

MENA- OECD Network on Public Procurement

GOVERNANCE STRUCTURE

Deauville Partnership Framework

In the framework of the Deauville Partnership Governance Pillar Coordination meeting on 24 April 2012 the Deauville Partnership (DP) called for the constitution of a public procurement network to assess compliance in transition countries against the OECD *Principles on Enhancing Integrity in Public Procurement*¹.

In line with the conclusions of the DP meeting in April, the government of Italy, in cooperation with the OECD, launched the MENA- OECD Network on Public Procurement on 19-20 September 2012 in Caserta, Italy.

Composition of the Network

The Network brings together senior public officials and practitioners on public procurement from DP countries and beyond, including Middle East and North Africa (MENA) and OECD countries. The Network is of a technical nature. Representatives of Network members are expected to be specialized experts and practitioners in public procurement.

The Network operates with the support of the Secretariat of the Organisation for Economic Cooperation and Development. The OECD Secretariat facilitates the coordination of meetings and country-specific activities as well as shares information among members, via a dedicated website.

¹ The DP action plan on open governance specifically includes:

Adopting Best Practices in Public Procurement: Transition countries will consider the adoption and implementation of the OECD Principles for Enhancing Integrity in Public Procurement. Transition countries will discuss the formation of a network of procurement officials to assess compliance with the OECD's related principles against a monitoring survey. G8 members, partner countries, and international organizations will provide technical assistance related to adopting the following best practices and implementing the recommendations below.

- *Partner countries and international organizations will support transition country participation in World Bank self-assessments and participation in OECD peer reviews of procurement procedures to build on international good practice.*
- *With World Bank and African Development Bank guidance, Tunisia will undergo a self-assessment of its government procurement system from April-June 2012. Other transition countries are recommended to undertake similar self-assessments.*

Regional and international organizations as well as bilateral donor agencies are encouraged to participate in the meetings and other activities of the Network. These include notably Multilateral Development Banks such as the World Bank and the African Development Bank, the United Nations, the League of Arab States, the European Commission, the International Labour Organisation, the International Monetary Fund and the International Development Law Organisation.

Three countries have expressed an interest in taking a lead role in the governance structure of the Network, namely **Tunisia, Morocco and Italy**. The proposal for a tripartite governance structure of the network will be validated by the MENA-OECD Steering Group at its next meeting on 22 November 2012. It is expected that the chairmanship will be rotating every two years.

The Network convenes in **annual meetings** to discuss progress and adopt strategic directions, work plans and technical assistance programmes.

Also representatives from the **private sector**, in particular SMEs, will be invited to participate in future meetings of the Network where relevant issues for both public and private actors are discussed.

Objectives of the Network

Network members agreed on the objectives and directions for future work on procurement:

i) Sharing good practices and lessons learned on procurement reforms.

Issues of common interest across DP countries include in particular: access of SMEs to public procurement, e-procurement, prevention of corruption in procurement, recourse mechanisms, effective procurement systems at the regional level and ways to involve civil society in procurement.

The Network will help inform government reforms through the exchange of experience and the collection of comparative data across DP and OECD countries on these issues.

ii) Advising countries in the implementation of the OECD Principles on Enhancing Integrity in Public Procurement.

To assess compliance with the OECD Principles, possible methodological tools include:

- *Bilateral peer learning* between two countries in the region, for example in the form of policy dialogue.
- A *country peer review involving experts from MENA and OECD countries* to assess and benchmark public procurement systems against international good practice.
- *Self-assessments* by individual governments of their procurement systems based on the DAC/WB methodology.

These country-specific activities will be carried **upon the request** of individual members.

iii) Identifying needs for support and technical assistance, in particular for DP transition countries. The involvement of organisations such as African Development Bank, International Labour

Organisation, the International Monetary Fund and International Development Law Organisation will help fulfil these needs

The International Monetary Fund already offered to co-organise with the OECD a **procurement training** in 2013, which could be organised back-to-back with the next meeting of the Network.

Also the International Development Law Organisation will make available to Network members its **on-line training courses** on procurement, which are available in English and French.

Assessing compliance against the OECD Principles

The Network's activities will contribute to the implementation of the **international legal standards** on public procurement, in particular:

- The United Nations Commission on International Trade Law (UNCITRAL) Model Law;
- The United Nations Convention against Corruption (Chapter II on Preventative measures, in particular article 9 on Public procurement and management of public finances);
- The World Trade Organisation Agreement on Government Procurement (GPA);
- The legislative package of the Directives of the European Parliament and of the Council on Procurement;

Due consideration will be given to ensure that international standards are implemented in a way to adapt to the politico-administrative context of each DP country:

The reference **framework for good practice** will be the *OECD Principles on Enhancing Integrity in Public Procurement*. In addition the Network will provide a platform for other international and regional organisations to share other sources of good practice.