discuss the development and use of innovative fintech tools (including electronic trading platforms and blockchain ledgers) for using digitized movable assets as collateral (including warehouse receipts, receivables, crypto-currencies, etc.). The</i></p> |

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| | <p>session will also discuss whether (and the manner in which) secured transactions laws and registries shall apply to these types technologies and movable assets.</p> <p>Moderator: Luis Alberto Vega, Director, Ministry of Economy, Mexico</p> <p>Panel:</p> <ul style="list-style-type: none"> • John Wilson, World Bank Group • Marek Dubovec, NatLaw <p><i>Discussion</i></p> |
| <p>Session 9 9.30 – 10.30 am</p> | <p>Technology Trends and Best Practices in Collateral Registries</p> <p><i>This session will discuss existing collateral registry software platforms, software and hardware requirements as well as other implementation requirements that have led to the successful adoption of efficient and user-friendly collateral registries. It will also showcase alternative options to create sustainable collateral registries using the cloud and other outsourcing mechanisms.</i></p> <p>Moderator: Elaine MacEachern, World Bank Group</p> <p>Panel:</p> <ul style="list-style-type: none"> • Diana Muñoz, Registro Único de Garantías, Mexico • Santiago Rengifo, Registro de Garantías Mobiliarias, Colombia <p><i>Discussion</i></p> |
| <p>10.30 – 10.45 am</p> | <p>Coffee Break</p> |
| <p>Session 10 10.45 – 11.30 am</p> | <p>Role of Central Banks in Access to Finance and Secured Lending</p> <p><i>This session will focus on ongoing work in UNCITRAL related to guidance to regulators responsible for prudential regulation of banks and other lenders in order to assist them in developing the capacity to assess and evaluate risks associated with the use of movable property as collateral.</i></p> <p>Moderator: Lina Kee, Senior Sector Financial Specialist, World Bank Group</p> <p>Panel:</p> <ul style="list-style-type: none"> • Jae Sung Lee, UNCITRAL • Giuliano Castellano, Law Professor, University of Warwick <p><i>Discussion</i></p> |
| <p>Session 11 11.30 am – 12.30 pm</p> | <p>Best Practices in Enforcement</p> |

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| | <p><i>This session will discuss enforcement mechanisms that have made a difference in facilitating the enforcement of security rights through judicial and non-judicial mechanisms on movable property.</i></p> <p>Moderator: Bruce Whittaker, UNCITRAL</p> <p>Panel:</p> <ul style="list-style-type: none"> • Diana Talero, World Bank Group • Neil Cohen, Law Professor, Brooklyn School of Law <p><i>Discussion</i></p> |
| 12.30 – 2.00 pm | Lunch |
| <p>Session 12 2.00 – 3.45 pm</p> | <p>Interactive Session</p> <p><i>This session will build on the APEC member economies' presentations from Sessions 3 and 4. Based on the case studies presented, participants will be split into small group to discuss how best to achieve the deliverable identified in the presentations. If time is available, small groups will present to the plenary on the action plans.</i></p> |
| 3.45 – 4.00 pm | Coffee Break |
| <p>Session 13 4.00 – 5.00 pm</p> | <p>Leveraging Secured Transactions Reforms for Key Economic Sectors</p> <p><i>This session will introduce innovative ways in which to leverage secured transactions reforms and credit products to increase lending to important economic sectors, in particular for women-owned businesses</i></p> <p>Moderator: Wade Channell, Office of Gender Equality and Women's Empowerment, USAID</p> <p>Panel:</p> <ul style="list-style-type: none"> • Eva Gutierrez, Lead Financial Sector Specialist, World Bank Group • Jessica Majno, Senior Consultant, Deloitte <p><i>Discussion</i></p> |
| <p>Session 14 5.00 – 5.30 pm</p> | <p>Key Takeaways, Next Steps, Conclusions and Closing Remarks</p> <p><i>This session will summarize main points from both days of the discussion as well as highlight next steps to consider for pursuing secured transaction reform. This could include identifying areas for improvement at both the regional and economy levels, with the opportunity to consider capacity building and technical assistance activities that would support member economies' reform efforts.</i></p> <p><i>Discussion</i></p> |

5.30 – 5.35 pm

Evaluations and Wrap up