

APEC Experiences on Good Regulatory Practices: Improving Public Consultation

APEC Sub-Committee on Standards and Conformance

February 2025



**Asia-Pacific
Economic Cooperation**



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APEC Committee on Trade and Investment

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SCSC Workshop “APEC Experiences on Good Regulatory Practices: Improving Public Consultation”

Summary Report

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1. Executive Summary

The workshop “APEC Experiences on Good Regulatory Practices: Improving Public Consultation” was held on 14 August 2024. Peru led the project, which was co-sponsored by Australia; Canada; China; Malaysia; New Zealand; Chinese Taipei; Thailand; and the United States. Speakers and participants represented diverse groups, including the private sector, business associations, international organizations, and relevant ministries and government agencies from APEC economies.

The workshop aimed to (i) facilitate information exchange between economies regarding their public consultation initiatives and common challenges encountered in the regulatory process; (ii) enhance collaboration between public and private sector stakeholders from APEC economies to discuss approaches and perspectives on public consultation, and (iii) identify best practices from participating APEC economies, showing successful public consultation processes, innovative approaches to regulatory practices and addressing common challenges.

The workshop was divided into 4 sessions: (i) Public Consultation as a GRP tool for policy development; (ii) Peru's experience in Improving Public Consultation; (iii) Innovations in Public Consultation Mechanisms; and (iv) Cooperation in the APEC region to support Public Consultation.

Speakers and participants engaged in discussions on the challenges economies face when implementing public consultation, the opportunities they have for improving their processes through the use of technology tools, and the importance of establishing mechanisms that are accessible and inclusive for all stakeholders. Public and private sector representatives also explored ideas on collaboration for the improvement of public consultation and highlighted the relevance of continuing working together on these matters in the APEC region.

These ideas are collected as best practices proposed in this Summary Report.

2. Introduction

Good Regulatory Practices (GRPs) support economic growth, trade and investments as GRPs provide transparency and predictability and, therefore, increase trust in government, as well as provide an opportunity for stakeholders to participate in regulatory processes. One of the best GRPs is Public Consultation, through which regulators collect

and consider input from stakeholders on a proposed regulatory action at an early stage, and incorporate that input if it helps to meet the public policy objective.

Public Consultation contributes to a more inclusive and transparent decision-making process. It promotes open participation by allowing diverse stakeholders, including businesses, civil society, and the general public, to express their opinions and concerns regarding policies, including trade policies or regulations that can affect trade.

In this sense, APEC provides a meaningful framework for economies to work on improving their regulatory environment through Public Consultation by sharing their progress, challenges and initiatives for their implementation. As outlined in Thailand's host report from the 15th Conference on Good Regulatory Practices (GRP15) in November 2022, "it is necessary to address persistent communication and coordination issues, promote the use of digital technologies in regulatory affairs, and shift towards a more agile and adaptable framework and practices while bolstering tenets like transparency, public consultation, and international regulatory cooperation."

To advance these efforts and continue the work of the project SCSC 07 2022S, initially launched in 2019 under the project SCSC 06 2019S, Peru proposed to hold the Workshop "APEC Experiences on Good Regulatory Practices: Improving Public Consultation" (SCSC 101T -2024) where economies can have a space to exchange their experiences on the matter and identify lessons learned to improve the region's progress on Public Consultation.

As a result of this discussion, Section 5 of this Summary Report collects APEC economies' best practices to serve as a basis for learning and for future capacity-building opportunities.

3. Relevance of GRPs

Public consultation is a cornerstone of Good Regulatory Practices (GRPs), ensuring that regulatory frameworks are inclusive, transparent, and representative of diverse stakeholder interests. By collecting input from civil society, including, the public and private sector, policymakers can gather valuable insights that enhance the quality and effectiveness of regulatory decisions. This approach leads to better-designed policies that address legitimate objectives, such as public health, protection of the environment, and food safety, among others. Designing and implementing inclusive consultation

mechanisms is essential to improve regulatory outcomes and to build trust between governments and society.¹

In consequence, transparency is a key feature in the public consultation process, as this serves as a platform for open dialogue, allowing stakeholders to understand the rationale behind proposed regulations and share their concerns or suggestions. Establishing solid public consultation mechanisms demonstrates a commitment to good governance, which is critical for attracting investment, fostering economic growth, and ensuring equitable development. In addition, a transparent regulatory system creates a more predictable and stable context for trade and development.²

Furthermore, public consultation contributes to evidence-based policymaking by incorporating data, expert opinions, and lived experiences into the regulatory process. Stakeholders often provide critical information about the potential impacts of proposed regulations, helping policymakers anticipate challenges and assess costs and benefits more accurately. This evidence-driven approach ensures that regulations are practical, implementable, and conducive to sustainable development.³

In addition, effective public consultation fosters collaboration between government agencies, the private sector, and civil society. This collaborative approach allows regulators to leverage diverse perspectives, resulting in policies that reflect a balance regarding the needs and priorities of stakeholders. In the region, APEC economies have highlighted the importance of multi-stakeholder collaboration in strengthening regulatory coherence and addressing cross-border challenges.⁴

In this context, public consultation is a key element in addressing global challenges by establishing a channel of communication between regulators and civil society. In this sense, the workshop “APEC Experiences on Good Regulatory Practices: Improving

¹ OECD, *OECD Public Governance Reviews Trust and Public Policy How Better Governance Can Help Rebuild Public Trust: How Better Governance Can Help Rebuild Public Trust* (OECD Publishing 2017).

² World Trade Organization, ‘WTO TBT Enquiry Point Guide: Making Transparency Work’ (2018) <https://www.wto.org/english/tratop_e/tbt_e/tbt_enquiry_point_guide_e.pdf> accessed 5 January 2025.

³ UN Trade and Development (UNCTAD), ‘Assessing Cost-Effectiveness of Non-Tariff Measures – A Toolkit’ (2020) <https://unctad.org/system/files/official-document/ditctabinf2020d7_en.pdf> accessed 5 January 2025.

⁴ Asia-Pacific Economic Cooperation (APEC), ‘Lima Roadmap to Promote the Transition to the Formal and Global Economies (2025-2040) | 2024 APEC Leaders’ Machu Picchu Declaration’ (APEC) <[https://www.apec.org/meeting-papers/leaders-declarations/2024/2024-apec-leaders'-machu-picchu-declaration/lima-roadmap-to-promote-the-transition-to-the-formal-and-global-economies-\(2025-2040\)](https://www.apec.org/meeting-papers/leaders-declarations/2024/2024-apec-leaders'-machu-picchu-declaration/lima-roadmap-to-promote-the-transition-to-the-formal-and-global-economies-(2025-2040))> accessed 5 January 2025.

Public Consultation”, led by Peru, provided a unique experience for APEC economies to learn from each other and discuss ideas of improvement for the region in this matter.

4. Workshop Sessions

4.1. Session 1: Public Consultation as a GRP Tool for Policy Development

4.1.1. World Trade Organization – GRP (public consultations) and the WTO

Mr. Aik Hoe Lim, Director of the Trade and Environment Division at the WTO, started his presentation by recalling the objectives of the TBT Agreement: to have a balance between the pursuit of trade liberalization by avoiding discriminatory and unnecessary barriers to trade and recognizing Member’s right to regulate by ensuring their policy space to pursue legitimate objectives. To keep this balance, the principle of transparency becomes the cornerstone of the TBT Agreement as it ensures predictability and availability of information on proposed regulations that might have an impact on trade.

In this sense, the TBT Agreement establishes some provisions on transparency that Members must comply with, such as notification procedures. The implementation of this discipline is further supported by the WTO TBT Committee, which provides a set of non-binding recommendations to enhance transparency. For instance, the WTO TBT Committee recommends granting Members a period of no less than 60 days for comments to the notification of a proposed technical regulation and conformity assessment procedures. Also, the WTO TBT Committee encourage Members to give a period of a minimum of 6 months for the entry into force of their technical regulations and conformity assessment procedures so producers and exporters can adapt their products to the new requirements.⁵

Public consultation and other GRPs help to ensure practical implementation of transparency provisions under the TBT Agreement, such as the requirement of the publication of a notice regarding upcoming regulations, notification of draft regulations, reasonable interval of time to make comments on regulations and the publication of regulations. In addition, the WTO TBT Committee has recognized that GRP can

⁵ [G/TBT/1/Rev.15](#) See para. 6.3.1.10

contribute to the improved and effective implementation of the substantive obligations under the TBT Agreement.⁶

Recognizing the crucial role of GRP in compliance with transparency provisions, the WTO has recently achieved some developments in this matter. In 2024, WTO Members adopted the Ministerial Declaration on Strengthening Regulatory Cooperation to Reduce TBTs. This Declaration highlights the importance of cooperation in the WTO TBT Committee for addressing global challenges, the role of the WTO TBT Committee in promoting GRP and the importance of transparency.⁷ Additionally, in March 2024, WTO Members agreed on the Ministerial Declaration on Special and Differential Treatment (S&D) provisions in the SPS and TBT Agreements⁸, through which they requested improvements in training and technical assistance provided under WTO Technical Assistance and Training Plan to assist developing Members, including LDCs, to overcome the challenges they face in timely engagement on SPS and TBT matters, which include GRP issues.

In March 2024, the WTO TBT Committee also adopted non-prescriptive and voluntary guidelines to help governments better choose and design their conformity assessment procedures, ensuring products comply with safety and other specifications in standards and regulations without creating unnecessary obstacles to trade.⁹ These guidelines emphasize flexibility, transparency and inclusivity with special consideration to the technical assistance needs of developing economies.

Furthermore, the Transparency Working Group has reached three recent milestones related to GRP:

- A good practice guide¹⁰ on how to comment on notifications about regulatory measures, which offers an overview of how interested parties can provide feedback on trading partners' regulations before they are finalized.
- Guidelines for notifying the overarching legal and institutional arrangements of WTO Members for implementing the TBT Agreement¹¹, which aims to facilitate access to information on government agencies involved in regulatory activities

⁶ [G/TBT/1/Rev.15](#) See Part 1 “Good Regulatory Practice”

⁷ [WT/L/1190](#); [WT/MIN\(24\)/35](#)

⁸ [WT/L/1191](#); [WT/MIN\(24\)/36](#)

⁹ [G/TBT/54](#)

¹⁰ [G/TBT/GEN/386](#)

¹¹ [G/TBT/55](#)

and the publications and websites they use to disseminate information about their work.

- A revised set of guidelines to enhance information in WTO Members' notifications about regulatory measures.

Moreover, the current Tenth Triennial Review of the TBT Agreement includes several proposals from 12 Members on topics such as transparency and GRP matters. The aim is to develop the TBT Committee's work plan for 2025-2027.

Mr Aik Hoe Lim also highlighted the benefits of public consultation as a GRP tool, such as:

- Greater public understanding of regulations
- Increased public confidence in the legitimacy of regulatory interventions
- Better quality of regulations
- Avoidance of unnecessary trade restrictions
- Better understanding of assistance needs

In this sense, the WTO TBT Committee is committed to providing capacity building on TBT matters and organizing thematic sessions on different aspects of GRP, including public consultation.

4.1.2. Thailand – Public Consultation and Standards Development

Mrs. Thanaporn Kluabmanee, Chief of the Regional Organizations Group at the Thai Industrial Standards Institute (TISI) provided some insights regarding the implementation of GRP by TISI. Mrs Kluabmanee emphasised that public consultation is vital to policy and regulatory development. As governments have limited and incomplete knowledge and information of economic, social and environmental problems regarding the costs and benefits of the proposed regulation, the inputs or feedback of a wide range of stakeholders are needed to ensure that the proposed regulations, standards and policies will provide the most effective and efficient options delivering a net benefit to the society.

In Thailand's case, Mrs. Kluabmanee identified some problems or needs to be addressed and solved, such as:

- Government policies
- Social and economic needs

- Human, environmental and material safety, quality, reliability.
- Elimination of barriers to trade
- Trade facilitation
- Low-quality products and services
- Propagation of the technological development
- Efficiency improvement in the economy
- Interest in transparency
- Burdensome of consumers, manufacturers, importers
- Cost-effectiveness and cost benefits
- Basic evaluation
- New and emerging trends

Apart from explaining the public consultation process to draft, evaluate and publish technical regulations and voluntary standards in Thailand, Mr. Kluabmanee concluded her presentation by recognizing the pending challenges Thailand face in the implementation of public consultation processes:

- Reaching various groups of participants
- Managing conflict and different opinions
- Ensuring sufficient resources and handling a large amount of data
- Lacking applications for collecting inputs on standards development
- Undertaking Regulatory Impact (RIA) only for Technical Regulations

4.1.3. Chile – Chilean experience in WTO agreement obligations

Mr. Fernando Catalán, Head of the Regulatory Affairs Department at the Ministry of Foreign Affairs of Chile, delivered a presentation on the experience of Chile regarding the implementation of GRP and WTO obligations on this matter.

To begin with, Mr. Catalán provided a brief introduction to the domestic GRP framework in Chile, which includes:

- Transparency Law (20.285/2008)
- Presidential Instructions of Good Regulatory Practices (No. 1 2024 and N°1 2022)
- Chilean Guide for Good Regulation (2019)

Apart from these legal instruments, and to comply with WTO provisions on transparency, Chile has issued the following rules for the implementation of WTO consultation requirements:

- Decree No. 316 of the Ministry of Foreign Affairs (2022) implements Transparency obligations of the WTO TBT Agreement in Chile
- Resolution 6112/2021 Livestock and Agriculture Service. Instructions for WTO SPS Notifications

About the first one, Decree No. 316 establishes the requirements for the preparation, adoption and application of technical regulations and conformity assessment procedures. The scope of this Decree refers to the principles of the TBT Agreement and GRP and formally implements TBT principles: use of international standards, non-discrimination, avoidance of unnecessary technical barriers to trade and transparency. It also includes an extensive procedure for consultation on draft technical regulations and a period for comments (at least 60 days), in line with WTO recommendations. In addition, it lists domestic obligations for regulators in providing relevant information during public consultation (objective of the measure, alternatives considered, advantages and disadvantages, etc.).

This Decree also establishes the TBT Ministerial Committee in Chile, which, apart from promoting GRP and transparency, formalizes and facilitates interministerial coordination on issues, such as:

- WTO TBT Committee participation
- TBT International commitments and obligations
- TBT regulatory policy recommendations
- Domestic position for negotiations in TBT
- TBT Specific Trade Concerns

Highlighting that domestic coordination is key to improving the participation and the quality of comments, Mr Catalán informed about the crucial role the TBT Ministerial Committee has when managing comments to new regulations proposals as it allows to different stakeholders to provide observations to the regulations at an early stage and making the necessary adjustments if applicable, and to keep track of the activities of regulatory bodies. Apart from these activities, the Committee also coordinates the

notification procedure with regulators, monitors regulatory initiatives and provides capacity building on transparency and international cooperation matters.

Based on this experience, Chile identifies the following benefits of public consultation:

- Improve the quality of regulations: greater efficiency of the process and effectiveness
- More predictable regulatory environment: more confidence for trade, agreements, and cooperation
- Avoid unnecessary burdens and costs for the private sector
- Improve conditions for public-private partnership public policy initiatives

Nevertheless, there are still some challenges for consultation:

- Several regulations require permanent supervision and coordination
- Permanent training to stakeholders on international obligations and transparency tools
- More engagement of the private sector in the international consultation process
- Coordination of notifications and promotion of GRP for draft of regulations outside of the government (i.e. congress)
- Domestic level: gaps in implementation among agencies, lack of centralized information.

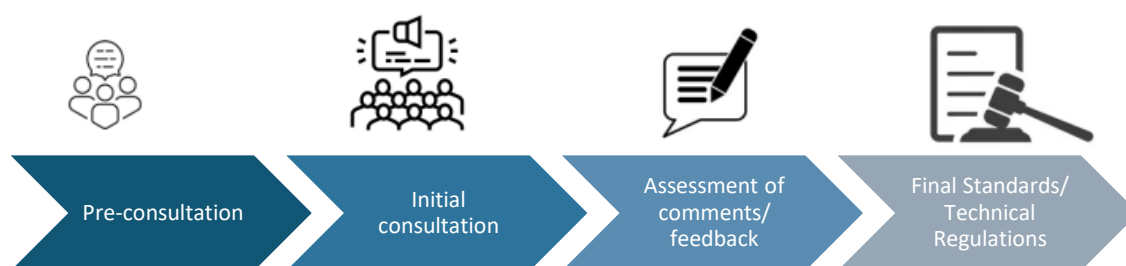
4.1.4. The Philippines – Benefits of Public Consultation on transparency and predictability for trade, economic growth and investment

Ms. Myra Magabilin, Supervising Trade-Industry Development Specialist at the Bureau of Philippine Standards of the Department of Trade and Industry (DTI-BPS), informed about its public consultation activities, such as press releases, webinars, and its good standardization activities.

In particular, Ms. Magabilin explained the public consultation procedures for the drafting and publication of technical regulations and conformity assessment procedures. Under its rule, regulators should ensure and sustain effective and inclusive stakeholder engagement.

Figure 1 shows the procedure:

Figure 1. The Philippines' procedure for public consultation



Source: Bureau of Philippine Standards of the Department of Trade and Industry

To further enhance their public consultation mechanisms, in 2018, the Philippines issued the Republic Act No. 11032 Ease of Doing Business and Efficient Government Service Delivery Act. This Act states that the government shall take appropriate measures to promote transparency in each agency about the manner of transacting with the public for the adoption of simplified requirements and procedures that will reduce red tape and expedite business and non-business transactions in the government.

With this legal framework, public consultation provides several benefits:

- Enhances investor's confidence including foreign investors to conduct trade through increased certainty, transparency and predictability.
- Fosters innovation for sustainability and develops local businesses.
- Reduce financial risk on the part of the investor
- Provides a more conducive business environment by eliminating ambiguous, redundant and overlapping regulations
- Increase compliance rates and enhance market competition

4.1.5. Mexico – Case Study: Small Telecommunications Operators'

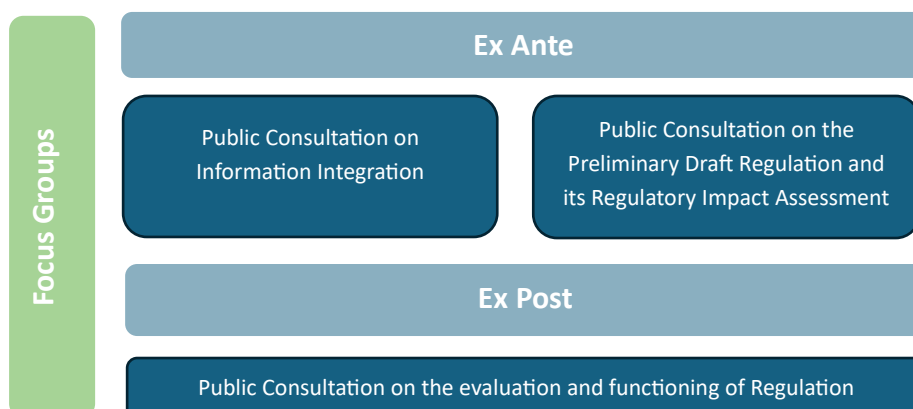
Committee

Mr. Josue Teoyotl, Deputy Director of Technical Analysis and Management of Regulatory Improvement at the Federal Telecommunications Institute provided a real-life example of how the improvement of the regulatory environment has a positive impact on the quality of services provided to the citizens.

In Mexico's case, the Federal Telecommunications Institute (IFT) is an autonomous constitutional body whose mission is the efficient development of telecommunications and broadcasting in Mexico. The IFT has implemented public consultation mechanisms

to collect information, comments, opinions, contributions or other elements of analysis on an issue of interest, on a proposed regulatory act or on how to apply and implement a regulation. Mr Teoyotl mentioned that the IFT develops different types of public consultation depending on the level of the public policy problem to be assessed or solved. One of these practices is interviews with the stakeholders through a focus group.

Figure 2: Mexico's example of the use of focus groups for public consultation



Source: Mexico's Federal Telecommunications Institute

For instance, to design the operating rules of the Small Telecommunications Operators Committee, and intending to promote transparency and encourage citizen participation, the IFT carried out a public consultation process in 2022 from 28 October to 25 November, which resulted in the reception of various contributions that were evaluated and used to strengthen the rules. Comments were received from a range of industry chambers, telecom companies, community and indigenous concession holders, as well as from private individuals and industry experts.

Another important GRP that the IFT applies is collaborative regulation, which is a tool that enables regulators to enhance and strengthen their public consultation processes by actively involving a diverse array of stakeholders in the development of new regulations. This approach promotes citizen participation and facilitates the exchange of knowledge and diverse perspectives. It not only enriches the quality and relevance of proposed regulations but also increases the transparency and legitimacy of the regulatory process. In this context, the need to form a Small Telecommunications Operators Committee was raised.

For this, during 2023, the IFT conducted diverse focus groups with relevant members of the sector, Chambers, Associations and potential members of the Committee. The aim

was to present its project for the integration of a Small Telecommunications Operators Committee and to listen and receive first-hand comments, suggestions and points of view. This helped the IFT to make better-informed decisions on this matter of interest, thereby promoting transparency in the development of public policy and facilitating two-way communication with industry members.

At the end of 2023, the Plenary Assembly of the IFT approved the agreement which established the Committee of Small Telecommunications Operators and its rules. The Committee is a specialized technical support body for the Federal Telecommunications Institute in the field of telecommunications. It is of an advisory, non-binding and permanent nature, allowing interaction between this autonomous constitutional body and the members of the industry, defined as small operators.

4.2. Session 2: Peru’s Experience on Improving Public Consultation

4.2.1. The United States – Peru Regulatory Public Consultation Pilots

Mr. Nathan Frey, Principal at Nathan Associates, provided a brief overview of the U.S. Project “Advancing Good Regulatory Practices to Reduce Barriers to Trade” (SCSC 07 2022S), to which Peru was a beneficiary. This project aimed to demonstrate the practical, real-world application of public consultation methodologies for pending priority Peruvian regulations. For this, pilots were used to develop a systematic approach and replicable model, that provided support to the Government of Peru in its whole of government initiative to implement mandatory public consultation for future regulatory actions.

Mr Frey further developed the methodology applied for this project:

- They conducted key government ministry and stakeholder interviews to identify factors that influence stakeholder participation in the regulatory process
- The Ministry of Production (PRODUCE) and the Ministry of Environment (MINAM) were selected as pilot agencies. Specifically, one regulation from each regulator was selected as a test case for a public consultation exercise
- Consultants assisted each agency in conducting consultations with regulatory stakeholders and informed results.
- Consultants developed guidance to facilitate government-wide training in public consultation.

The guidance provided by the consultants can be summarized in three stages: planning, implementation, collecting information and informing results. In the case of MINAM, the National Air Quality Law was selected as a pilot for a test on public consultation. In this sense, consultants worked with MINAM to identify the stakeholder mapping and to narrow the scope of the consultation. This helped MINAM to develop its consultation work plan. PRODUCE selected its domestic registry for public procurement for SME Manufacturers as its pilot. Consultants helped to design the proposal for the regulatory public consultation and the development of the consultation plan. Thanks to these efforts, in-person consultations were carried out with government procurement agencies and industry trade associations.

In addition, this project included a series of trainings which aimed to replicate the pilot experiences for additional Peruvian agencies and regulations. The purpose of this was to train officers from the Public Management Secretariat of Peru to be the next trainers and promote the use of Early Regulatory Agenda to identify appropriate, timely public policy problems, apart from the socialization of the public consultation process to other stakeholders.

From this experience, Mr. Frey identified the following lessons learned:

- Importance of internal planning for the consultation plan
- Managing agency resources effectively
- Adaptability and Flexibility to each regulation and each group of stakeholders.
- Guidance is helpful, but training is essential for continuity

4.2.2. Peru – Public Consultation in Peru

Mrs. Elizabeth Vitón, Undersecretary for Simplification and Regulatory Analysis, explained the functions and responsibilities of the Public Management Secretariat (SGP). SGP is responsible for conducting regulatory quality actions to ensure better regulations and greater well-being of society.

Figure 3: SGP's functions and line of actions

| Functions | Lines of Action |
|---|--|
| <ul style="list-style-type: none">•Design and implement innovative strategies, regulations, guidelines, mechanisms and tools•Issue technical opinion on legal consultation•Provide assistance and training to raise awareness among public entities•Promote, lead and evaluate the application of regulatory quality instruments | <ul style="list-style-type: none">•Regulatory Quality Analysis (RQA)•Regulatory Impact Analysis (RIA) - Progressive and mandatory since June 2022•Early Agenda - Progressive and mandatory since January 2023•Public Consultation - Progressive and mandatory since June 2022 |

Source: Peru's Public Management Secretariat

Mrs Vitón further emphasised the instruments for citizen participation:

- Early Agenda: It allows the planning of public problems prioritized by public entities during a fiscal year. This GRP tool allows for greater predictability, programming and transparency of draft regulations.
- Public Consultation: It collects relevant information, contributions and/or feedback from stakeholders in two stages:
 - o Early Consultation: To identify public policy problems, objectives and possible alternative solutions
 - o Regulatory Consultation: To assess the development of the regulation and the compliance and evaluation mechanisms

In this context, SGP stated that even though progress has been made in promoting the use of these tools, there are still some challenges due to the low culture of regulatory planning in Peru.

Figure 4: Improvements and Challenges in the implementation of the early agenda and public consultation in Peru

| | Improvements | Challenges |
|----------------------------|---|---|
| Early Agenda | <ul style="list-style-type: none"> ✓ 59 Early Agendas approved and published ✓ 502 prioritised public problems | <ul style="list-style-type: none"> ➔ Low level of implementation of the Early Agenda ➔ Changing Priorities from High-Level Management ➔ Low Culture for Regulatory Planning |
| Public Consultation | <ul style="list-style-type: none"> ✓ 3 early consultation processes through workshops, meetings with experts, emails, etc. ✓ 11 regulatory consultation processes through regulatory pre-publication. | <ul style="list-style-type: none"> ➔ Short time for the development of the consultation ➔ Lack of trained staff ➔ Bias in consultation methodologies ➔ Low level of stakeholder engagement ➔ Lack of a system to consolidate information from stakeholders |

Source: Peru's Public Management Secretariat

Mrs. Vitón also recognized the benefits of public consultation:

- Provides predictability and legitimacy
- Improves the quality of the decision-making process
- Increases trust in the State
- Increases transparency
- Provides relevant information
- It allows the development of regulations to be based on the needs of society

It was also mentioned the work that the SGP is carrying out to bring those benefits to the public entities and stakeholders:

- Public Entities:
 - Capacity Building
 - Sensitization
 - Practical Guides
 - Improve Internal Processes
 - Sustainability Management
- Stakeholders:
 - Sensitization
 - Communication Mechanisms

- Mechanisms for Participation and Involvement

4.2.3. Peru – Early Public Consultation to improve the implementation of Law N° 31578

Ms. Mariela Rivero, Specialist at the Ministry of Production (PRODUCE), presented information regarding the consultation for the Law N° 31548 Law that promotes the economic reactivation of small and micro manufacturing enterprises (SMEs) through public procurement. This Law mandates that public entities must allocate a portion of their purchases of goods to manufacturing SMEs that are registered in the National Manufactured Products Registry.

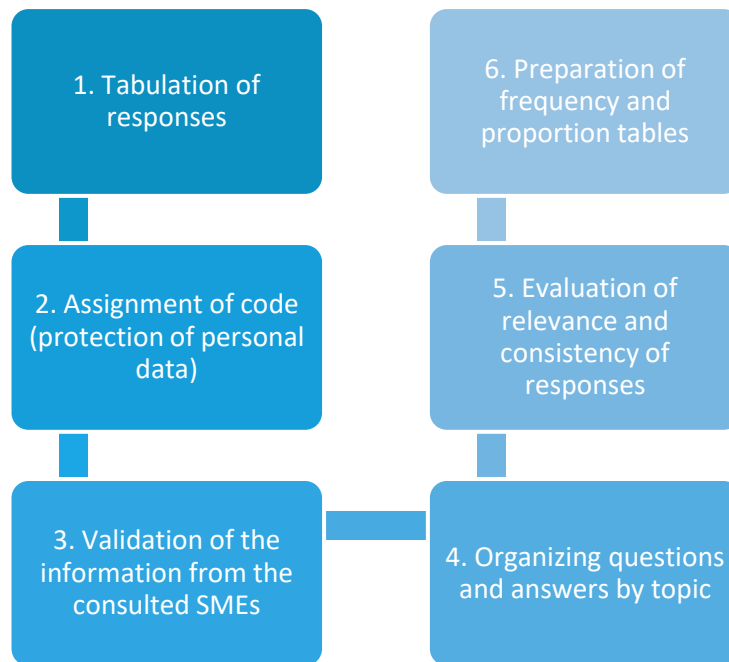
In this context, PRODUCE identified the objectives of early public consultation to:

- Validate the public problem
- Identify the controversial and sensitive aspects of the “National Manufactured Products Registry”
- Validate alternatives for the dissemination of the offer of products manufactured by SMEs to allow the development of a regulatory proposal following the results.

As a first step, PRODUCE established a procedure for the selection of public and private key stakeholders to be consulted. Following that, it selected a methodology tool for consultation. Given the complexity of the topic, participatory and personalized interaction tools were mainly chosen for the consultation process, which would allow queries to be explained and answered at the time, such as virtual interviews, face-to-face meetings and workshops.

Another tool used was a Feedback Matrix. The 770 comments received reflected the opinions of the 152 people consulted, from the 8 interest groups. Figure 5 reflects the procedure for the development of the Feedback Matrix.

Figure 5: PRODUCE's procedure for the development of the Feedback Matrix



Source: Peru's Ministry of Production

Once the comments were collected, each of the 770 of them was evaluated by a multidisciplinary team from the General Directorate of Business Development of PRODUCE. The criteria for accepting or rejecting comments have been relevance (whether the response is related to the subject matter consulted) and consistency (when the responses present a logical causal relationship between them). The comments, suggestions and contributions that have been received were valuable inputs for the conclusions on the validation of the public problem, its sensitive aspects and other alternatives to the National Manufactured Products Registry. 74% of the comments received were accepted and reflected in the Feedback Matrix.

The public consultation process for this proposed regulation was successful. Ms Rivero explained that the participation of stakeholders for the National Manufactured Products Registry was majority, achieving transparency, predictability, openness and active participation of those consulted in the process.

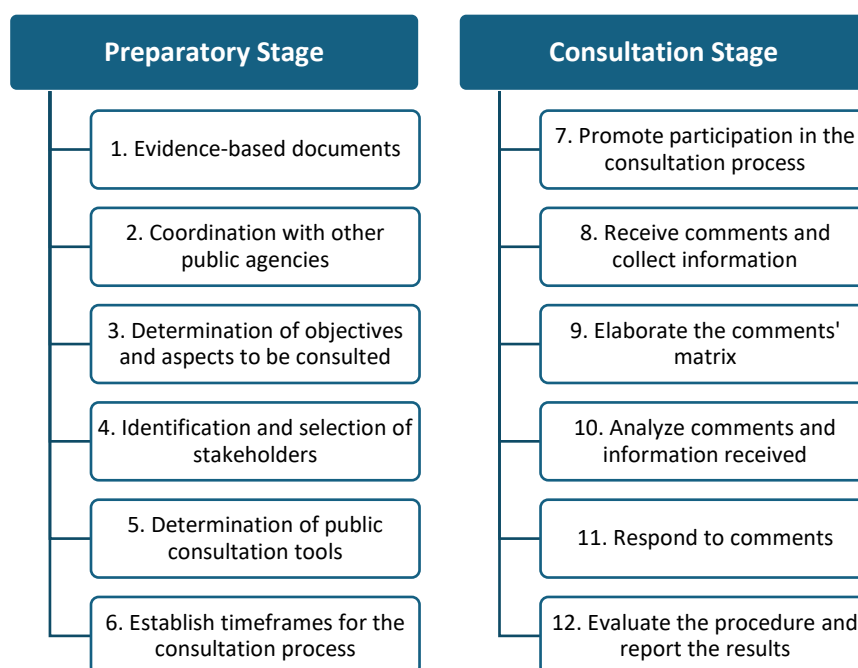
4.2.4. Peru – Regulatory Impact Analysis in the Integral Management of Air Quality

Mr. Hugo Velásquez, Specialist on Environmental Quality and Eco-efficiency at the Ministry of Environment (MINAM), shared MINAM experience and the challenges faced

when implementing the regulatory impact analysis in the Integral Management of Air Quality.

Recognizing that the deterioration of air quality is a public issue, MINAM identified the need to contribute to the solution of this problem that directly affects citizens' well-being. For this, an ex-ante RIA process was proposed with the guidance of the consultants in the framework of the Project “Advancing Good Regulatory Practices to Reduce Barriers to Trade” (SCSC 07 2022S)”. Mr. Velasquez informed us that, currently, this issue is under early public consultation. As shown in Figure 6, MINAM divided this early public consultation into two stages:

Figure 6: Steps followed by MINAM in the Early Public Consultation



Source: Peru's Ministry of Environment

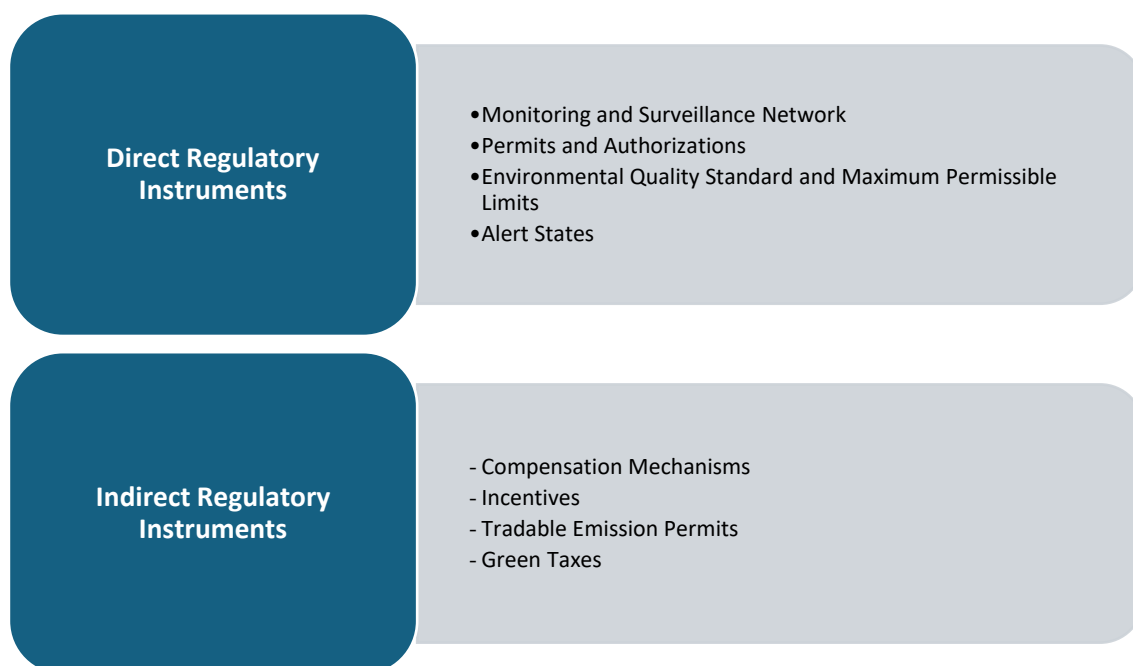
Based on the results found during these stages, MINAM analyzed four alternatives to address the problem of deterioration of air quality:

- Do not regulate
- Draft a regulation
- Provide economic incentives
- Elaborate voluntary schemes

Considering political, social and administrative availability, the most efficient alternative was to draft a regulation. In addition, public consultation carried out by MINAM helped

to discover more findings regarding citizen’s perception of air quality. For instance, stakeholders identified the need for more monitoring and surveillance networks, tax incentives, permits and authorizations, among others. This exercise contributed to establishing the institutional framework to carry public consultation for further initiatives by classifying the direct and indirect regulatory instruments related to air quality that MINAM has to manage.

Figure 7: MINAM’s Regulatory Instruments



Source: Peru’s Ministry of Environment

4.2.5. The United States – Practical Guide

Mr. Rodrigo Soto, Consultant at Nathan Associates, provided a brief summary of the Practical Guide as a result of the Project “Advancing Good Regulatory Practices to Reduce Barriers to Trade” (SCSC 07 2022S).

Mr. Soto indicated that the guide focuses on the planning, implementation, and information capture and processing stages of Public Consultation. The objectives of this tool are to:

- Build on previous efforts and existing resources in Peru.
- Explain the consultation process in an easy-to-follow way.
- Promote the application of public consultation processes systematically and consistently.

- To transfer knowledge based on practical experience learned from the pilot efforts.

Commenting on this project, Mr Soto also shared lessons learned based on the experience of MINAM and PRODUCE:

- Adequate agency training and resources: Technical teams may not be familiar with the methodological requirements of the consultation process or have adequate resources to implement it.
- Importance of internal planning: To define the scope of the consultation and to develop the consultation plan before approaching stakeholders.
- Adaptability and flexibility: To be ready to change when issues arise regarding the consulting method, the query tools, or when dealing with new challenges.
- Institutional strengthening: Through training and new hires, in addition to the use of local consultants when necessary.
- International Cooperation: To ensure access to international resources and cooperation when available.

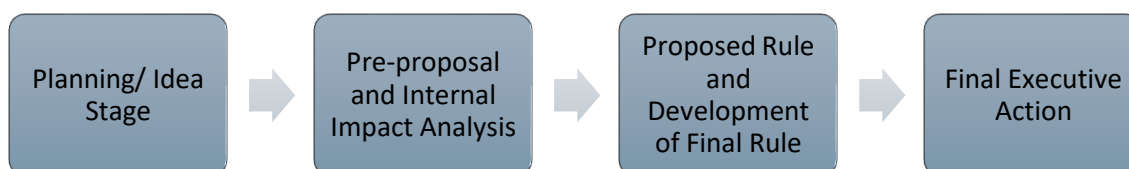
4.3. Session 3: Innovations in Public Consultation Mechanisms

4.3.1. *The United States – Public Access to Information related to Rulemaking*

Ms. Victoria Waite, Director of WTO and Multilateral Affairs at the Office of the U.S. Trade Representative, shared a presentation on the United States Regulatory Development and how to access public information related to rulemaking processes.

Ms. Waite introduced the United States Executive Branch Regulatory Development, which is divided into 4 stages:

Figure 8: Stages of Regulatory Development



Source: United States Executive Branch

These stages are also reflected in the United States legal framework for Public Consultation:

- Federal Register Act of 1935: The Federal Register is the official daily publication for final rules, proposed rules, and notices of Federal agencies and entities.
- Administrative Procedure Act of 1946 (APA): Requires agencies to conduct a “notice and comment” process in which they provide all members of the public (U.S. and foreign) with notice of a proposed regulation and an opportunity to comment on it. Before agencies issue a final regulation, they must respond to the public comments and ensure that the final regulation is a logical outgrowth of the proposal, is supported by the administrative record, and is not arbitrary.
- E-Government Act of 2002: Requires agencies to publish on a single, freely accessible U.S. government website all information that must be published in the Federal Register under the APA. Agencies must accept electronic public comments and other input and place them in an electronic docket that is publicly accessible online.

Regarding public access to information related to rulemaking, Ms. Waite shared several tools developed by the United States. First, the webpage and mobile app [reginfo.gov](https://www.reginfo.gov)¹² were shown. This online tool allows users to more easily find information about the status of federal regulations and information collection requests. Users can view current and historical information about rulemaking; view detailed information Office of Information and Regulatory Affairs’ (OIRA) pending and concluded reviews of significant rulemaking; browse the log of past and upcoming public meetings about regulations under OIRA reviews; and view detailed information about pending information requests that are with OIRA. Users can also view an interactive visual timeline of the development of a particular rule throughout the review process, as well as subscribe to individual regulatory entries for updates on progress, including when regulatory actions formally arrive at OIRA for review.

Additionally, Ms. Waite shared the Federal Register webpage¹³, which is the daily official journal of the United States and contains government agency rules, proposed rules and

¹² U.S. Office of Information and Regulatory Affairs, ‘Reginfo.Gov’ <<https://www.reginfo.gov/public/>> accessed 6 January 2025.

¹³ ‘Federal Register: The Daily Journal of the United States Government’ (*Federal Register*) <<https://www.federalregister.gov/>> accessed 6 January 2025.

public notices. This website was developed to make it easier for citizens and communities to understand the regulatory process and to participate in government decision-making.

Furthermore, Ms. Waite reported that, pursuant to the requirement of the E-Government Act of 2002 for a dedicated, freely, accessible website, [regulations.gov](https://www.regulations.gov)¹⁴ was established. This online tool enables electronic submissions and contains public comments, notices of proposed regulations, analyses and evidence relied upon.

Ms. Waite concluded her presentation by reflecting on the importance of making regulations more approachable and accessible to the citizens as they are the first directly impacted by the regulations.

4.3.2. National Society of Industries (Peru) – Innovations in Public Consultation Mechanisms

Mr. Marcelo Valverde, Deputy Manager for Food Committees at the National Society of Industries (SNI), shared a private sector perspective on the several innovation tools in public consultation mechanisms in Peru.

Mr. Valverde started his presentation by reflecting on the importance of TBT and SPS notifications. While highlighting that these documents promote transparency and predictability of the international regulatory framework, Mr Valverde pointed out that the increase in notifications is directly correlated with the increase of regulations; however, solving a public issue does not always require a regulatory solution. To decide whether to draft a regulation or not, Mr. Valverde reflected if this decision is consulted with the stakeholders and when it is consulted, if during the drafting stage or when it is already notified for comments, in the case of TBT and SPS measures.

Regarding TBT and SPS notifications, Mr. Valverde observed that APEC economies have already made recommendations to improve the quality of information submitted in these documents to address the challenges regarding the predictability and transparency of new regulations that may affect trade.

From a private sector perspective, Mr. Valverde suggested strengthening multisectoral coordination, promoting the use of technological tools for public consultation mechanisms and implementing RIA to ensure effective regulations.

¹⁴ ‘Regulations.Gov’ <<https://www.regulations.gov/>> accessed 6 January 2025.

4.3.3. Public Management Secretariat (Peru) – Innovations in Public Consultation Mechanisms

Mr. Nelson Riva, Specialist on Regulatory Simplification and Ms. Ana Sofía del Carpio, Regulatory Quality Coordinator at the Public Management Secretariat shared a presentation about the recent developments in the incorporation of technology tools in the processes of public consultation in Peru. Some of these e-tools included:

Figure 9: E-tools used by Peru’s Public Management Secretariat

| Tools | Benefits |
|----------------------------------|--|
| Digital Platforms | Accessibility, Fast data analysis, broad audience, immediate interaction. |
| Mobile Apps | Participation from anywhere, real-time notifications, easy coordination, and instant voting. |
| Emerging Technologies (AI tools) | Personalization, pattern detection, immersive visualization, enhanced compression |
| Real-time participation tools | Co-creation, instant idea sharing, direct interaction, real-time engagement |

Source: Peru’s Public Management Secretariat

Highlighting these benefits, representatives from the Public Management Secretariat explained how these tools play a crucial role in enhancing citizen participation, transparency, and the effectiveness of decision-making, shaping the process to be more accessible, inclusive and effective.

Regulators in Peru have made progress in their public consultation processes by including these tools in their procedures. Nevertheless, there are still some challenges to take into consideration:

- Participants should have a good understanding of the topic subject to the consultation to complete the information required.
- Participants should be able to see the progress of the consultations, such as the preliminary results, and to see how their contributions are being used. This way, stakeholders will increase their trust in the process.
- Information must be processed and analysed within a reasonable timeframe.

- Bias or manipulated information must be avoided.
- In some cases, access to technology might be difficult for some stakeholders so the public consultation strategy should be flexible for these groups to avoid digital equality.
- Regulators must ensure the participation of all representative sectors of society.
- As technology keeps changing through time, it is necessary to adapt guides and tools to these new trends.

4.4. Session 4: Cooperation in the APEC region to support Public Consultation

4.4.1. World Trade Organization – ePing as a tool to foster Good Regulatory Practices

Mr Lim started his presentation by emphasizing that transparency is a founding pillar of global trade. A transparent regulatory framework facilitates trade by enhancing clarity and predictability and reducing trade disruptions. Transparency also improves accountability and responsiveness of the regulatory system, apart from demonstrating a functioning system.

In the WTO framework, the TBT Agreement establishes transparency obligations such as the notification of draft regulations, publication of regulations, and the establishment of a domestic enquiry point, among others. To help WTO Members facilitate this work, WTO created the ePing platform, a webpage where WTO Members Enquiry Points, producers, exporters, government agencies, associations and other interested parties have access to relevant information related to SPS and TBT notifications.

Through ePing, users can:

- Search notifications about regulatory requirements and other documents
- Comment on new proposed regulations
- Register and receive email/phone alerts on notifications based on product/market preferences
- Access to Enquiry Point and Notification Authority contact information
- Access to public facts and figures: WTO Member profiles, statistics and reports.

Mr Lim also informed about ePing main functions for the Enquiry Points such as:

- Submit notifications online about new or updated regulatory measures

- Follow up discussions and comments on regulations and certification procedures from domestic and international stakeholders
- Facilitate communication between interested stakeholders and Enquiry Points
- Share or request information on notifications of regulatory measures, such as comments/replies, translations, etc.

The benefits of ePing can be summarized as the following:

- Progressive ever-evolving digital tool
- Prompt access to regulatory information
- Communication and coordination with all stakeholders
- Tool to foster public consultations and GRP in general

4.4.2. Peru – Cooperation, Representation and Inclusivity

Ms. Elizabeth Vitón shared her views on cooperation, representation and inclusivity among APEC economies in order to improve public consultation processes in the region.

Regarding cooperation, Ms. Vitón highlighted the importance of establishing collaboration networks among APEC economies to exchange experiences, challenges, and solutions in public consultation. She suggested organising seminars, workshops, and conferences where experts from different economies can present their public consultation approaches, discuss best practices, and explore new ideas to enhance processes. Furthermore, Ms. Vitón encouraged APEC economies to develop and distribute guides and manuals that capture best practices in public consultation.

Reflecting on how we can ensure that the opinions collected are representative of diverse stakeholders, Ms Vitón stated that it is key to ensure that participants in the public consultation represent a range of demographic groups, including gender, age, ethnicity, socioeconomic status, and geographic location. Moreover, public consultation processes must provide equitable access to information; for instance, translating materials into different languages and adapting formats for people with disabilities. Another recommendation is to have facilitators with experience in cultural diversity to ensure equitable representation and accurate interpretation of opinions. It should be noted that each consultation process should be tailored according to the target audience.

Ms. Vitón also provided some suggestions on how to ensure that public consultation procedures are inclusive of everyone and incorporate a gender perspective. First of all,

the gender perspective should be incorporated throughout all phases of the consultation process. This involves crafting questions that specifically address the experiences and needs of different genders and analyzing collected data through a gender lens. She emphasized the importance of using digital tools and emerging technologies, as well as strengthening soft skills to promote assertive communication to the target audience.

4.4.3. The United States – APEC Trends in Public Consultation and Reaching More Stakeholders

During the Panel, Mr. Nathan Frey shared his view on APEC economic trends in public consultation. Mr Frey noted that most of the stakeholders find out about public consultation procedures when it is published on the regulator's website or through social media. This shows the importance of using online tools to reach out to stakeholders to gather their views on the proposed regulations.

Mr Frey indicated that focus groups, public meetings, surveys, websites and social media are among the methods used to collect information from stakeholders. However, he drew attention to the need to reach out to the right target audience. Sometimes quantity does not imply quality of information. To address this issue, Mr Frey pointed out the importance of designing and choosing the right public consultation mechanisms for each group of stakeholders, given that each group might come from different backgrounds or could have different levels of understanding related to the proposed regulatory measure. In line with this, Mr Frey also reflected on how MINAM and PRODUCE ensured that their public consultation processes reflected minorities' perspectives.

Finally, Mr Frey concluded by encouraging APEC economies to continue collaborating with each other and presenting more projects related to GRPs in order to extend the understanding of the importance of incorporating these mechanisms in their economies' regulatory cycles.

4.4.4. Association of Exporters (Peru) – Private Sector Experience and Recommendations for APEC economies

Mr. Diego Llosa, Central Export Manager at the Association of Exporters (ADEX), recognized that, even if progress has been made, there are still some challenges that the private sector faces when participating in public consultation processes.

Nevertheless, Mr. Llosa shared examples of successful collaborations between the public and private sectors that reflect the efforts to improve public consultation processes. For instance, Peru has established the mechanism of “Mesas Ejecutivas”, where regulators and representatives of the private sector discuss new regulatory proposals for specific sectors such as food exports, fisheries and tourism. This mechanism has provided a space where stakeholders can participate from the beginning of the drafting of the regulation until its implementation, by sharing their concerns, ideas and suggestions on the matter.

Mr. Llosa also recognized the importance of incorporating digital tools in public consultation processes. For example, the ePing Tool and MINCETUR TBT Notifications Platform are the most used tools among Peruvian private sector associations to be informed about proposals of new technical regulations and conformity assessment procedures. However, there is still a large group of SMEs that are not aware of these tools that could help them to be better informed and prepared for new regulatory changes.

Finally, Mr. Llosa encouraged APEC economies to continue working on projects such as workshops, studies, and dialogues that facilitate discussions on GRP matters among the private and public sectors.

5. Best Practices proposed by Peru

Based on the discussions and ideas shared during the workshop, Peru proposes the following best practices to be considered by APEC economies:

- Tailor Consultation to Stakeholder Needs: Use diverse consultation methods to collect the varying preferences, views and understanding of stakeholders. Ensure language accessibility and cultural sensitivity, particularly for indigenous and minority groups.
- Leverage digital tools and platforms: Use online platforms to disseminate information, collect feedback, and engage a broader audience, including minorities and remote communities. Implement user-friendly interfaces and data analytics to evaluate public inputs effectively.
- Promote early and continuous engagement: Engage stakeholders at the earliest stages of the regulatory cycle and maintain dialogue throughout the process.

- Enhance Interagency Collaboration: Coordinate across government agencies to align consultation efforts, avoid duplication, and provide a unified approach to stakeholder engagement.
- Follow-up on consultation outcomes: Develop mechanisms to assess the effectiveness of consultation processes regularly. Publish reports summarizing stakeholder input, government responses, and subsequent policy adjustments, enhancing transparency and trust.

6. Recommendations

- Develop guidelines to improve the identification of stakeholders: A set of guidelines for determining the stakeholders from the beginning of the regulatory cycle can ensure the effectiveness of the public consultation process, as it will target the right group of stakeholders.
- Promote collaborative workshops to share the best examples of stakeholder engagement: Sharing lessons learned from APEC economies to design consultation processes to be inclusive of all stakeholders, considering language, cultural differences, and accessibility needs.
- Continue to embrace digital innovation: Create platforms during APEC meetings to have discussions on this topic to spread knowledge and understanding of the importance of using innovative tools to broaden outreach, simplify participation, and gather diverse feedback efficiently.
- Foster Continuous Dialogue in the APEC forum: GRPs should be a transversal topic among APEC meetings, ensuring the engagement of all relevant stakeholders.
- Promote Capacity Building: Cooperation among APEC economies to Provide training for government officials and stakeholders to improve understanding of effective consultation practices.
- Align with international standards: Collaborate among APEC economies, and international organizations, to exchange experiences, share resources, and develop collective strategies for consultation.

References

- Asia-Pacific Economic Cooperation (APEC), ‘Lima Roadmap to Promote the Transition to the Formal and Global Economies (2025-2040) | 2024 APEC Leaders’ Machu Picchu Declaration’ (APEC) <[https://www.apec.org/meeting-papers/leaders-declarations/2024/2024-apec-leaders'-machu-picchu-declaration/lima-roadmap-to-promote-the-transition-to-the-formal-and-global-economies-\(2025-2040\)](https://www.apec.org/meeting-papers/leaders-declarations/2024/2024-apec-leaders'-machu-picchu-declaration/lima-roadmap-to-promote-the-transition-to-the-formal-and-global-economies-(2025-2040))> accessed 5 January 2025
- ‘Federal Register: The Daily Journal of the United States Government’ (*Federal Register*) <<https://www.federalregister.gov/>> accessed 6 January 2025
- OECD, *OECD Public Governance Reviews Trust and Public Policy How Better Governance Can Help Rebuild Public Trust: How Better Governance Can Help Rebuild Public Trust* (OECD Publishing 2017)
- ‘Regulations.Gov’ <<https://www.regulations.gov/>> accessed 6 January 2025
- UN Trade and Development (UNCTAD), ‘Assessing Cost-Effectiveness of Non-Tariff Measures – A Toolkit’ (2020) <https://unctad.org/system/files/official-document/ditctabinf2020d7_en.pdf> accessed 5 January 2025
- U.S. Office of Information and Regulatory Affairs, ‘Reginfo.Gov’ <<https://www.reginfo.gov/public/>> accessed 6 January 2025
- World Trade Organization, ‘WTO TBT Enquiry Point Guide: Making Transparency Work’ (2018) <https://www.wto.org/english/tratop_e/tbt_e/tbt_enquiry_point_guide_e.pdf> accessed 5 January 2025
- , ‘Decisions and Recommendations Adopted by the WTO Committee on Technical Barriers to Trade since 1 January 1995 - G/TBT/1/Rev.15’ (15 November 2022) <<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/TBT/1R15.pdf&Open=True>> accessed 5 January 2025
- , ‘Ministerial Declaration on Strengthening Regulatory Cooperation to Reduce Technical Barriers to Trade - WT/MIN(24)/35; WT/L/1190’ (4 March 2024) <<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/MIN24/35.pdf&Open=True>> accessed 5 January 2025
- , ‘Ministerial Declaration on the Precise, Effective and Operational Implementation of Special and Differential Treatment Provisions of the Agreement on the Application of Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade - WT/MIN(24)/36; WT/L/1191’ (4 March 2024)

<<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/MIN24/36.pdf&Open=True>> accessed 6 January 2025

——, ‘Guidelines on Conformity Assessment Procedures Non-Prescriptive Practical Guidelines to Support Regulators in the Choice and Design of Appropriate and Proportionate Conformity Assessment Procedures - G/TBT/54’ (19 March 2024)
<<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/TBT/54.pdf&Open=True>> accessed 5 January 2025

——, ‘Guidelines For Submitting Article 15.2 Notifications - G/TBT/55’ (21 March 2024)
<<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/TBT/55.pdf&Open=True>> accessed 5 January 2025

——, ‘Commenting on a TBT Notification: Good Practice Guide - G/TBT/GEN/386’ (11 June 2024)
<<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/G/TBT/GEN386.pdf&Open=True>> accessed 6 January 2025

Appendix I: Conference Agenda



Workshop on APEC experiences on Good Regulatory Practices: Improving Public Consultation (SCSC 01 2024T)

14 August 2024, 08:30 – 17:30

Lima Convention Center, Room Huallamarca – 4th Floor

Lima, Peru

Agenda

| Time | Agenda item |
|--|---|
| 8:30 – 9:00 am | Registration |
| 9:00 – 9:10 am | Opening & Welcome Remarks Ms. Rocío Barreda , PO & Director of Technical Requirements for Foreign Trade, Peru |
| 9:10 – 9:20 am | Group Photo |
| Session 1: Public Consultation as a GRP tool for policy development | |
| 9:20 – 10:50 am | Through Public Consultation, regulators collect and consider input from stakeholders on a proposed regulatory action at an early stage, and incorporate that input if it helps to meet the public policy objective. In this session, experts will present the benefits of Public Consultation on transparency and predictability for trade, economic growth and investment. |
| | <u>Speakers:</u> |
| | WTO , Mr. Aik Hoe Lim, Director of Trade and Environment Division |
| | Thailand , Mrs. Thanaporn Kluabmanee, Chief of Regional Organizations Group – Thai Industrial Standards Institute |
| | Chile , Mr. Fernando Catalan, Head of Regulatory Affairs Department – Undersecretariat of International Economic Affairs |
| | The Philippines , Ms. Myra Magabilin, Supervising Trade-Industry Development Specialist – Department of Trade and Industry-Bureau of Philippine Standards |
| | Mexico , Mr. Josue Teoyotl Calderón, Deputy Director of Technical Analysis and Management of Regulatory Improvement – Federal Telecommunications Institute |
| | Q&A |
| 10:50 – 11:00 am | Coffee Break |
| Session 2: Peru's Experience on Improving Public Consultation | |

| Time | Agenda item |
|---|---|
| 11:00 am – 12:30 pm | In this session, Peru will share its experiences in implementing new approaches to improve public consultation for regulatory procedures. Speakers will inform about the mechanisms they are implementing to conduct efficient, accessible and inclusive consultations. |
| | <u>Speakers:</u> |
| | US-SEGA , Mr. Nathan Frey, Principal |
| | Peru , Ms. Elizabeth Viton, Undersecretary for Simplification and Regulatory Analysis – Public Management Secretariat |
| | Peru , Ms. Mariela Rivero, Specialist – Ministry of Production |
| | Peru , Mr Victor Hugo Velásquez, Specialist – Ministry of Environment |
| | US-SEGA , Mr. Rodrigo Soto, Consultant |
| | Q&A |
| 12:30 – 2:00 pm | Lunch |
| Session 3: Innovations in Public Consultation Mechanisms | |
| 2:00 – 3:30 pm | How to promote the use of technologies during the public consultation process? What challenges must policymakers consider? Public and private sector representatives will discuss ideas to implement new technology tools during the process of public consultation and what are the benefits of it for stakeholders. |
| | <u>Speakers:</u> |
| | The United States , Ms. Victoria Waite, Director WTO and Multilateral Affairs – Office of the U.S Trade Representative |
| | Peru , Mr. Marcelo Valverde, Deputy Manager for Food Committees – National Society of Industries |
| | Peru , Mr. Nelson Riva, Specialist on Regulatory Simplification and Ms. Ana Sofía del Carpio, Regulatory Quality Coordinator – Public Management Secretariat |
| | Q&A |
| 3:30 – 4:00 pm | Coffee Break |
| Session 4: Cooperation in the APEC region to support Public Consultation | |
| 4:00 – 5:15 pm | This session will allow public and private sector representatives to explore further initiatives to promote Public Consultation in the APEC region. In addition, economies will have the opportunity to inform about current activities in order to support economies in building GRPs for Public Consultation. |
| | <u>Moderator:</u> Ms. Claudia Rosas , TBT Specialist, Peru |
| | <u>Panel:</u> |
| | WTO , Mr. Aik Hoe Lim, Director of Trade and Environment Division |
| | Peru , Ms. Elizabeth Viton, Undersecretary for Simplification and Regulatory Analysis – Public Management Secretariat |
| | Peru , Mr. Diego Llosa, Central Export Manager – Association of Exporters |

| Time | Agenda item |
|----------------|---|
| | US-SEGA , Mr. Nathan Frey, Principal Q&A |
| 5:15 – 5:30 pm | Closing Remarks Ms. Mariella Amemiya , General Director of Foreign Trade Development Policies, Peru |