




European Bank for Reconstruction and Development

EBRD Procurement Policy reform activities

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OSCE Dublin
April 2012

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EBRD Public procurement principles

The Bank share the same procurement principles as most IFIs

But:

- Explicitly aligned to principles of WTO Government Procurement Agreement
- Eligibility to participate is open to firms from all countries including non-shareholder countries (except countries subject to UN Chapter VII sanctions)
- Specific rules for sub-sovereign clients
- Only restriction is capability to fulfil the contract
- No domestic preference allowed
- Only internationally recognised contracts can be used
- Procurement principles for private sector procurement
- Separate concession policy for engagement with the private sector party of a concession arrangement

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EBRD procurement policy considerations



- “International best practice” in procurement are high level principles only. The devil is, as always, in the details and regulations and procedures needs to be according to “best fit”. What is best practices in the Swedish environment is not necessarily best for, as an example, the Russian Federation.
- IFI procurement rules differs as IFI’s have different objectives, related policies and statues. This provides the limit for harmonisation (examples are eligibility, definition of prohibited practices, type of financing instruments used)
- The “traditional” IFI procurement procedures are still relevant and fulfils an important role but as more IFI are moving towards sub-sovereign and private sector financing or other types of lending programmes the importance of good local regulations and business practice increases in importance for Bank financing.
- Third party monitoring is key to ensure transparent and fair procedures. Not only by regulatory bodies but also by civil society.
- A lot has already been done to focus on the procurement process, more has to be done on contract implementation.
- Some less developed countries are emerging in the forefront in terms of regulation and implementation even surpassing developed countries and IFI’s in terms of use of e-procurement and alternative procurement methods.

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Country procurement framework dialogue



- The first ever EBRD public procurement sector assessment (including remedies procedures) was conducted in 2010 as part of the EBRD’s efforts to promote sound business practices in its countries of operations. The assessment of the public procurement sector, in line with the mission of the EBRD, intends to address efficiency and economy of the procurements and offer more insight into public procurement laws and practice in the EBRD countries of operations
- <http://ppi.ebrd.com/launch>
- Forged EBRD cooperation with OECD SIGMA, OSCE, UN, EU and IFIs operating in the EBRD region
- Developed by the Procurement Department and the Bank’s Legal Transition Team



Public Procurement officials from EBRD countries at the launch of the report in St.Petersburg September 2011

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Federal Antimonopoly Services, Russian Federation.
Signing 2010



Ministry of Economic Development, Ukraine.
Signing 2011

- EBRD - UNCITRAL initiative is an initiative aimed at enhancing Public procurement regulation in the CIS countries and Mongolia in cooperation with OSCE and OECD SIGMA
- Technical cooperation programme designed to promote 2011 UNCITRAL Public Procurement Model Law and encourage the upgrading of public procurement regulation.
- First countries to engage were Armenia and Moldova
- Further information on the initiative by :
- Ms. Caroline Nicholas
Senior Legal Officer
International Trade Law Division
United Nations Office of Legal Affairs
(UNCITRAL Secretariat)

Thank you