

REPORT

Forum on Public Procurement for Resilience and Sustainable Growth

26-27 June 2018

September 2018





Prepared by the Institut des Finances Basil Fuleihan
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About this report

The report compiles the discussions and recommendations of the Forum on “**Public Procurement for Resilience and Sustainable Growth**”, organized by the Institut des Finances Basil Fuleihan, on June 26-27, 2018, under the auspices and in the presence of H.E. the Minister of Finance of Lebanon, Mr. Ali Hassan KHALIL.

It provides an overview of the Forum’s topics, highlights successful country experiences and international good practices, and draws recommendations towards a roadmap for public procurement modernization in Lebanon.

The report was prepared by Ms. Basma ABDUL KHALEK, Program Officer at the Institut des Finances Basil Fuleihan, and reviewed by Ms. Sabine HATEM, Economist and Senior Program Officer at the Institute, under the supervision of Ms. Lamia MOUBAYED BISSAT, President of the Institute.

The Institute is grateful for the Forum’s partners for their valuable input to the recommendations. Special thanks to Mr. Akram EL RAYESS for his input during the Forum.

About the Institut des Finances Basil Fuleihan

The Institut des Finances Basil Fuleihan is a center of excellence that contributes to national capacity development in public financial management and governance.

The Institute is an autonomous public institution operating under the tutelage of the Lebanese Minister of Finance.

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List of Acronyms

ALI	Association of Lebanese Industrialists
AFD	Agence Française de Développement
CDR	Council for Reconstruction and Development
CEDRE	Conférence Economique pour le Développement, par les Réformes et avec les Entreprises
CIP	Capital Investment Plan
CIPS	Chartered Institute for Procurement and Supply
EBRD	European Bank for Reconstruction and Development
EU	European Union
GDP	Gross Domestic Product
ICT	Information and Communication Technology
IGC	International Growth Center
IMF	International Monetary Fund
MAPS	Methodology for Assessing Procurement Systems
MTF	Marrakech Task Force
OECD	Organization for Economic Cooperation and Development
OCDS	Open Contracting Data Standard
PIMA	Public Investment Management Assessment
POPS	Punjab Online Procurement System
PPP	Public-Private Partnership
SBD	Standard Bidding Document
SCP	Sustainable Consumption and Production
SDG	Sustainable Development Goal
SME	Small and Medium Enterprise
SIGMA	Support for Improvement of Governance and Management
UN	United Nations
UN ESCWA	United Nations Economic and Social Commission for Western Asia
WB	World Bank
WHO	World Health Organization
WTO	World Trade organization
10-YFP	10-Year Framework Programme

Foreword

Public procurement is one of the critical structural reforms the Lebanese government committed to at the CEDRE Conference in order to improve financial governance. This commitment was undertaken so that the Lebanese Government implements its Vision for Stabilization and Growth and Employment based on a comprehensive Capital Investment Plan and a series of structural reforms and measures aimed at fostering private-led growth.

The reform of public procurement systems and procedures comes as an opportunity to ensure better value for taxpayer money, enhance competitiveness, fight corruption and collusion, improve the business climate, enhance institutional confidence, and tackle pressing issues related to the environment and to society.

In this context, the Forum on **Public Procurement for Resilience and Sustainable Growth** was organized by the Institut des Finances Basil Fuleihan on June 26-27, 2018, under the auspices and in the presence of His Excellency the Minister of Finance, Mr. Ali Hassan Khalil.

The Forum was an interdisciplinary national platform for dialogue tackling the measures needed to advance Lebanon's public procurement agenda, as a pre-requisite for financial governance and efficient delivery on the CEDRE Conference's commitments. It addressed current challenges, policy options and instruments that would raise public procurement to a more strategic level and allow it to be a powerful lever for competitiveness, private sector development, transparency, trust and confidence-building, as well as, the improvement of public financial management, infrastructure governance and oversight.

This publication summarizes the works and the recommendations of the Forum resulting from two days of active policy dialogue and exchange of experiences and good practices.

The Forum's outcomes are expected shape a roadmap for the future of public procurement modernization in Lebanon. More than ever before, a participatory and inclusive approach among concerned stakeholders is needed so that public procurement regains its role as a lever for sustainable growth, competitiveness, and sound financial governance enabling Lebanon to achieve the desired development goals.

Lamia Moubayed Bissat
President
Institut des Finances Basil Fuleihan

The Forum in Numbers

- 311** Participants
- 45** International speakers
- 7** Thematic
- 8** National, regional & partner organizations

Participants' Profile



Participants' satisfaction



Forum Overview

Organized by the Institut des Finances Basil Fuleihan, in collaboration with the Agence Française de Développement, the Association of Lebanese Industrialists, the European Bank for Reconstruction and Development (EBRD), the UN Economic and Social Commission for Western Asia, the joint EU-OECD Support for Improvement of Governance and Management (SIGMA), the Tender Board - Central Inspection Board of Lebanon, the World Bank and the 10 Year Framework of Programmes on Sustainable Consumption and Production (10 YFP), the Forum on **Public Procurement for Resilience and Sustainable Growth** brought together **311 participants** which included **169** from the public sector, **55** from the private sector, **9** from the civil society, **30** from academia, **32** from regional and international organizations, and **16** from foreign countries. It was a privileged and unique opportunity for:

- Discussing with policy makers measures needed to advance Lebanon’s public procurement agenda as a pre-requisite to enhance financial governance and efficiently benefit from the USD 11 billion pledged at the CEDRE Conference.
- Debating with practitioners and experts about the linkages between procurement modernization and domestic policy reform, institutional capacity, economic growth, entrepreneurship, innovation, governance and regulation, sustainable development, project management and capacity development.
- Identifying current national challenges, international good practices, and key reform priorities for Lebanon.

The Forum explored areas such as private sector access to procurement markets to foster competitiveness, innovation and job creation, public procurement for better infrastructure, e-services for competition, transparency and savings, procurement data for combating fraud and corruption, public procurement for sustainability and the achievement of SDG 12 as well as Lebanon’s institutional and human capacity.



Executive Summary

Achieving the Sustainable Development Goals 12 and 16 of the 2030 Agenda for Sustainable Development – concerned with “Ensuring sustainable consumption and production patterns” and with “Peace, Justice and Strong Institutions”, is linked to bold steps by governments around the world to reform public procurement. International data confirms that governments remain the biggest buyers on the market. Procurement policies influence the market’s structure and dynamics, the quality of services provided to citizens and the level of engagement with private sector and civil society organizations.

According to international reports, and despite numerous attempts, Lebanon has not been able to achieve notable progress on procurement reform, even though a number of Arab countries have improved their public procurement systems and practices. These countries were able to do this by modernizing policies and institutional frameworks, developing guidelines and building national capacities¹ in an effort to answer the call of citizens for modern economic growth and governance models with more effectiveness, prudence and transparency in public money management.

Since the donor community pledged USD 11 billion at the CEDRE Conference to support the Lebanese Government in implementing its Vision for Stabilization Growth and Employment, it recently committed to undergo critical structural reforms to improve financial governance in order to qualify for these funds.

Public procurement modernization is one major reform to undertake, but it faces a number of challenges related to (i) procurement being looked at as an administrative rather than strategic function of the state, (ii) arbitrary practices in the absence of standardized bidding documents and (iii) the absence of job descriptions and competencies framework for the procurement profession. All these challenges undermine the role of public procurement as a true lever for competitiveness, private sector development and growth, job creation and poverty reduction, which are considered as key instruments for sustainable development.

The present report compiles the discussions, outcomes and recommendations of the Forum on “Public Procurement for Resilience and Sustainable Growth”.

It shows the structural weaknesses of the public procurement system in Lebanon and the challenges faced at the strategic and operational levels.

The report presents also multiple successful country experiences that led to enhancing efficiency, competitiveness, and transparency in public procurement, namely the experiences of Chile, France, Portugal, Tunisia, and Ukraine, as well as international good practices applied in contexts similar to Lebanon.

¹ OECD, 2016, Stocktaking Report on MENA Public procurement Systems, https://www.oecd.org/governance/ethics/Stocktaking_MENA_Public_Procurement_Systems.pdf

This report is structured as per to the Forum’s main topics addressed and analyzed throughout the plenary and parallel sessions, providing an overview of recent developments, challenges, opportunities and capacities, and benchmarking with internationally applied solutions that enabled governments and economies to realize gains and sustainable growth.

This document highlights the main Forum’s areas of interest for Lebanon to realize its potential using public procurement as key instrument for sound public financial management and enabler for economic growth and sustainable development, namely focusing on:

- Public Procurement as a strategic lever for Lebanon’s resilience and growth
- Public Procurement and its linkages to CEDRE’s commitments
- Private sector access to procurement markets to foster competitiveness, innovation & job creation
- Public Procurement for better infrastructure
- E-services for competition, transparency and savings
- Using procurement data for combatting fraud and corruption
- Lebanon’s institutional and human capacity in procurement
- Public Procurement for sustainability and the achievement of SDG 12

Finally, the report draws the Forum’s concluding remarks and recommendations, formulated as a road map for public procurement reform and modernization in Lebanon to address challenges, and highlighting 1) the need of serious engagement at the policy level, 2) specific actions to overcome identified challenges in practices and outcomes, and 3) the coordination mechanism to yield effective and sustainable results on the long run.

The multi-stakeholder roadmap towards Public Procurement for Resilience and Sustainable Growth needs to foresee the establishment of a dynamic coordination mechanism among various concerned stakeholders to promote effective and innovative partnerships and harmonize of efforts.



**Keynote Speech of
His Excellency the Minister of Finance, Mr. Ali Hassan Khalil**
At the occasion of the Forum's Opening Ceremony - 26 June 2018²

Excellencies,

Ladies and Gentlemen,

It is a pleasure to be among you today for the opening of the Forum on “Public Procurement for Resilience and Sustainable Growth”, organized by the Ministry of Finance- Institut des Finances Basil Fuleihan, at a turning point for the future of our country.

Today, the challenge for Lebanon is to choose between building a resilient State or failing to do so amid serious recent national developments and regional turmoil.



Today, we all need to fight against bad governance and the lack of accountability and integrity. But better management of taxpayers' money is impossible to achieve with an outdated legal framework, more specifically public financial management laws and regulations.

Public Procurement is a key reform area. It accounts for 13% of the annual budget, which is equivalent to around 5% of the country's gross domestic product. Sound and efficient procurement management would help serve Lebanon's economic and social long term objectives. However, the efforts made in drafting a new public procurement law didn't lead to tangible results, thus change is necessary in the way legal reform is approached to comply with clear objectives and standards and align with good international practices, transparency, integrity and competition principles, enabling high quality and service delivery to meets citizens' needs.

Ladies and Gentlemen,

Public procurement reform is one of the key structural reforms that the Government of Lebanon has committed to after the CEDRE Conference that took place in Paris in April 2018. It is no more considered a “side-dish”. The international community's interest in public procurement is obvious which brings to our attention the challenge of achieving tangible reform outcomes.

After the CEDRE Conference, it is not possible to implement projects under the Capital Investment Plan without clear principles and processes that are also key to maintain donor countries and international organizations' confidence. Reforming public procurement shall go

² *The original version of the speech was pronounced in Arabic.*

forward with the participation of concerned stakeholders from the private sector and civil society.

Today, and as you know, our public procurement practices are not optimal. They lack standardization, hinder competition, and mutual agreements are widely used.

On this occasion, it is time to restate the importance of adopting standard bidding documents and migrating towards e-procurement practices, within a broader procurement national strategy. Such reforms are essential and would enable us to turn our commitment to fighting corruption into reality. Abiding by competitive and transparent processes is becoming a must, in addition to ensuring institutional good governance, while using modern mechanisms and tools that allow such reforms to take place. Procurement reform has also direct economic impact on the demand for local and imported products and services. Consequently, the volume of the national economy shall increase, in addition to growth and job creation, public money savings, and rise of public investments, resulting in a lower debt/GDP ratio.

Ladies and Gentlemen,

This Forum is not a place for rigid theoretical dialogue, but rather a platform for exchange of views and experiences that would result in practical recommendations.

Following the Forum, the Ministry of Finance will bring the recommendations to the attention of the Council of Ministers and Parliament for discussion. The Ministry also commits to forming a specialized technical committee to start revising the SBDs and to push towards the adoption of a new procurement law. In addition, other reforms include the modernization of the Tender Board and the Central Inspection Board to preserve their independence and immunity, the launching of e-procurement, the enhancement of the annual procurement planning across the public sector, and the fight against corruption and fraud.

On a final note, the formation of a new government is a cornerstone to would allow modernizing our institutions, advancing structural reforms and meeting our citizens' ambitions and expectations. Serious reforms shall not be driven by the sole efforts of the international community but shall be shaped by a strong public administration that addresses Lebanon's political, economic, and social challenges.

There is no time to waste; we need to profit from every opportunity to build the State that will protect our country.

Long live Lebanon!

Thank you.

Opening Ceremony

The Forum's opening ceremony was held under the auspices and in the presence of His Excellency the Lebanese Minister of Finance, Mr. Ali Hassan Khalil. Main issues and remarks addressed in the opening speeches are summarized below.



Official Speeches

1. **H.E. Dr. Mohamad Ali AL HAKIM**, Executive Secretary, United Nations Economic and Social Commission for Western Asia
2. **Mr. Saroj Kumar JHA**, Regional Director of the Mashreq Department, World Bank, represented by **Mr. Sepehr FOTOVAT**, Senior Procurement Specialist
3. **Mr. Philippe LAZZARINI**, Resident Coordinator for Lebanon, United Nations
4. **Ms. Gretchen BIERY**, Head of Lebanon Resident Office, European Bank for Reconstruction and Development
5. **Ms. Julia KOCH DE BIOLLEY**, Deputy Head of Mission, Delegation of the European Union to Lebanon
6. **Ms. Lamia MOUBAYED BISSAT**, President, Institut des Finances Basil Fuleihan

“Public Procurement is as good as the people who serve it”

Philippe LAZZARINI

A challenging global, regional and national context

Speakers pointed out to the magnitude and pace of pressures such as migration, violence and fragility, economic crisis and others that are impacting the environment in which MENA countries operate as well as to increasing citizens' skepticism about governments' ability to effectively address these pressures. More than ever before, increasing the attractiveness of

countries has become essential to governments, to spur development, reduce the confidence gap and strengthen the social contract.

Building blocks of state's attractiveness were identified by the World Bank as inclusiveness, digitalization and the integration of technology in Government as well as private participation and financing.

The UN-ESCWA Executive Secretary emphasized that "*wise and responsible decisions taken by governments in allocating public resources to health, education and infrastructure are key to the future of the country... and to supporting innovation towards economic diversification and competition*". He stressed on the inevitability of governance reform in the Arab world and on the adoption of systemic approach to support reforms that would achieve fiscal sustainability and income equality, and to promote the equitable distribution of economic gains, particularly to marginalized groups; hence, the need to enhance "*cooperation to improve public procurement policies, laws, institutions and instruments*".

"This is an opportune time to discuss reforming the public procurement agenda in Lebanon. The more we wait to implement these reforms, the worse things will get".

Julia KOCH DE BIOLLEY

The need for structural reforms such as public procurement to advance sustainable development, especially in light of the commitments made at the CEDRE Conference

Speakers stressed on the opportune timing of the Forum held three months after the CEDRE Conference, on the occasion of which the international community pledged USD 11 billion to support Lebanon and the implementation of its Vision for Stabilization Growth and Employment and Capital Investment Plan (CIP). The later was described by the European Union Deputy Head of Mission for Lebanon as "*very important for the well-being of the Lebanese people and for enhancing the competitiveness of the Lebanese economy*." She identified public procurement as a critical determinant of the CIP success.

On the same note, the UN Resident Coordinator for Lebanon recognized public procurement as a key component of financial governance, accounting for accounts for 10-15% of countries' GDP³. It is also considered one of the key pillars to achieve stability and growth, meet Lebanon's economic and social challenges, and progress towards the achievements of the SDGs, notably Goal 12 related to Responsible Consumption and Production and Goal 16 concerned with Peace, Justice and Strong Institutions. While working to "*doing more and better with less*", he pointed the necessity of preserving Lebanon's rich ecosystem while conducting reform and change, engaging both the private sector and civil society.

The EBRD's Country Director also highlighted the direct linkages between the advancement of the financial reforms the Government of Lebanon committed to and the trust and appetite of international investors to finance public investment and public-private partnerships projects.

³ World Trade Organization

Challenges and opportunities for public procurement modernization in Lebanon

Speakers highlighted in their speeches the main challenges faced by public procurement reform in previous years:

- The legal framework is outdated, and the modernization process is extremely slow. The draft procurement law sent to Parliament in 2012 for approval was returned to the Council of Ministers in 2018 for further review.
- Public policy guiding public procurement towards addressing efficiency, economy, transparency, and value for money is absent, and convergence with other key policy areas⁴ is weak.
- Public procurement wasn't a driver of sustainable development.

They also provided recommendations for future actions that would allow procurement to play its role as a central pillar of good governance, economic growth, competitiveness, fairness and sustainable development, among which:

- Public procurement reform to figure at the top priority of the new government's agenda to attract financing and private sector participation: if poorly managed, the CIP may face a high failure risk.
- A "step-by-step approach to reform" to be adopted.
- The independence of regulatory and oversight bodies such as the Tender Board, Court of Audit and Central Inspection Board to be respected and the application of laws ensured.
- Overlaps in the mandates of the various institutions involved in public procurement to be clarified.
- A follow-up mechanism for full transparency and access to information to be created.
- An efficient allocation of public resources to achieve economic diversification and create sustainable ecological and environmental systems.
- Support to small and medium enterprises, green finance, and technologies to improve procurement outcomes.
- Prioritization of procurement digitalization to improve cost-effectiveness and transparency of the procurement process and reduce transaction costs.
- Public procurement considered as a core profession within the civil service and building human capacities as a cornerstone to advancing reforms.
- Promotion of collaboration among stakeholders as key to advancing government priorities and strategies.

Within the broader donor community's support to Lebanon's stability and prosperity, representatives of partner organizations reiterated the importance of maintaining trust in the Lebanese Government and expressed their commitment to support public procurement reforms through the provision of expertise, funding, and technical assistance.

⁴ Such as the reduction of corruption, the increase of sustainability, inclusiveness, and the attraction of private sector investment

Plenary Session I

Public Procurement, Lebanon's Resilience and Sustainable Growth



Chairperson

Ms. Lamia MOUBAYED BISSAT, President of the Institut des Finances Basil Fuleihan, Lebanon

Speakers

1. Mr. Olivier RAY, Director for Lebanon and Syria, Agence Française de Développement
2. Mr. Jan JACKHOLT, Procurement Director, European Bank for Reconstruction and Development
3. Ms. Erika BOZZAY, Senior Adviser on Public Procurement, EU-OECD SIGMA
4. Dr. Jean ELLIEH, Director General of the Central Tender Board, Lebanon

Topics Discussed

- Public procurement to achieve value for taxpayers' money, boost private-led growth, rationalize public spending, stimulate job creation and support the achievement of the SDGs.
- Lebanon's institutional capacity to implement the CEDRE Conference commitments.
- Links between recovery, growth-enhancing strategies, credible institutions, and institutional governance.
- Effective partnerships: the role of civil society and the private sector.

“Public Procurement doesn’t start when the tender notice is published; it starts much earlier”.

Erika BOZZAY

Context and Challenges

The Vision for Stabilization, Growth and Employment presented by the Government of Lebanon at the CEDRE Conference in Paris in April 2018 laid down a growth and recovery strategy for the country focusing on four priorities, namely to sharply increase public investment, to implement fiscal adjustment measures, to bring back growing debt on a sustainable path to ensure economic and financial stability, to implement a series of sectoral reforms to create the proper conditions for private-sector led growth and diversification of Lebanon’s productive sectors.

The international community emphasized multi-stakeholder partnerships and pledged USD 11.6 billion in financial support to the Lebanese Government’s Vision. Public procurement was one of the main structural reforms the Government committed to accomplish in the short term. In addition, the current political context provides a window of opportunity for Lebanon to enhance its public procurement system and capacities.

Figure 1: Donors’ Commitments at CEDRE Conference⁵

DONOR	USD million
World Bank	4,000
European Bank for Reconstruction and Development	1,364
Arab Fund for Economic and Social Development *	1,000
Saudi Arabia **	1,000
European Investment Bank	992
Islamic Development Bank	750
France	682
Qatar	500
Kuwait Fund for Arab Economic Development	500

*Initial pledge of USD 500m that could possibly double

**Re-activation of a pre-existing USD1bn credit line

⁵ Byblos Bank, Lebanon This Week 532, April 14, 2018. URL: <https://www.byblosbank.com/common/economic-research-new/lebanon-this-week/lebanon-this-week-532>

Discussion Highlights

1. Global challenges facing Lebanon in meeting the CEDRE Conference commitments include:
 - In order for Lebanon to be eligible for pledged funds, it must optimize the utilization of available resources for infrastructure and development projects. The country's capacity to absorb pledged funds will need to be enhanced. Moreover, the country will have to improve planning and project design and modernize its institutional and legal frameworks.
 - Lebanon's development is currently constrained by the lack of good infrastructure for businesses to flourish and take part in the large procurement market.
 - Policy debate on the role of public procurement as enabler of Lebanon's growth and development is lacking. Procurement is still being looked at as an administrative rather than strategic function of the state.
 - The procurement's legal framework is outdated and fragmented, allowing for infringements and creating high risks in contract management and heavy bureaucracy in public administration.
 - Practices of single sourcing and restricted bidding are hindering the principle of competitiveness stated in the Public Accounting Law that currently regulates procurement.
 - Transparency and access to information is still lacking, despite the vote of a new Law on Access to Information⁶.
 - Capacity building is still not perceived as a priority, which undermines the performance of procurement staff. The experience of other countries supported by the EBRD shows that capacity building can trigger substantial positive returns on procurement efficiency.
 - Lebanon's ability to implement reforms, especially in public procurement, would enhance the international community and investors' lack of trust.

2. The international community's support to Lebanon could be an opportunity to advance procurement reform and learn from good international practices:
 - International good practices are a significant source of inspiration for Lebanon in "getting its procurement policy right".
 - Public finance and procurement reforms should be coordinated and streamlined to avoid overlapping and misconnections.
 - Strengthening institutions, standardizing processes and building in-house capacities are key reform measures.
 - Strong communication with the business community is necessary for reaching better outcomes.
 - Financial and technical support from the international community is contingent upon Lebanon's ability to assure good governance of procurement operations.

⁶ Law on Access to Information No 28 dated 16/2/2017

Figure 2: Public Procurement as a Key Component of Resource Management⁷

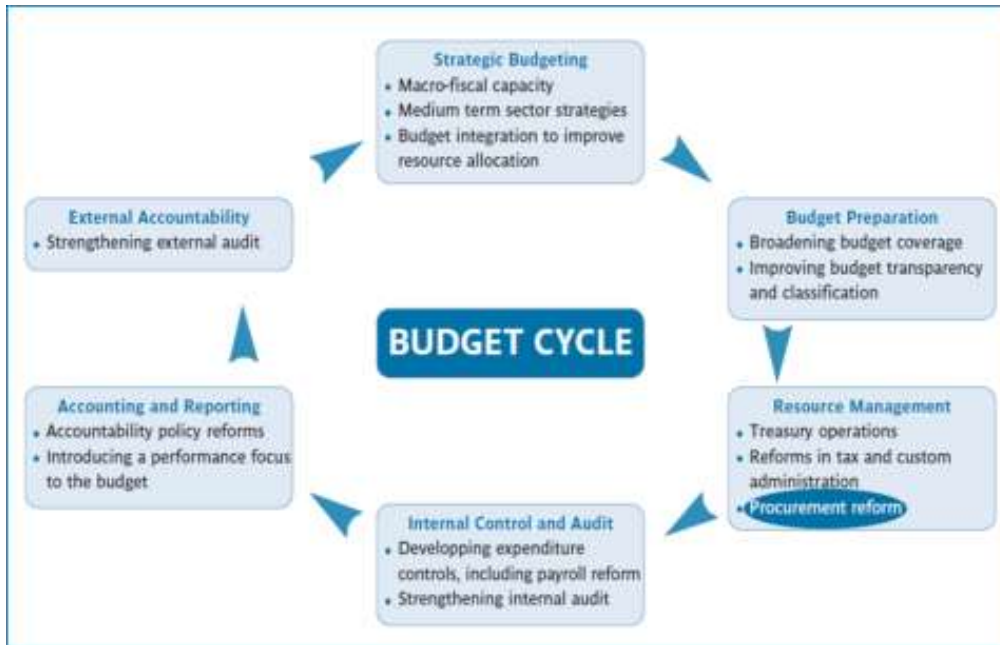
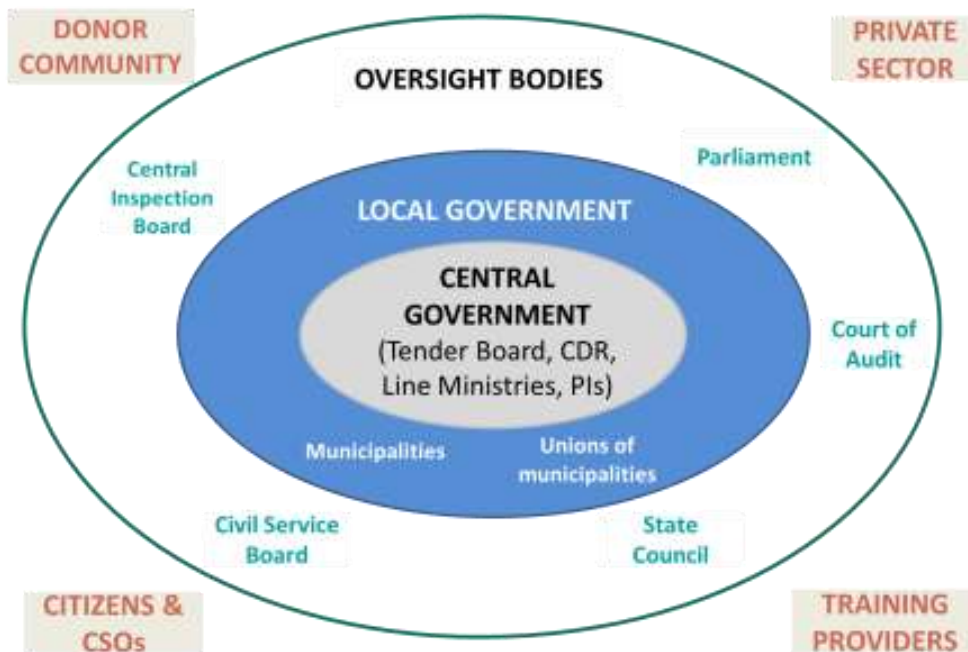


Figure 3: Public Procurement Stakeholders in Lebanon



⁷ The World Bank, Report No. 55061-MNA, Public Financial Management Reform in the Middle East and North Africa: An Overview of Regional Experience, Part I, 2010

“Good procurement does not come from ticking boxes”

Jan JACKHOLT

Call for Action

Enhancing the public procurement framework and operations in Lebanon would call to:

- **Build and sustain political will** to advance reforms.
- **Rebuild trust** to help the economy thrive and attract foreign private investments.
- **Promote good procurement planning** based on institutional needs assessment and market analysis.
- **Establish sound legal frameworks and policies:** Laws and regulation need to be reviewed to reflect the evolving context, to better capture the needs of citizens, and to avoid conflict of interests and fragmentation. Ensuring compatibility of by-laws with main laws is important. The new legal framework should provide procurement professionals with key principles allowing them to exercise sound judgment.
- **Standardize procedures,** not only for projects financed under the Capital Investment Plan, but for all procurement operations at central and local government levels.
- **Build the capacities of procurement professionals** and help them achieve the right balance between flexibility and integrity.
- **Monitor and follow-up** mechanisms and instruments across the public sector to enhance accountability.
- **Increase transparency** through collecting and publishing procurement data using modern tools and platforms and facilitating citizens’ access to information.
- **Promote change management** throughout the reform process so that concerned stakeholders are aware and convinced that there are better ways of conducting public procurement. Moreover, habits and mindsets need to change towards the cycle approach, standardization, efficiency, transparency and accountability.
- **Establish strong coordination mechanisms** among key stakeholders in Lebanon to consolidate trust and achieve measurable results in reform agenda.



Plenary Session II

Competitiveness, Innovation and Job Creation



Chairperson

Mr. Nadim ABBOUD, Managing Partner of A. Abboud & Associates Law Offices, Lebanon

Speakers

1. Mr. Nicholas NAHAS, Member of the Lebanese Parliament
2. Mr. Daniel ABBOUD, Member of the Board, Association of Lebanese Industrialists
3. Mr. Ziad YOUNES, Chairman, BUTEC, Lebanon
4. Ms. Natalia SHAPOVAL, Director for Economic and Political Research, Kiev School of Economics, Ukraine
5. Ms. Sonia BEN SALEM, Director of TUNEPS, Tunisia

Topics Discussed

- What are the main barriers to SMEs entry to procurement markets?
- What can the Government do differently to encourage SMEs participation? What types of incentives, special provisions and programs can effectively promote access to government contracts in Lebanon and abroad?
- What can Lebanon learn and retain from good practices around the world?

“The issue is not corruption but efficiency: it is not enough to ensure that we don’t put money in our pockets; we must ensure that it is not thrown out of the window.”

Ziad YOUNES

Context and Challenges

International data confirms that governments are the biggest buyers in the market. Public procurement accounts for 17% of the national GDP in the EU27⁸ and 1/3 of public expenditures across OECD countries whereas it could reach 15 to 20% of Arab countries’ GDP⁹. As such, procurement policies influence the market’s structure and dynamics, the quality of services provided to citizens, and the level of engagement with the private sector.

Fostering competition is one of public procurement’s fundamental goals, and small and medium enterprises (SMEs) have great potential to create jobs and drive innovation due to their capacities to mobilize skilled and talented human resources endowed with creativity.

However, and despite its reputation for a vibrant entrepreneurial landscape and a strong base of SMEs, constituting almost 95% of enterprises across the country, Lebanon suffers from a number of barriers and inefficiencies that restrict SMEs’ access to procurement markets. Lebanon scores 120/137 for the effectiveness of anti-monopoly policy, 108/137 for the availability of latest technologies and 114/137 for Government procurement of advanced technology products¹⁰.

Lebanon’s structural macro-economic deficiencies and difficulties to channel public spending into domestic sectors are hampering the government from fostering private-led growth and increasing the well-being of Lebanese citizens. In addition, elite capture, bad governance systems, corruption and nepotism lead to wasting resources, inefficiencies, decrease in the economy’s competitiveness, and absence of sound public procurement.

Discussion Highlights

Several barriers are limiting SMEs’ partake in public procurement:

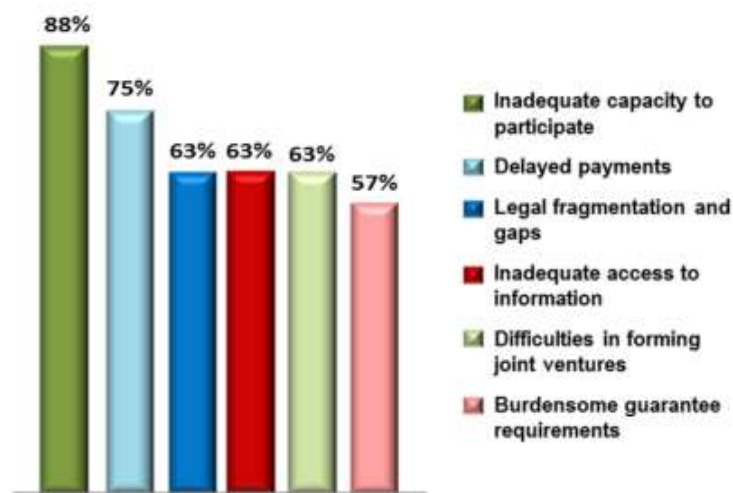
- Inadequate access to structured information about procurement opportunities.
- Lack of knowledge of bid preparation to meet the requirements.
- Fragmented legal framework and bidding documents geared towards large companies.
- The prevalent thought of corruption and nepotism in the public procurement process.
- Difficulties in accessing financing to engage in public procurement activities, with limited ability to make advance payments and wait for government’s reimbursement.
- Difficulties in forming joint ventures.

⁸ European Union (2010)

⁹ World Bank (2012)

¹⁰ World Economic Forum, The Global Competitiveness Report 2017-2018

Figure 4: Obstacles Facing SMEs in Public Procurement¹¹



Country Cases

Box 1: Procurement and Firms Growth: Insights from Brazil

In 2012, 0.76 percent of Brazil's GDP – or R\$ 33.6 billion worth of contracts accounting for 46 percent of the federal government's procurement spending – was awarded through electronic procurement.

A study conducted in Brazil in 2016 showed that "winning at least one [government] contract in a given quarter increased firm growth by 2.2 percentage points over that quarter and resulting in 93% of new hires. These effects also persist well beyond the length of the contracts. Part of this persistence comes from firms participating and winning more future auctions, as well as, penetrating other markets."

The effect of winning a government contract on growth persisted at least for nine subsequent quarters following a successful bid. The growth effect extended beyond just the government contract: winning a bid was associated with an increase of approximately 60 percent in the value of subsequent contracts in the same month, and 30 percent more one year later. Likewise, winning firms expanded into other markets, as the share of bids in their own cities decreased by 16 percent within 90 days. Winning firms also expanded their product offering by 15 percent following a win.

Source: *Procuring Firm Growth: The Effects of Public Procurement on the Growth of Small and Medium Enterprises*, <https://www.poverty-action.org/study/procuring-firm-growth-effects-public-procurement-growth-small-and-medium-enterprises>

¹¹ World Bank, 2014, for Djibouti, Egypt, Kurdistan (KRG), Lebanon, Morocco, Palestine, Tunisia, Yemen

Box 2: The Experience of Tunisia: TUNEPS E-procurement System

As of 2011, Tunisia underwent several reforms to boost economic development and attract investments. In 2013, public procurement modernization and decentralization were launched to align with international standards and implement the recommendations of MAPS II¹² (Methodology for Assessing Procurement Systems). As such, the E-procurement platform, TUNEPS¹³, was launched as one online procurement platform for buyers and suppliers. The introduction of TUNEPS followed a phased approach: at first, its use was optional for public agencies. It gradually became mandatory, with the objective to make it the sole method for public tenders management in Tunisia by September 2018.



Increasing efficiency and transparency: TUNEPS helped in speeding-up the preparation and execution of public procurement contracts and in lowering the frequency of human intervention, strengthening competitiveness, ensuring equal opportunities for suppliers, reducing corruption risk in large projects, and enhancing the access to information about tenders, results, and eligibility of potential suppliers. Its use also led to cost reduction in private sector advertisement. On average, 14 bidders register for each tender.

Ensuring trust: A technical administration was established to ensure the standardization of procedures. Cyber, legal and technical securities were ensured. The adoption of e-signatures fostered trust between the public and private sectors.

Addressing the capacity gap: The lack of skills of local suppliers was identified as one of the main impediments to reform. Brochures, guides, online manuals, free training workshops for SMEs helped to disseminate knowledge about the platform and made it more inclusive. In 2017, more than 70 training sessions targeted 3000 beneficiaries. Change management training programs were also targeted at the public and the private sectors.

¹² The Methodology for Assessing Procurement Systems (MAPS) is an OECD tool that assesses public procurement systems in their entirety. It has been used to assess more than 90 countries. <http://www.oecd.org/gov/public-procurement/methodology-assessing-procurement/>

¹³ www.tuneps.tn

Box 3: The Experience of Ukraine: The Digital Platform ProZorro

Public procurement reform in Ukraine was established by the Government to encourage participation of SMEs and fight corruption. A digital platform, ProZorro, was launched giving Ukraine a fair procurement procedure including transparency and effectiveness. It was co-developed with Transparency International Ukraine, government representatives, private sectors and anti-corruption activists.

Increasing trust and market competition: The implementation of the digital platform ProZorro helped improve companies' and citizens' trust in government. The use of auctions boosted price competition, reduced discriminatory practices and encouraged more parties to partake in the process. SMEs were not required to invest in specificities and brand differentiation which also encouraged their participation especially that the Ukrainian Government is a reliable payer. Between 2015 and 2016, the volume of the public procurement market grew by 17% (up to \$10.4 billion USD), and the inflow of bidders and suppliers and the diversity of suppliers considerably increased. Today, SMEs win 40% of contractual value in public procurement, whereas their participation rate exceeds 90%.

Allowing accountability and evidence-based policies: The system is simple and allows data to be easily visualized and monitored. It captures low pricing, changes in contracts, and contributes to better accountability and policy development. The digital platform for complaints also increased trust in government, with 15 days being the duration of complaint review and decision.

Professionalizing public procurement: Professionalization was a key pillar of procurement reform in Ukraine and contributed to achieve a change in perception. Besides continuous training, the Ministry of Economy encouraged universities to start master's programs in public procurement.



Market Impact of ProZorro

“Public procurement reform is based on a golden triangle of partnership: a unique form of collaboration between business, state and civil society.”

Nathalia CHAPOVAL

Call for Action

To encourage SMEs participation to public procurement, several actions would be undertaken:

- **Conduct an in-depth analysis and diagnosis** of the current economic situation in Lebanon as a basis to move on reforms.
- **Define an administrative and political will for reforms** that would send a signal of trust to the private sector, particularly to SMEs, and to citizens.
- **Review legislation to foster transparency and facilitate SMEs participation:** A new labor law would be able to facilitate procedures and unlock competitiveness, whereas E-procurement and E-signature would encourage participation and reinforce trust.
- **Streamline and standardize** bidding documents.
- **Improve project design efficiency.**
- **Consider the private management of public assets (Build-Operate-Transfer)** as a useful form of public-private collaboration. International organizations could support the process by reducing their share of loans to government and invest in SMEs to increase their capacities in project implementation.
- **Promote a digital procurement system** to encourage SMEs participation, limit corruption, improve the relationship between the state and businesses and generate structured data.
- **Assign an independent regulatory authority** to monitor and ensure oversight of contract implementation.
- **Form multileveled partnerships and cooperation** among levels of government and across sectors to streamline processes and disseminate information.
- **Build capacities**, not only to improve SMEs participation to public procurement, but also for procurement practitioners on how to include SMEs in this market.



Plenary Session III

Public Procurement for Better Infrastructure



Chairperson

Ms. Hala BEJJANI, Managing Director, Kulluna Irada

Speakers

1. Dr. Ibrahim CHAHROUR, Head of the Department of Planning and Programming, Council for Development and Reconstruction, Lebanon
2. Mr. Ziad HAYEK, Secretary General of the High Council for Privatization and PPP, Lebanon
3. Judge Georges ATTIEH, President of the Central Inspection Board, Lebanon
4. Mr. Sepehr FOTOVAT, Senior Procurement Specialist, World Bank
5. Ms. Racheeda BOUZEKIA, Chief of the PIMA Mission to Lebanon, Fiscal Affairs Department, International Monetary Fund
6. Mr. Jan JACKHOLT, Procurement Director, European Bank for Reconstruction and Development

Topics Discussed

- How can procurement help planned projects not to falter because of inadequate cost recovery, corruption, insufficient competition, or the low credibility of institutions?
- Does Lebanon have the needed institutional capacity and legislation to implement the CIP?
- What are the World Bank and the IMF recommendations for governance infrastructure?
- What about the audit and control of public infrastructure projects that are particularly vulnerable to risk?

“Respecting law enforcement and being subject to accountability are essential to achieve reforms”

Georges ATTIYEH

Context and Challenges

High quality public services depend on a well-planned and maintained infrastructure. While governments seek quality investments and value for money in critical infrastructure areas, investors see capital projects as opportunities to participate in critical investments of national priority with international attention and possible co-financing.

For Lebanon, issues at stake are of high importance as the country’s infrastructure is amongst the poorest regionally and globally. Out of 137 countries, Lebanon ranks 130 in quality of overall infrastructure and 116 in the strength of investor protection. It was only in 2017 that the law on Public Private Partnership (PPP)¹⁴ was adopted offering the legal framework for private sector investments in infrastructure.

In this context, the Government of Lebanon, backed by the international community, formulated a Capital Investment Plan (CIP) and presented it at the CEDRE Conference in Paris in April 2018. The plan aims for the rehabilitation of a strained infrastructure and seeks to attract approximately USD 23 billion from investors over the next 10 years. A large share of the CIP implementation (approximately 30%) relies on PPP.

Figure 5: Capital Investment Plan Summary (in USD billions)

Sector	CEDRE Inv.		TOTAL
	Cycle 1	Cycle 2	
Transport	2,311	1,964	4,275
Water and Irrigation	2,151	722	2,873
Wastewater	1,309	1,047	2,356
Electricity	2,151	1,441	3,592
Telecom	700	-	700
Solid Waste	1,400	-	1,400
Tourism	84	180	264
Infrastructure			
Industrial Zone infrastructure	0	75	75
GRAND TOTAL	10,106	5,429	15,535

The Capital Investment Plan (CIP) for Lebanon includes over 280 infrastructural projects, divided between 8 sectors covering the entire Lebanese territory. It aims to (i) meet the needs of an expanded population and economy; (ii) generate meaningful employment opportunities for a large and growing youth population and for displaced persons; and (iii) stimulate long-term and sustainable economic growth.

¹⁴ Law on Public Private Partnerships No 48, dated 07/09/2017

“Make use of technology to speed up the process. Think transparency. Think fit for purpose”

Sepehr FOTOVAT

Discussion Highlights

Infrastructure projects usually involve several key stakeholders, from planning to procurement to implementation, oversight and maintenance. While the OECD estimates that 10-30% of the investment in a publicly funded construction project may be lost through mismanagement and corruption, the question remains for Lebanon: how can procurement help planned projects not to falter, while ensuring adequate cost recovery, reducing corruption, fostering competition and enhancing credibility of institutions?

When it comes to large-scale procurement, Lebanon’s institutional capacity and legislation remains at stake:

- The lack of an economic plan and regulatory framework for Lebanon hinders its ability to move forward on large public investment projects.
- Government performance and the interference of politicians are weakening the administration’s capacity to deliver effectively.
- The State is not actually playing its critical role as “maître d’ouvrage”; since a project is not only about financing; it is about ownership, responsibility and leadership.
- Strong planning capacities and good governance are needed, especially for public-private partnerships, to enhance both the quality of public investments and of service delivery to citizens.

Following the CEDRE Conference, and upon the request of the Government of Lebanon, the International Monetary Fund (IMF) conducted a Public Investment Management Assessment (PIMA) to help Lebanon improve its infrastructure governance¹⁵. This methodology focused on two primary aspects: 1) the macroeconomic analysis and the impact of public investment on the economy, and 2) the analysis of the whole public investment cycle from a regulatory perspective to make sure laws in place are efficient. It assesses the gap between national and good practices and provides a roadmap for improvement. A first set of preliminary findings revealed that with its own specificity and complexity, Lebanon could benefit from a number international good practices to improve its management of public investment projects, namely the experiences of emerging countries like Jordan, Malaysia and Malawi.

The Government of Lebanon also requested from the World Bank (WB) to conduct an assessment of the projects foreseen under the CIP¹⁶. These projects have therefore been assessed against a number of factors including their readiness for implementation, their impact on Lebanese and displaced communities, and their compatibility with national and international development targets. Several shortcomings were highlighted and needed to be solved for the successful implementation of the CIP:

¹⁵ PIMA was put in place by the IMF and the World Bank and implemented in 40 countries so far.

¹⁶ World Bank, *Strategic Assessment: A Capital Investment Plan For Lebanon*, April 6, 2018. URL : <http://documents.worldbank.org/curated/en/935141522688031167/pdf/124819-WP-PUBLIC-APR-6-1030-AM-DC-Full-Version.pdf>

- Enhance the monetary and regulatory frameworks.
- Ratify a new procurement law based on existing gaps and procurement potential.
- Standardize an easy-to-use mechanism for specifications across the public sector.
- Define timeframes for project implementation to reduce high corruption risks.

In addition, the European Bank for Reconstruction and Development (EBRD) advanced a set of standards needed to facilitate the successful implementation of PPP and public infrastructure projects in Lebanon such as fair and balanced conditions of contracting to attract international bidders, right qualification criteria, strong oversight mechanisms and also equal opportunity for SMEs to participate in the bidding process.

Once the PPP law was approved, the success of large infrastructure projects is dependent upon key principles, namely:

- The understanding of PPP mechanisms as a contractual relationship involving 12 or more parties that entails risk-sharing between the public and private sectors.
- The capitalization on the existing technical expertise in the public sector, namely in planning, negotiation, management of donor-funded projects and risk assessment.
- The respect for competitiveness, professionalization, transparency, monitoring and oversight throughout the partnership process.

Control, audit and oversight functions of public infrastructure projects that are particularly vulnerable to risk and corruption requires institutional capacities to:

- Simplify and standardize bidding documents, inclusive of incentives for SMEs to compete in the market and contribute to growth.
- Strengthen the capacities of the Central Inspection to ensure proper monitoring and oversight.
- Inform the public at large, and donors in particular, and make data available on project implementation and progress.

“Keep moving...as soon as reforms start, momentum is created and should be upheld”

Racheeda BOUZEKHIA

Call for Action

To improve its public investment’s governance and capacity, Lebanon would need to:

- **Develop a national economic plan** that provides a clear, thorough and comprehensive outlook of the future and the challenges ahead.
- **Take advantage of the CEDRE conference** as an opportunity to draw from our past experience.
- **Look at public procurement as a policy tool** that reflects the State’s vision of public affairs.
- **Set a clear procurement plan** for large infrastructure projects in the CIP.
- **Reconsider the role of the “State” as “maître d’ouvrage”** and strengthen its capacities to design and manage large public investments and infrastructure projects. Good design can help achieve great savings.
- **Enforce the current law** when it comes to holding public officials accountable especially in procurement operations that are prone to corruption.
- **Reform the public procurement law** in consultation with the private sector.
- **Ensure a clear and better understanding of the legal aspects of public-private partnerships**, highlighting good practices, and establish the suitable institutional approach to manage and implement large projects.
- **Capitalize on human resources and make use of fit-for-purpose technology** to avoid bureaucratic bottlenecks and corruption risks.
- **Strengthen control and oversight institutional capacities** and identify related mechanisms to increase efficiency and transparency and attract private investors.
- **Develop a sense of ownership of public money and a culture of ethics** so that citizens would be more involved in holding both the government and companies accountable and in whistle-blowing efforts.
- **Abandon the current inefficient practices** and adopt good practices which are adapted to the specific context and needs of the country.



Parallel Session I

E-Services for Competition, Transparency, and Savings



Chairperson

Mr. Ramzi El HAFEZ, General Manager of INFOPRO, Lebanon

Speakers

1. Dr. Ali ABDALLAH, Office of the Minister for Administrative Reform, Lebanon
2. Mr. Elie NAIM, Consultant, Lebanon
3. Mr. Knut J. LEIPOLD, Lead Procurement Specialist, World Bank
4. Prof. Adnan KHAN, Director of Research and Policy, International Growth Centre, United Kingdom
5. Ms. Viviana MORA, Observatory Chief, Chile Compra, Chile
6. Ms. Ana VIEIRA, Public Contracting Authorities Manager, National Public Procurement System, Portugal

Topics Discussed

- Where does Lebanon stand today in terms of procurement digitalization and simplification of procedures and what are the main challenges ahead?
- What are the pre-requisites and conditions for successfully moving to e-procurement?
- What are the insights from the international experience?

“There is no need to implement the most sophisticated technology if it doesn’t make things simpler.”

Knut LEIPOLD

Context and Challenges

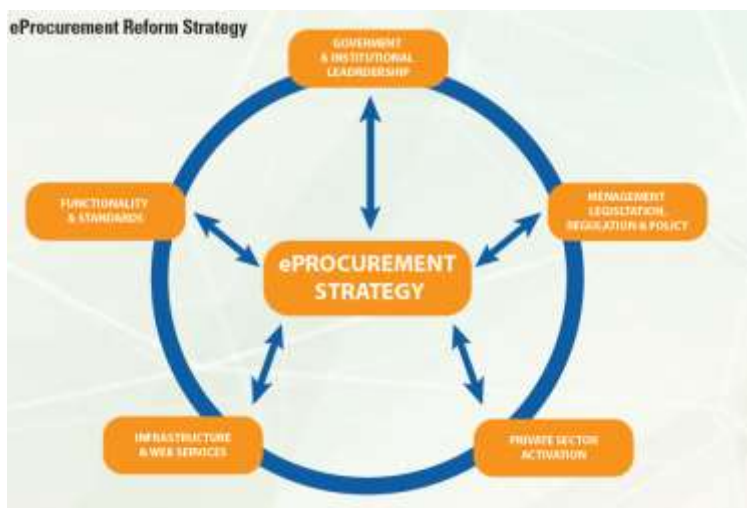
E-procurement and open tendering are new practices that emerged following the digital boom and the integration of ICTs in government work. Aside from curbing opportunities for corruption, these practices can help governments enhance competition and achieve savings. Procurement digitalization goes beyond simply moving to electronic tools; it can integrate new approaches and simplify procedures at all levels of the procurement cycle, making it simpler for businesses to participate and for the public sector to manage. It is considered a building block in the state modernization process.

Discussion Highlights

Lebanon is still at the early stages of developing an online procurement platform. National context and challenges are the following:

- Led by the Office of the Minister State for Administrative Reform (OMSAR), a new strategy for digital government is under way in Lebanon but is pending the approval of the Council of Ministers.
- The momentum of change in Lebanon is slow as more than 11 years were spent on drafting strategies without tangible change in practices.
- Ministerial coordination and the availability of data are lacking.
- A holistic governmental approach towards transparency and access to data is still missing.

Figure 6: E-procurement Reform Strategy¹⁷



¹⁷ European Bank for Development and Reconstruction, Are you ready for e-Procurement? Guide to Electronic Procurement Reform, 2015

“Optimism in change is generally prevalent, as the employees of yesterday are the employers of today and they stand with change.”

Elie NAIM

Country Cases

Box 4: The Experience of Chile Compra

In 10 years, transactions completed using Chile Compra increased from USD 1 million in 2003 to more than USD 10.2 million in 2014. Since its establishment in 2003, Chile Compra helped realize savings equivalent to USD 6.353 million. The online platform “Mercados Públicos”¹⁸ is recognized as one of the world’s best procurement management systems and support to SMEs. In 2014, 7,000 micro and small suppliers launched their businesses through the platform, with 57% of values traded by local governments (municipalities) coming from micro and small enterprises. The number of active users of the platform is 150,000, among which 6,000 users operating simultaneously.

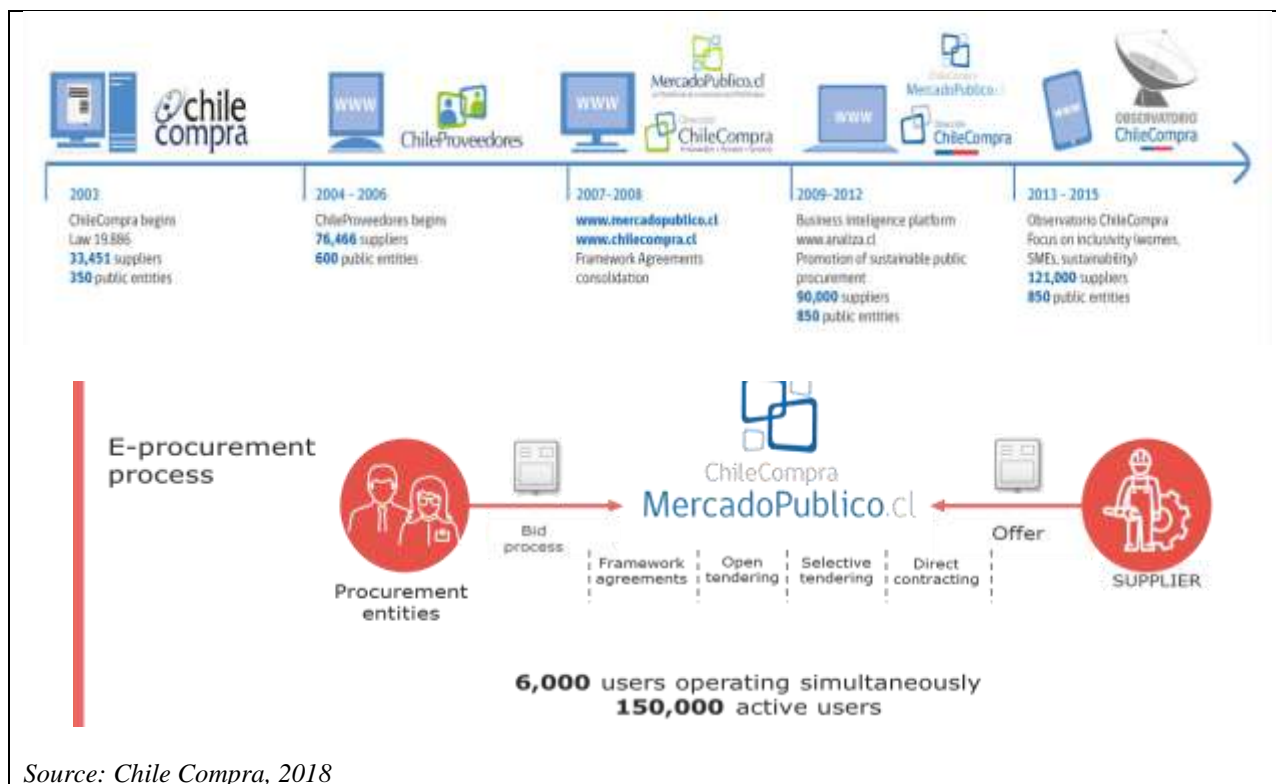
- Chile Compra has become a reference in e-procurement by believing in utmost transparency and in allowing citizens to access all information about government procurement.
- Establishing an Observatory helped monitor and review more than 6,000 procurement processes, submitting more than 1,880 confidential complaints and correcting the system’s inefficiencies.
- It promoted access to the procurement market for women, marginalized groups and disabled people in order to contribute to economic development.
- Building capacities of senior officials, civil servants, and suppliers, in addition to coaching and assisting through regional call centers, providing available codes of conduct in simplified language for government employees were key success factors.
- Establishing a business intelligence platform and promoting sustainable public procurement were also priorities.

The use of publicly-available procurement data helped amend the country procurement policies through the promotion and development of open data and the enforcement of the Open Contracting Data Standard (OCDS).

Challenges for the coming period (2018-2024)

- Recognizing public procurement as a public policy.
- Linking public procurement to state modernization objectives.
- Extending the system to entities and contracts that are currently excluded.
- Ensuring interoperability between public procurement and financial systems.

¹⁸ www.mercadopublico.cl



Box 5: Transparent E-Procurement systems to Curbing Political Interference and Increasing Competition

In Bangladesh, switching to an e-Government Procurement System has reduced cost by approximately 13%.

In India and Indonesia, e-procurement was associated with quality improvements in the procurement of infrastructure projects. In India, e-procurement improved the average road quality, and in Indonesia, e-procurement reduced delays in completion of public works projects.

In Pakistan, the experience of the Punjab Online Procurement System (POPS) enabled the creation of a virtual marketplace. It showed that performance measurement is related to value for money of procurement purchases and the comparison of price/quality ratios. A regulatory authority (PPRA) was established to ensure compliance with rules and procedures through smart and data-driven audits.

Box 6: E-procurement in Portugal

The adoption of e-Procurement in Portugal in 2007 was part of a broader reform project that introduced a new model of public procurement. Public procurement reforms were initially driven by private sector stakeholders, the business lobby and the civil society, as there was a wide consensus that public procurement markets were too closed or too difficult. These reforms were introduced as tax payers demanded more transparency in the management of their money and the provision of public services.

Public procurement reform was based on three pillars:

- A newly introduced code for public contract.
- A national agency of public procurement called *eSPap*, responsible for public procurement management
- An e-procurement system to ensure efficiency and transparency.

The e-procurement system was designed to increase transparency and ensure more open and inclusive markets, especially for SMEs that constitute 97% of the economic operators in Portugal.

Tangible outcomes of the e-Procurement system included:

- The endorsement of policy makers to reduce resistance across the public sector.
- The mandatory use of the system is by 1,800 public entities, and its voluntary use by 700 entities, including municipalities.
- A set of 39 framework agreements based on specific criteria for supplier qualifications helped to save 410 million Euros since 2008.
- The involvement of several economic operators in the procurement market, regardless of the geographic location.
- Change in the mindsets of civil servants, municipalities and suppliers.
- Greener public procurement outputs.

Contracting Authorities (PCA) and Economic Operators (EO) evaluate that electronic procurement remains positive in most major assessment dimensions:

	PCA			EO		
	Better	Worst	Diference	Better	Worst	Diference
RC – reduction procedure cost ;	35%	24%	11%	32%	27%	5%
RT – reduction procedure time frame	39%	38%	1%	32%	27%	5%
RB – reduction bureaucracy;	35%	41%	-6%	47%	26%	21%
MC – increase competitiveness;	42%	16%	26%	43%	9%	34%
MT – increase transparency;	68%	4%	64%	58%	6%	52%
MV - contracts best value.	39%	10%	29%	36%	8%	28%

Source: *E-procurement in Portugal (2012)*

“There is a misconception that e-procurement is an IT issue. It is about a political decision.”
Adnan KHAN

Call for Action

The way forward for Lebanon to succeed its procurement digitization process will rely on:

- **Ensuring the political will and the necessary policy-making drive** to recognize digital procurement as an instrument able to streamline processes and procedures, increase savings, and promote transparency.
- **Triggering change from within the current legal framework** that provides the flexibility to move to modern practices, namely on publishing specifications and standard bidding documents online.
- **Ensuring that e-procurement is used** within integrated with other information systems, namely with financial management systems.
- **Increasing knowledge-pooling, data sharing and dialogue.**
- **Prioritizing the development of human capital** and creating the functions of procurement officers across the Lebanese public sector as e-procurement is not solely about using software.
- **Engaging all concerned stakeholders** in the change management process to achieve tangible results.



Parallel Session II

Using Procurement Data to Combat Fraud and Corruption



Chairperson

Ms. Sahar El ATTAR, Editor in Chief of the Commerce du Levant, Lebanon

Speakers

1. Mr. Elie MAALOUF, Judge at the Court of Audit, Lebanon
2. Mr. Viktor NESTULIA, Director of Innovation Projects Program, Transparency International, Ukraine
3. Mr. Niels BRALEY, Project Manager in Charge of International Affairs and Open Government, ETALAB, France
4. Mr. Badri MEOUCHI, President of the Board of Directors, Lebanese Transparency Association, Lebanon

Topics Discussed

- Does the Lebanese legislation provide the right to access government data?
- What are the oversight and reporting mechanisms in place?
- What role can citizens and CSOs play in monitoring government procurement operations?
- What are the available data tools worldwide; do they yield effective results and can Lebanon use them?

Context and Challenges

Corruption and fraud may amount to 20-25% of procurement budgets worldwide¹⁹.

Lebanon ranks 143 over 180 countries, with a score of 28/100, on the Corruption Perception Index of 2017 published by Transparency International, although in 2008, the Lebanese Government signed the UN Convention Against Corruption.

The WB Governance Indicators (2016) indicate as well that Lebanon lags behind the average for its income category in all measures of governance, including the control of corruption. This corruption includes using public power for private gain, with practices ranging from a small “facilitation fee” to substantial payoffs for contract award or final payment clearance.

Today, the recent move towards open data is providing powerful tools in the fight against fraud, corruption and collusion. Reliable data is essential in the creation of better analytics for evidence-based decisions and policy-making. Accessible data on public procurement is also expected to improve authorities and other stakeholders’ capacity to assess the performance of procurement policies, detect abusive or fraudulent behavior and track abusers.

Discussion Highlights

In Lebanon, challenges related to transparency are numerous:

- A fragile and non-standardized procurement system to identify inefficiencies and practices infringing transparency across the public sector.
- Lack of resources and capacities to generate, analyze and provide information and data to the public.
- A slow legislation process.
- A lack of public awareness about the new Access to Information Law.

The role of oversight bodies is also critical to fighting corruption. By law, the Court of Audit is endowed with the mission to perform ex-ante and ex-post control of procurement transactions. However, due to a lack of capacities, priority is given to ex-ante controls on procurement operations to ascertain the validity of transactions and their conformity with the appropriate budget and with established laws and regulations. Current challenges are of many folds and include:

- The Court of Audit’s dependence vis-à-vis the Executive body, i.e. the Presidency of the Council of Ministers.
- The shortage of human capacities, as only 50 judges currently work at the Court of Audit, among which 7/8 head of chambers are ad interim.
- The lack of training.
- The lack of IT equipment and digital systems linking the Court to public agencies.
- The absence of internal policy for outreach and communication with media and citizens.

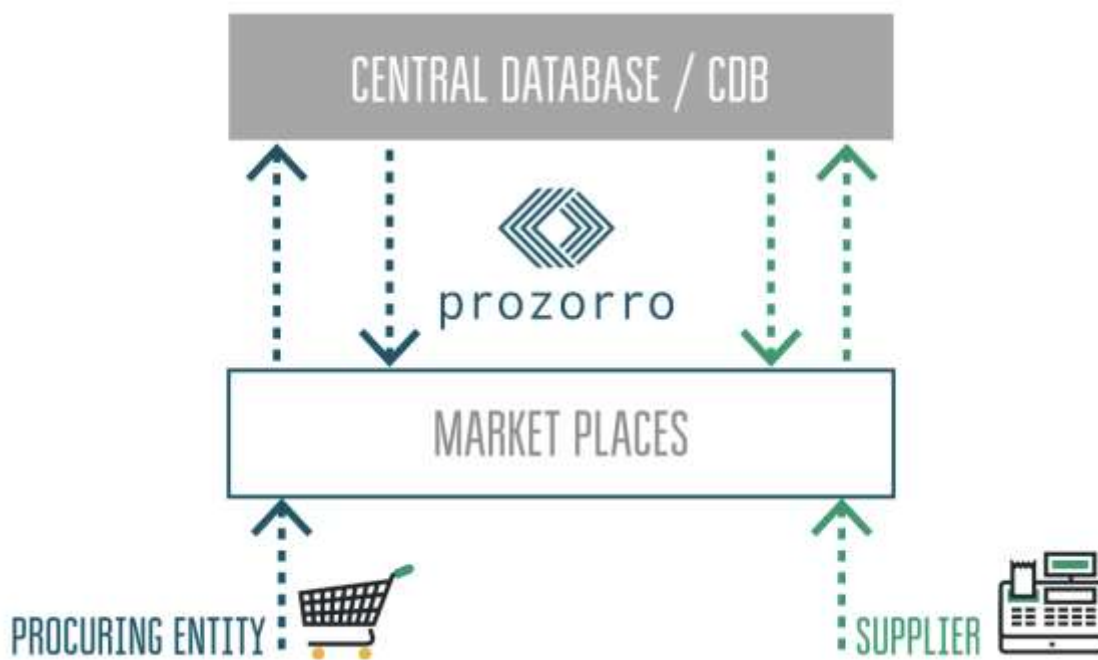
¹⁹ According to the United Nations Office of Drugs and Crime (UNODC)

Box 7: Procurement Data Collection, Management and Analysis through ProZorro

In 2015, Transparency International initiated the electronic procurement system, ProZorro, for all Ukrainian public agencies, in collaboration with the private sector and government champions and with the support of the European Bank for Reconstruction and Development (EBRD). The main objective was to ensure the best value for money in public procurement operations.

The first solution developed was the business intelligence system, in addition to an automatic risk-indicators system allowing the generation of 34 indicators²⁰. Information related to 12,000 procurement operations was collected during the first year of using ProZorro, allowing for auditors' oversight and civil society monitoring. Today, operations with more than 175,000 suppliers are tracked.

Data accessibility through ProZorro decreased information asymmetry and provided equal opportunities for participation in public tenders.



Source: Transparency International, 2018

²⁰ <https://dozorro.org/>

Box 8: Open Data in Public Procurement for a Transparent and Collaborative Government in France

The French Government is heavily investing in open data. In 2011, an inter-ministerial service, Etalab²¹, was created under the authority of the Prime Minister, to accompany the opening of public data to citizens. Etalab implements and runs the open platform "data.gouv.fr" that hosts data sets and determines their reuse.

In 2016, the law of “Digital Republic” was issued to regulate the openness and integrity of public data. The opening of public procurement data followed three major steps:

1. **The reform of the public procurement regulatory framework** (2015-2016) that entailed the publication of open data for open reuse, while identifying which data to publish. In April 2017, the dematerialization of procurement procedures was made mandatory for the central tender administration, followed by all public agencies as of October 2018. An online platform “Profil d’acheteur” now exists, linking buyers to suppliers.
2. **A pilot and testing phase across departments and regions** (2016-2018) that included face-to-face meetings to explain the changes and align actions and other tools for collaboration like Openlab and Barcamp.
3. **Generalizing the experience and enlarging its scope** (as of 2018) towards the publication of full procurement data including contract implementation data for evaluation, for reuse by civil society and for data visualization.

Throughout the process, the French government faced several constraints, mainly:

- Cultural resistance to change across administrations.
- Availability of technical and financial resources.
- Administrative decisions related to the identification of which types of data to open as mandatory or optional.

²¹ www.etalab.gouv.fr/en/

“The ultimate goal is not anti-corruption, but satisfying the needs, delivering goods in the right place, at the right time, and getting the best value for money”

Victor NESTULIA

Call for Action

The collection and use of procurement data could help Lebanon in the fight against corruption provided:

- **The transparency and good governance** of the procurement system go hand-in-hand.
- **Open contracting**, with data generation tools, is adopted.
- **A system of open data and review** is put in place, especially following the CEDRE Conference.
- **Potential open data systems** are tested locally and then generalized at the national level.
- **Procurement procedures and tools are standardized** to avoid fragmentation and facilitate data collection and analysis.
- **Oversight agencies are given full independency** to undertake their monitoring, reporting and control roles, based on accurate and structured data and risk indicators.
- **The Law on Access to Information is applied** for procurement contracts.
- **Information on invitation to tenders is published** more widely to attract new suppliers and increase fair competition.
- **Procurement staff is trained** on how to make the procurement process more transparent.
- **The culture of open data is disseminated** among civil servants and at all levels of government.



Parallel Session III

Capacity for Public Procurement



Chairperson

Ms. Nisrine MACHMOUCHEH, First Controller, Civil Service Board, Lebanon

Speakers

1. Ms. Jinane DOUEIHY, Director of Training, Institut des Finances Basil Fuleihan, Lebanon
2. Ms. Erika BOZZAY, Senior Adviser on Public Procurement, EU-OECD SIGMA
3. Prof. Adnan KHAN, Director of Research and Policy, International Growth Centre, United Kingdom
4. Mr. Côme DECHERY, Financial Governance Specialist, Agence Française de Développement

Topics Discussed

- What does it take to create skilled and mature organizations and a procurement workforce?
- Is procurement staff in Lebanon advancing steadily on the road of professionalization? What are the challenges ahead?
- What is needed to build capacity on the supply and oversight side?

“Engage in reform as a process and not as theater.”

Adnan KHAN

Context and Challenges

Building capacity in public procurement is recognized as “*an investment in the future sustainability of the financial and governance system of a country*” (OECD). As the public procurement function is shifting globally from a primarily clerical function into a more strategic one, the profile of the procurement practitioner is shifting as well from an order taker to a decision maker.

In the Lebanese Civil Service, there is no “Procurement” professional category. Procurement related functions are often performed by a variety of employees in different jobs and categories in the civil service framework, ranging from heads of financial and administrative units and departments and heads of legal divisions, to financial controllers, accountants, and internal auditors and others.

“Capacity building is not about fighting ignorance, but about having an enabling environment which helps professionals that are trained to be able to put things into practice.”

Côme DECHERY

Discussion Highlights

The diagnostic survey conducted by the Institut des Finances Basil Fuleihan in 2012 studied the profile of people working in procurement across the Lebanese public administration and identified the following weaknesses:

- Public buyers are suffering from shortages in technical knowledge or procedural understanding and business skills.
- Technical knowledge is often gained through word of mouth from colleagues rather than professional training.
- Planning and needs assessment at the level of administration is weak.
- The practice of market studies and inclusion of good international practices is lacking.
- Standardized collected data on suppliers and specifications does not exist.
- Institutional capacity to handle complex procurement projects such as the ones foreseen under the Government’s Capital Investment Plan is limited.

To cater to these needs, the Institute developed a competency framework for public procurement in Lebanon and set a 5-year training strategy. In collaboration with the Chartered Institute for Procurement and Supply (CIPS), the Institute offered professional certification to practitioners and strategists and designed think-tank sessions for policy makers. In collaboration with the World Bank, a series of specialized workshops were addressed to small and medium enterprises to encourage their participation to public bids.

Today, with the technological shift and advanced tools, new learning approaches can help further reduce the capacity gap in public procurement, such as e-learning and blended learning, a participatory approach to capacity building, and the creation of a sustained learning community to foster knowledge transfer and the exchange of good practices and experiences.

Figure 7: A Three-Level Competency Framework in Public Procurement



Source: Institut des Finances Basil Fuleihan, Professionalizing Public Procurement in Lebanon: Diagnostic Review and ta Vision Forward, 2014

From a policy research perspective, non-monetary incentives can sometimes be as efficient as a salary raise²² to address low productivity and performance. However, based on research conducted by the International Growth Center (IGC)²³ and on international experience, findings point to a number of measures targeted at procurement officers that are able to attract, retain and build capacity in public procurement:

²² In July 2017, Lebanon adopted a new salary scale for the public sector.

²³ The IGC is directed by the London School of Economics and the University of Oxford. It aims to promote sustainable growth in developing countries by providing demand-led policy advice based on frontier research. www.theigc.org

- Motivate civil servants through incentives, linking them to properly measured performance.
- Motivate existing staff through non-financial incentives which requires strong political and organizational leadership capable of embracing change in culture and norms.
- Couple incentives with audit mechanisms: citizen grievance redressing mechanisms that helps in getting proper measurements.
- Delegate more authority to procurement officers.
- Based on selection mechanisms, hire new people with higher motivation.
- Pool knowledge, discover and investigate problems, and seek improvements.
- Strengthen the social contract between civil servants and citizens.

Box 9: International Assessment Methodologies to Reduce Capacity Gaps

Along with other international organizations and donors, the Organization for Economic Cooperation and Development (OECD) has contributed to the design of the Methodology for Assessing Procurement Systems (MAPS). Recently revised and updated, the MAPS assesses the professionalization and degree to which public procurement is viewed as a strategic function. To date, the MAPS is a universal tool that has been used in over 60 countries. It is based on:

- Understanding the situation of the public procurement system, its shortcomings and weaknesses to better link capacity building strategies and goals to the assessed gaps.
- Focusing on specific topics and modules, like e-procurement, PPP and professionalization.



On another hand, SIGMA²⁴ use different tools to assess public financial management systems, including public procurement, in several countries focusing on:

- The analysis of collected composite indicators such as the type of training offered, the profile of beneficiaries, the practical and hands-on material, and the quality of the training, among others indicators.
- The assessment of support provided to the contracting authority and business through practical manuals, guidelines, and help-desks.
- The collection of indicators on the accessibility of data to practitioners.
- The existence of a complaints review body.

²⁴ SIGMA « *Support for Improvement in Governance and Management* » is a joint EU-OECD initiative.

From an international development perspective, the implementation capacity of beneficiary countries, in particular, procurement capacities, determines the success of the projects. With its commitment to over 3,600 development projects in many sectors²⁵, the Agence Française de Développement faces several challenges related to the institutional capacities of recipient countries to conduct sound procurement, among which are the integrity of the process and the high risk of corruption, the absence of clear procedural manuals, and the outdated IT systems.

These challenges create mistrust in the public procurement process which leads to the risk of not ensuring the value for money of development projects. Instead of the classical approach of Project Implementation Units (PIUs) and the training of its staff on donor regulations, which limits the exposure of civil servants to regulations and systems, the AFD opted for a stand-up setting approach to enhance capacities throughout the existing national systems in alignment with the donor's standards and norms. This approach leads to cost efficiency and sustainability.

Lessons learned from capacity building experiences in several countries, such as Cameroun, Burkina Faso and Tunisia, highlighted the importance of:

- Identifying the correct target audience of procurement specialists to be trained.
- Providing a hands-on training approach so that procurement officials could learn through practice.
- Adopting performance schemes to pay procurement officials and implementation decrease delays.
- Using standardized bidding documents efficiently.
- Reverting to a creative problem-solving approach to brainstorm on common problems and potential solutions. .

²⁵ Such as energy, health, biodiversity, water, digital technologies, etc.

“We need to keep on working and be ready for the wind of change when it occurs.”

Jinane DOUEIHY

Call for Action

To advance procurement staff professionalization across the government in Lebanon, it was recommended to:

- **Assess public procurement systems** in Lebanon and measure professionalism using MAPS II.
- **Draft a medium or long-term procurement reform plan** while using a bottom-up approach so that concerned stakeholders and practitioners are steered in the same direction.
- **Recognize public procurement as a stand-alone job** with clear job profiles and job descriptions.
- **Set a competency framework** in public procurement based on recruitment requirements, continuous training and coaching, and career development strategies, in line with 21st century skills and with the targets of SDG 4 on “Quality Education”.
- **Elaborate a clear, mandatory and monitored training policy** to be approved by the Council of Ministers, with specific key performance indicators to monitor improvements in public financial management.
- **Develop a long term strategy for professionalization** based on specific country context, civil service structure and needs of the public sector.
- **Involve the academic sphere** in the process as high level training and research could be useful tools for training centers, institutions and policymakers.



Parallel Session IV

Public Procurement for Sustainability and the Achievement of SDG 12



Chairperson

Ms. Jihan SEOUD, Energy & Environment Program Analyst, United Nations Development Program

Speakers

1. Ms. Rana RIZKALLAH, Procurement Specialist, Institut des Finances Basil Fuleihan of Lebanon
2. Mr. Ibrahim MALLAH, Head of the Energy and Sustainable Development Committee at the Association of Lebanese Industrialists
3. Ms. Lara GEADAH, Sustainable Development Specialist, Sustainable Development Policies Division, United Nations Economic and Social Commission for Western Asia
4. Mr. Jawad WAKIM, Procurement Officer, Administration Services Division, United Nations Economic and Social Commission for Western Asia

Topics Discussed

- Where does Lebanon stand in terms of sustainable production and consumption? Is there a demand for sustainable products? How important is this issue to the Government?
- Is the Lebanese market able to respond to and be ready for sustainable procurement?
- How are institutions practically integrating sustainable procurement in their practices and behaviors?

“Public procurement is not only a procedure; it is a human intervention, a human decision.”

Rana RIZKALLAH

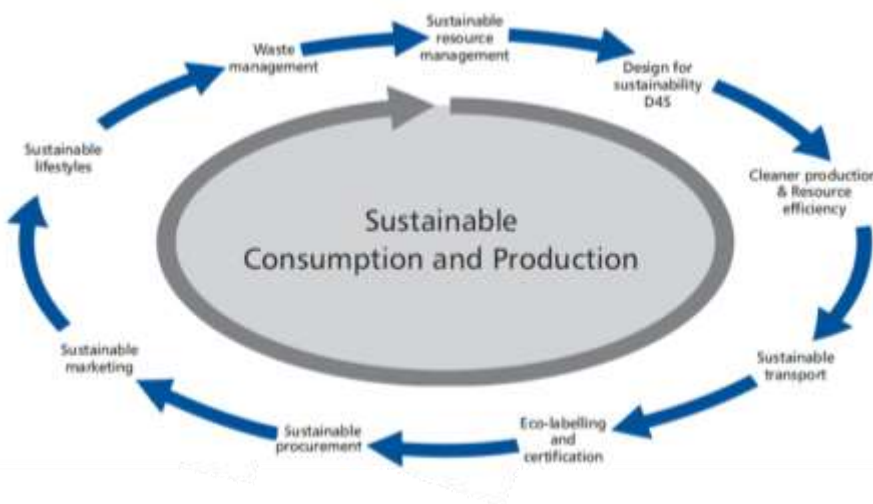
Context and Challenges

Aside from economic gains that include achieving savings when considering life-cycle costs and providing incentives for an industry to innovate, sustainable public procurement (SPP) by governments include environmental, social, health and political benefits. By purchasing environmentally friendly products, public authorities can provide industry with real incentives for developing green technologies and products, especially in sectors where they command a significant share of the market such as public transport, infrastructure, health and education.

“Promoting public procurement practices that are sustainable, in accordance with national policies and priorities” is one of the targets of Goal 12 on “Responsible Consumption and Production” of the 2030 Sustainable Development Agenda²⁶. Good procurement is sustainable public procurement. Considering more than the green or environmental dimension, SPP is a powerful policy instrument for achieving sustainable development objectives, by ensuring that suppliers, contractors, and goods and services purchased by public entities, achieve economic, social and environmental benefits.



Figure 8: Sustainable Consumption and Production (SCP)²⁷



In the last two decades, environmental degradation has reached alarming levels in Lebanon, raising concerns of public health and economic costs for citizens and the State. For instance, water contamination has reached levels ten times higher than the World Health Organization

²⁶ <https://sustainabledevelopment.un.org/sdg12>

²⁷ Institut des Finances Basil Fuleihan, How can Sustainable Public Procurement Pave the way to Sustainable Development, 2015

(WHO) guidelines for some chemicals²⁸. Air pollutants have increased by 20% since 2011²⁹, making the potential cost of climate change approximately USD 1.9 billion³⁰. In addition, health expenditures have increased by 72% between 1995 and 2011³¹. The adoption of sustainable procurement by the Government may help facing environmental and health challenges.

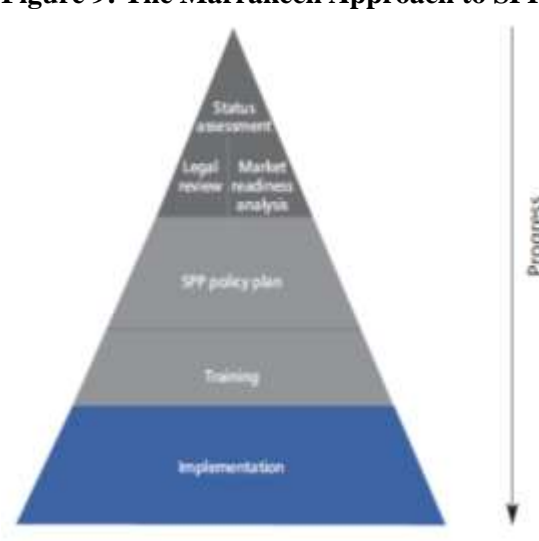
Discussion Highlights

From a public sector perspective, Lebanon was selected in 2009 as pilot country³² for the implementation of SPP through the Approach developed by the Marrakech Task Force (MTF)³³. In 2010, the Lebanese Ministry of Finance, represented by the Institut des Finances Basil Fuleihan, joined the MTF on SPP to assess the current status and to propose future actions.

Outcomes:

- **A Status Assessment** on the national status of public procurement.
- **A Review of the Legal Framework** related to SPP analyzing possibilities for integrating social and environmental criteria in procurement.
- **A Market Readiness Analysis** defining the existing productive capacities for sustainable products and services and the potential responsiveness of the market (6 priorities products were defined based on quick wins).
- **A Short-Term Action Plan** on SPP integrated within the National Action Plan for SCP for the industrial sector in Lebanon³⁵.

Figure 9: The Marrakech Approach to SPP³⁴



Key Challenges for Lebanon:

- SPP is not yet on the policy agenda.
- Funding to implement the national action plan on SPP is insufficient.
- Capacity and awareness on sustainability across government needs to be enhanced.

²⁸ Lebanese Ministry of Environment, *Lebanon Environmental Assessment of the Syrian Conflict & Priority Interventions Updated Fact Sheet*, 2

²⁹ Lebanese Ministry of Environment, The European Union, and United Nations Development Programme, *Lebanon Environmental Assessment of the Syrian Conflict & Priority Interventions*, report (Wide Expertise Group, 2014), 8, accessed November 15, 2017, <http://www.undp.org/content/dam/lebanon/docs/Energy%20and%20Environment/Publications/EASC-WEB.pdf>.

³⁰ Lebanese Ministry of Environment, 2015

³¹ "Health Expenditures Increased by 70 Percent in 16 Years," *Lebanon News*, November 30, 2015, accessed November 15, 2017, <http://www.businessnews.com.lb/cms/Story/StoryDetails.aspx?ItemID=5251>

³² Seven pilot countries: Colombia, Chile, Costa Rica, Lebanon, Mauritius, Tunisia and Uruguay

³³ Led by UN Environment and the Swiss Government

³⁴ Institut des Finances Basil Fuleihan, *How can Sustainable Public Procurement Pave the way to Sustainable Development*, 2015

³⁵ The National Action Plan on SCP was adopted by the Council of Ministers.

From a private sector perspective, joining forces with the Government is considered key to advancing the SPP portfolio in Lebanon.

Known for its resilience³⁶, the Lebanese industry contributes to more than 10% of the country's GDP. It also exports high quality and sustainable products to 74 countries worldwide to answer the demand of foreign governments and markets, which reflects its readiness to answer local demand for sustainable products if available.

Box 10: The United Nations' Experience in Sustainable Procurement

The United Nations' spending or purchases around the world is estimated at USD 14 billion yearly. The UN moral obligation is to make an impact on the communities while spending.

The Economic and Social Commission for Western Asia (ESCWA) is one of the commissions of the UN. Among its missions is to guide and assist Arab countries in the implementation of sustainable consumption and production, in the framework of the 2030 Sustainable Development Agenda.

Like all other UN agencies, the UN-ESCWA has integrated sustainable procurement in its practices. In the UN procurement manual, the word "sustainable" is not mentioned because good procurement is by nature sustainable. Special provisions related to sustainability are attached to the bidding documents and contracts as defensive mechanisms to protect the UN agencies against litigation. The UN procurement system observes 4 key principles:

1. Best Value for Money
2. Fairness, integrity and transparency
3. Effective international competition
4. UN interests

Lessons learned from this experience recommend embedding sustainability throughout the procurement process, namely at the levels of:

- **Planning:** Adding value to the procurement process since the planning phase by challenging and rethinking the real needs of administration and searching for alternative solutions.
- **Setting Requirements:** Setting clear specifications using hybrid approaches based on both conformance and performance.
- **Sourcing:** Creating a unified database for suppliers' registration.
- **Evaluating:** After evaluation, disqualifying suppliers that do not meet the requirements.
- **Contracting Management:** Ensuring balanced, fair and written contracts for any type of procurement which is beneficial for both the public sector and suppliers.

³⁶ Resilience is due to the political and economic contexts, the high production costs and the lack of good infrastructure.

“Sustainable Procurement is the procurement that satisfies the triple bottom line: Profit, People and Planet”

Jawad WAKIM

Call for Action

For the Government of Lebanon to enhance sustainable public procurement practices, several steps are recommended:

- **Adopt a national strategy** to ensure long term commitment to sustainability and a clear policy framework for SPP, engaging both the public and private sectors.
- **Mobilize resources** to implement the SPP Action Plan for Lebanon.
- **Enforce current environmental legislation** to procurement operations and that requires assessing the environmental impact of each project prior to initiation.
- **Use standardized bidding documents** across government.
- **Create at the Tender Board a bank of specifications** including sustainable criteria to serve as reference to procuring entities.
- **Consider, within the current legal procurement framework, the life cycle costing** instead of the initial costing in the tender documents, knowing that such a measure only requires a decision at the administration level.
- **Fine industrialists and other polluters** against infringements of environmental regulations.
- **Develop capacities of procurement practitioners** and raise awareness at all levels of government on sustainable practices.
- **Set clear sustainable procurement guidelines** for practitioners.
- **Develop tools** for procurement operations monitoring and evaluation.
- **Ensure transparency and accountability** of the overall procurement process.



Concluding Remarks and the Way Forward

Towards A National Multi-Stakeholder Public Procurement Policy Framework in Lebanon

The Forum on **Public Procurement for Resilience and Sustainable Growth** was held in Beirut, Lebanon, on the 26th and 27th of June 2018, organized by the Institut des Finances Basil Fuleihan, under the auspices and in the presence of His Excellency the Lebanese Minister of Finance, Mr. Ali Hassan Khalil,

With the collaboration of the Agence Française de Développement (AFD), the Association of Lebanese Industrialists (ALI), the European Bank for Reconstruction and Development (EBRD), the UN Economic and Social Commission for Western Asia (UN-ESCWA), the joint EU-OECD Support for Improvement of Governance and Management (SIGMA), the Tender Board of Lebanon, the World Bank, and the 10 Year Framework of Programme on Sustainable Consumption and Production (10 YFP),

And with the participation of more than 310 policy and decision-makers, senior officials and practitioners of the Government of Lebanon, as well as, representatives of the private sector and civil society organizations, of regional and international organizations, and of countries enjoying a track record in procurement reform.

The Forum recognized that:

- Public procurement is one of the critical structural reforms the Government of Lebanon has committed to at the recent CEDRE Conference to improve financial and infrastructure governance, foster inclusive economic growth and deliver efficiently on the commitments of the donor community that pledged USD 11 billion to support the Lebanese Government implementation of its Vision for Stabilization, Growth and Employment and Capital Investment Plan (CIP).
- Public procurement is also a key driver for achieving the Government's commitment to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, in particular Goals 12 and 16 for “Ensuring sustainable consumption and production patterns” and promoting “Peace, Justice and Strong Institutions” and enhancing citizen well-being.
- Therefore, the reform of the current public procurement framework is an inevitable pillar of governance to ensure transparency and better value for taxpayers' money, foster private-led growth, enhance competitiveness and the development of Small and Medium

Enterprises, spur job creation, improve the business climate, instill innovative practices, fight corruption and collusion, enhance institutional capacity and tackle pressing issues related to the environment and public health in order to help restore citizen trust and empower the social contract.

In this perspective, the Forum on “Public Procurement for Resilience and Sustainable Growth” discussed Lebanon’s capacity to advance its procurement agenda to meet development challenges and analyzed links with domestic policy reform, institutional capacity, economic growth, competitiveness, governance and regulation, sustainable development, project management and capacity development. It looked at the successful experiences of Chile, France, Portugal, Tunisia and Ukraine and at the guidelines and recommendations of international organizations, in particular at the AFD, EBRD, European Union, EU-OECD SIGMA, International Growth Center, IMF, UNDP, UN-ESCWA and the World Bank.

In summary, participants identified a set of barriers hindering public procurement mainly related to:

1. Dealing with public procurement as an event rather a process and an administrative function rather than a strategic function of the State able to achieve inclusive economic and sustainable development.
2. The lack of political will for public procurement reform and for evidence-based policy making.
3. An outdated and not fully implemented legislative framework governing procurement that does not support modern practices *such as sustainable and green procurement, reverse auction, Best and Final Offer, Framework Agreements, and Performance based contracts*, which may result in infringing and discriminatory practices in the implementation of the current procurement law.
4. Limited complementarity and compatibility with other laws (Public Private Partnerships, competition law, labor law, conflict of interest, etc.)
5. Overlapping mandates of public procurement stakeholders.
6. Weakened oversight environment and institutions that hinder procurement governance, efficiency, transparency and accountability.
7. Limited consultations with stakeholders outside of government institutions on policy reform.
8. Inefficient anti-monopoly, elite capture and conflict of interest policies.

9. Absence of standardization, coherent documentation (absence of Standard Bidding Documents or Model contracts) and best practices paving the way for arbitrary and inconsistent practices, including the excessive use of mutual agreements.
10. A multi-level capacity gap emphasized by the absence of recognition of procurement as a stand-alone profession in government, of the related job descriptions and of a comprehensive competencies framework.
11. Limited IT infrastructure and information management systems that would help to streamline procurement operations, enable the gradual establishment of e-procurement and provide a dynamic framework for data access and analysis.
12. Limited participation of SMEs to public procurement markets coupled with insufficient information about procurement opportunities and procedures, funding and restrictive technical terms of reference that do not address local market and SME characteristics and capacities.

CALL FOR ACTION

To address these challenges, participating institutions recommend the adoption of a roadmap for reform and modernization with significant developments and outputs that include:

a. Policy and legal recommendations

1. Define and promote clear, measurable and consistent principles for the development of an enabling environment for the realization of the Lebanese Government's Vision for Stabilization, Growth and Employment brought forward at the CEDRE Conference, particularly the reform of public procurement regulations and procedures. This entails the definition of policy guidelines that would inspire the efforts leading to the new law.
2. Create and sustain the political will, ownership and consensus for the speedy endorsement of new and updated/modern procurement legislation and decrees by the Government and the Parliament **following public consultations** with the private sector and civil society.
3. Conduct a quality and effectiveness assessment of the Lebanese procurement system based on the MAPS tool to help Lebanon identify strategic areas of intervention.
4. Recognize the critical role of procurement professionals, the private sector, civil society organizations and the donor community in the public procurement process to drive forward the CEDRE Conference and Capital Investment Plan (CIP) priorities and foster a participatory dialogue between the different stakeholders.

5. Clarify the mandates of stakeholders involved in public procurement and prioritize strengthening their institutional capacity. A revision of the role of each is necessary so to delineate responsibilities, overlap and gaps.
6. Empower oversight institutions and mechanisms and assure their independence from political pressures.
7. Encourage and facilitate the diverse and competitive participation of SMEs to procurement markets through increased access, capacity-building and incentives to private sector (*such as granting SMEs preferential payment terms or making it mandatory for all awarded suppliers to have proper Professional Indemnity Insurance, proposing tax exemptions whenever SMEs employ Lebanese individuals in order to win a public tender or during the execution of such a tender, etc.*).
8. Apply provisions of sustainable public procurement (SPP) in new procurement decrees and laws to promote compliance with social and environmental policies and international agreements ratified by Lebanon.
9. Adopt laws and decrees necessary for the modernization of the procurement system such as e-signature, competition law, conflict of interest law, etc.
10. Establish and implement a compulsory multi-stakeholder, bottom-up and results-driven training policy and change management programs that integrate sustainable public procurement, professional codes of ethics and other good practices and lessons learned from comparable countries which will be approved by the Council of Ministers.

b. Specific recommendations

1. Enhance competitiveness, efficiency and private sector participation

- Promote the principles of fair competition to build private sector and donor confidence in public procurement and mitigate long standing SME perceptions of the lack of integrity by adopting transparent and non-discriminatory selection criteria and by increasing information sharing throughout the procurement lifecycle stages.
- Create a community of practice for SMEs in Lebanon to maintain dialogue and exchange knowledge and information on public procurement related subjects and opportunities and to engage with local investors and address their concerns.
- Bring forth national initiatives, programs and strategies targeted at SMEs and the business opportunities offered by public procurement to SMEs.
- Create a help desk at the Tender Board to assist SMEs in preparing public bids and train them on submitting successful bids, building on the experience of the World Bank funded program managed by the Institut des Finances Basil Fuleihan.

- Encourage the creation, from the side of the private sector, of an accelerator for the government contracting market and a guarantee facility to support SMEs suffering from delayed payments.
- Facilitate the creation of an enabling market for international competition, allowing foreign firms to compete on equal terms.

2. **Accelerate the digitalization of the procurement process**

- Accelerate and consolidate various efforts for launching an online unified procurement platform through a phased-approach for the gradual establishment of e-procurement. It is important to acknowledge that e-procurement is interdependent upon both the overall public procurement reform and the e-government strategy and ecosystem.
- Conduct awareness-raising and reach-out activities to key stakeholders to introduce the concepts of virtual markets and secure online transactions and their advantages in terms of efficiency in saving time and money and promoting transparency.
- Systematically register open procurement data at the central and local levels on the online procurement platform and make it accessible to decision-makers and to SMEs, the civil society, researchers and media to enhance integrity and increase confidence of investors and the donor community.

3. **Foster transparency and integrity and fight against corruption**

- Issue a draft circular in compliance with standard transparency principles that requires the publication of an annual procurement plan with well identified parameters for all types of procurement.
- Endorse the Standard Bidding Procurement Documents (SBPD) prepared by the Ministry of Finance and the Institut des Finances Basil Fuleihan and make their use mandatory.
- Publish procurement information and contract awards online, including projects financed under the CEDRE Conference.
- Improve the oversight of public procurement activities and reporting mechanisms pertaining to the right to access governmental data by giving priority to performance-based audits, efficiency measurement and transparency through data collected through the unified e-procurement platform.
- Establish an online complaints system to enhance early responsiveness, implement timely and effective corrective measures and allow reporting on the number and nature of complaints.

4. **Integrate sustainable procurement practices**

- Develop a databank of specifications that integrates sustainability criteria for the most common goods, services and works relevant to the Lebanese market.

- Develop a set of indicators to monitor on an annual basis the implementation of the SPP provisions.

5. **Build institutional capacity and close the capacity gap**

- Provide technical support to the institutional strengthening of the Tender Board and the automation of its activities including online provision of procurement guidelines, bidding documents and product specifications, as well as, the establishment of a national public procurement observatory.
- Develop job descriptions for a full-fledge procurement profession in the public sector, while giving importance to recruitment, career development, performance appraisal and accountability. Also, particular attention should be dedicated to developing procedures pertaining to the protection of public procurement professionals from various pressures and to reduce potential conflicts of interest and other threats to the integrity of the process.
- Invite local universities to develop new academic programs and specializations on public procurement.
- Consider organizing annual or bi-annual public procurement fairs accessible to all stakeholders to discuss and exchange ideas on the most recent developments in Lebanon and abroad.

c. **Coordination mechanisms**

To yield effective and sustainable results, this multi-stakeholder roadmap towards Public Procurement for Resilience and Sustainable Growth needs to foresee the establishment of a dynamic coordination mechanism in the proposed collaborative form of a **national technical task force** that includes representatives of government stakeholders, the private sector, civil society, academia, think tanks, media and donors to promote effective and innovative partnerships and the harmonization of efforts.

A statement of commitment should be ratified by each group of stakeholders, defining respective roles and responsibilities and clear and measurable objectives.

The Organizers aspired that this Forum will lay a cornerstone for the continued sharing of practical experience and lessons learned and contribute to the ongoing development of this vital sector in Lebanon.

This report is an integral part of the conference documentation and is available for public reading in order to contribute to the policy debate for modernizing public procurement in Lebanon.

Beirut, June 27, 2018

APPENDICES

Appendix 1: Forum Agenda

TUESDAY, JUNE 26, 2018

9:00 - 9:30 Welcoming of participants and registration

9:30-10:30 **Welcome note by Ms. Lamia Moubayed Bissat**, President of the Institut des Finances Basil Fuleihan, Lebanon

Opening remarks by:

H.E. Dr. Mohamad Ali AL HAKIM, Executive Secretary, ESCWA

Mr. Saroj Kumar JHA, Regional Director of the Mashreq Department, World Bank

Mr. Philippe LAZZARINI, Resident Coordinator for Lebanon, United Nations

Ms. Gretchen BIERY, Head of Lebanon Resident Office, European Bank for Reconstruction and Development

Ms. Julia KOCK DE BIOLLEY, Deputy Head of Mission, Delegation of the European Union to Lebanon

Concluding Statement by the H. E. the Minister of Finance, Mr. Ali Hassan KHALIL

10:30–12:00 Plenary Session I: Why is Public Procurement Key for Lebanon’s Resilience and Sustainable Growth?

Mr. Olivier RAY, Director for Lebanon and Syria, Agence Française de Développement

Mr. Jan JACKHOLT, Procurement Director, European Bank for Reconstruction and Development

Dr. Jean ELLIEH, Director General of the Central Tender Board, Lebanon

Ms. Erika BOZZAY, Senior Adviser on Public Procurement, EU-OECD SIGMA

Moderator: Ms. Lamia MOUBAYED BISSAT, President of the Institut des Finances Basil Fuleihan, Lebanon

12 :00 – 12 :30 Coffee Break

12:30 – 14:00 Plenary Session II: Competitiveness, Innovation and Job Creation: How Can Governments Enhance Access to Procurement Markets and Spur Job Creation?

H.E. Mr. Nicholas NAHAS, Member of the Lebanese Parliament

Mr. Daniel ABOUD, Member of the Board, Association of Lebanese Industrialists

Mr. Ziad YOUNES, Chairman, BUTEC

Ms. Natalia SHAPOVAL, Director for Economic and Political Research, Kiev School of Economics, Ukraine

Ms. Sonia BEN SALEM, Director of TUNEPS, Tunisia

Moderator: Mr. Nadim ABOUD, Managing Partner of A. Abboud & Associates Law Offices, Lebanon

14:00 – 15:00 Lunch

15:00 - 16:30 ROUND TABLE DISCUSSIONS: FROM POLICY TO PRACTICE

The roundtable discussion sessions were intended to shed the light on specific practices and tools as well as successful countries experiences that allow raising procurement to a strategic level and help identify practical recommendations to promote competition, transparency and accountability.

Parallel Session I : E-services for Competition, Transparency and Savings

Mr. Ali ABDALLAH, Office of the Minister of State for Administration Reform

Mr. Elie NAIM, Consultant, Lebanon

Mr. Knut J. LEIPOLD, Lead Procurement Specialist, World Bank

Mr. Adnan KHAN, Director of research and Policy, International Growth Centre, UK

Ms. Viviana MORA, Observatory Chief, Chile Compra

Ms. Anna VIEIRA, Public Contracting Authorities Manager, National Public Procurement System, Portugal

Moderator: Mr. Ramzi El HAFEZ, General Manager of INFOPRO, Lebanon

Parallel Session II: Using Procurement Data for Combating Fraud and Corruption

Mr. Elie MAALOUF, Judge at the Court of Audit, Lebanon

Mr. Viktor NESTULIA, Program Director, Transparency International, Ukraine

Mr. Niels BRALEY, ETALAB, France

Mr. Badri MEOUCHI, President of the Board of Directors, Lebanese Transparency Association

Moderator: Ms. Sahar El ATTAR, Editor in Chief of the Commerce du Levant, Lebanon

WEDNESDAY, JUNE 27, 2018

9:00 – 10:30 Plenary Session III: Public Procurement for Better Infrastructure

Judge Georges ATTIEH, President of the Central Inspection Board, Lebanon

Mr. Ziad HAYEK, Secretary General of the High Council for Privatization and PPP, Lebanon

Mr. Ibrahim CHAHROUR, Head of the Department of Planning and Programming, Council for Development and Reconstruction, Lebanon

Mr. Sepehr FOTOVAT, Senior Procurement Specialist, World Bank

Ms. Racheeda BOUZEKIA, Chief of the PIMA mission to Lebanon, Fiscal Affairs Department, IMF

Mr. Jan JACKHOLT, Procurement Director, European Bank for Reconstruction and Development

Moderator: Ms. Hala BEJJANI, Managing Director, Kulluna Irada

10:30- 11:00 Coffee break

11:00 – 12:30 ROUND TABLE DISCUSSIONS: FROM POLICY TO PRACTICE

Parallel Session III: Capacity for Public Procurement

Ms. Jinane DOUEIHY, Director of Training, Institut des Finances Basil Fuleihan, Lebanon

Ms. Erika BOZZAY, Senior Adviser on Public Procurement, EU-OECD SIGMA

Mr. Adnan KHAN, Director of Research and Policy, International Growth Centre, UK

Mr. Côme DECHERY, Financial Governance Specialist, Agence Française de Développement

Moderator: Ms. Nisrine MACHMOUCHEH, First Controller, Civil Service Board, Lebanon

Parallel Session IV: Public Procurement for Sustainability and the Achievement of SDG 12

Ms. Rana RIZKALLAH, Procurement Specialist, Institut des Finances Basil Fuleihan of Lebanon

Mr. Ibrahim MALLAH, Head of the Sustainable Development Committee, Association of Lebanese Industrialists

Ms. Lara GEADAH, Sustainable Development Specialist, Sustainable Development Policies Division, UN-ESCWA

Mr. Jawad WAKIM, Procurement Officer, Administration Services Division, UN-ESCWA

Moderator: Ms. Jihane SAOUD, Energy & Environment Program Analyst, United Nations Development Program

12:30 – 13:30 Concluding Remarks and the Way Forward

Mr. Ibrahim MALLAH, Head of the Sustainable Development Committee, Association of Lebanese Industrialists

Ms. Erika BOZZAY, Senior Adviser on Public Procurement, EU-OECD SIGMA

Mr. Jan JACKHOLT, Procurement Director, European Bank for Reconstruction and Development

Dr. Jean ELLIEH, Director General of the Central Tender Board, Lebanon

Ms. Lara GEADAH, Sustainable Development Specialist, Sustainable Development Policies Division, UN-ESCWA

Ms. Lamia MOUBAYED BISSAT, President, Institut des Finances Basil Fuleihan of Lebanon

Appendix 2: Partners



Agence Française de Développement



Association of Lebanese Industrialists - Lebanon



European Bank for Reconstruction and Development



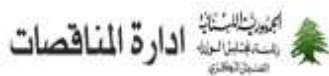
UNITED NATIONS
الاقتصاد
ESCWA

United Nations Economic and Social Commission for Western Asia



SIGMA
Support for Improvement in Governance and Management
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Support for Improvement in Governance and Management - SIGMA



Tender Board - Central Inspection Board - Lebanon



The 10-Year Framework Programme on Sustainable Public Procurement








World Bank

Appendix 3: Biographies of Speakers

Plenary Session I


Why is Public Procurement Key for Lebanon's Resilience and Sustainable Growth?





	<p>Olivier RAY</p> <p>Olivier RAY has been AFD Country director for Lebanon and Syria since the summer of 2017. From 2014 to 2017, he headed the French Development Agency's (AFD) crisis prevention and post-conflict recovery unit, where he contributed to the establishment of France's Peace and Resilience Fund.</p> <p>He co-authored a number of publications and articles on international development. He holds an MA in International Affairs from Columbia University, an MA in Public affairs from Sciences-Po, and a BSc in International Relations from the London School of Economics and Political Science.</p>
	<p>Jan JACKHOLT</p> <p>Jan Jackholt is Director of the procurement function at the European Bank for Reconstruction and Development. Jan is a Swedish National and holds a Master in Business Administration from Uppsala University. Before joining the EBRD in 1999, Jan was working with procurement and implementation of IFI and donor funded development projects in Latvia, Estonia, Zambia, Vietnam and Poland. Apart from the very important day to day support to the Bank's projects, Jan considers the establishment of the International Master Class in Public Procurement Management with Tor Vergata University in Rome as one of the most satisfying achievements in his career. The Master class has formed a natural large network of public procurement professionals in the Bank's countries of operations that consists of not only skilled professionals, but personal friends. "You can't beat that!", says Jan.</p>
	<p>Jean ELLIEH</p> <p>Jean Ellieh is the Director General of the Tender Board at the Central Inspection Board since June 2012. He is also the Secretary of the Network of Public Procurement Experts in the Middle East and North Africa (MENA) since 2013. He previously worked as a Senior Auditor at the Court of Audit between 2002 and 2012. Holder of a Bachelor degree in Business Administration, a Bachelor and a Master's degree in Law, as well as a PhD in Public Law from the Lebanese University, he contributes to the meetings of the Finance and Budget Parliamentarian Committee and in several commissions, to propose legal and regulatory texts on the control of public funds, on the procurement draft law and on the organization of the Central Inspection Board. He is a</p>

	<p>lecturer at the Lebanese University and a trainer at the Institute of Finance - Ministry of Finance. He has been praised several times by the Presidency of the Court of Audit.</p>
	<p>Erika BOZZAY</p> <p>Erika Bozzay works as a senior policy adviser in SIGMA, a joint initiative of the OECD and the European Union. She coordinates the public procurement professional team and is involved in public procurement peer reviews, advice on drafting public procurement development strategies, institutional framework and national legislation, as well as capacity building activities. She holds a Master’s degree in law and political sciences and a higher degree in European Union Law.</p>
	<p>Lamia MOUBAYED BISSAT</p> <p>Lamia Moubayed Bissat is the President of the Institut des Finances Basil Fuleihan at the Lebanese Ministry of Finance. She also teaches courses on governance and public administration. She is a member of the board of the “International Association of Schools and Institutes of Administration”, a member of the Committee of Experts on Public Administration, and President and founding member of the GIFT-MENA network of civil service training schools in MENA. She was awarded many honors and is a fervent supporter of women talents.</p>

Plenary Session II

Competitiveness, Innovation and Job Creation: How Can Governments Enhance Access to Procurement Markets and Spur Job Creation?

	<p>Nicholas NAHAS</p> <p>Nicholas Nahas is a member of Parliament and a former Minister of Economy. He began his career as a businessman in varied fields.</p> <p>He has a Bachelor degree in civil engineering from Saint Joseph University in Lebanon: he attended the postgraduate ISMP program at Harvard Business School and received a degree in business administration there.</p>
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	<p>Daniel ABBOUD</p> <p>Daniel Abboud is a member of the Board of the Association of Lebanese Industrialists, where he heads the committee for International Relations.</p> <p>He is also in charge of manufacturing at a large industrial group, an active representative within the Euromed Industrial Cooperation Program, leads a European-funded sectorial program for helping struggling furniture manufacturers, and is part of the steering committee for establishing new industrial zones. He has a degree in engineering from AUB and an MBA from McGill university.</p>
	<p>Ziad YOUNES</p> <p>Ziad Younes is Chairman of BUTEC, a leading Lebanese and regional contracting company, founded in 1964. He is a founding member of the MIT Enterprise Forum for the Pan Arab Region, an avid promoter of entrepreneurship and innovation worldwide. He is a lecturer and has a number of publications in leading academic journals. He is an engineer, graduate of Ecole Polytechnique in France; and holds an M.S. in Technology and Policy from the MIT, and a DEA in Industrial Organization from the University of Paris IX–Dauphine.</p>
	<p>Nataliia SHAPOVAL</p> <p>Nataliia Shapoval is the Vice President for Policy Research and Director of the Center of Excellence in Procurement at the Kyiv School of Economics in Ukraine. She is also a member of the Editorial Board of Vox Ukraine.</p> <p>Ms. Shapoval holds a Master's degree in Probability Theory and Statistics from Taras Shevchenko National University, and a Masters in Economic Analysis from the Kyiv School of Economics (KSE). She worked on policy research projects on public health costs and resource allocation, and on youth unemployment in Ukraine and Europe. She is now leading an analytical group working on the analysis of public procurement, guiding and doing analysis on cost of HIV disease, the financial burden of health care costs. She is also leading the development of the first post-graduate diploma in procurement at the Center of Excellence in Procurement.</p>
	<p>Sonia BEN SALEM</p> <p>Sonia Ben Salem is the Director of TUNEPS, the online Public Procurement System in Tunis. Her domain of expertise includes the elaboration of public procurement and e-procurement regulations, the monitoring of the e-procurement process and controlling the regularity of public procurement. She also provides training in e procurement. She holds a Master's degree in Public Administration and Business Law.</p>



Nadim ABBOUD

Nadim Abboud is a lawyer and Managing Partner of A. Abboud & Associates Law Offices in Lebanon. Holder of a Bachelor degree in Law from Saint Joseph University, a Master's degree in Law (L.L.M) from Georgetown University and a Master's degree in Business Administration (MBA) from the Ecole Supérieure des Affaires (ESA), he has consulted on and participated in the review and drafting of various laws and regulations to several ministries such as the Ministry of Finance, Economy and Trade, Environment, and Health. Lecturer at Haigazian University, Nadim Abboud is also a writer of several articles covering legal and economic on matters relating to leasing, foreign investment and the environment.

Plenary Session III

Public Procurement for Better Infrastructure



George ATTIEH

Georges Attieh has been the President of the Central Inspection Board since 2017. Judge, he served as the Head of Enforcement department, and tribunal of violations and proceedings, and the court of execution of contracts for vehicles (2009-2017). Professor of Law at Sagesse and St. Joseph universities, and trainer at the Institute of Finance. He holds a Bachelor's degree in Law from Lebanese University and passed the special law diploma examinations for postgraduate from LU.



Ziad HAYEK

Ziad Hayek is the Secretary General of the High Council for Privatization and PPP and Vice Chair of the United Nations Working Party on PPP. He serves on a number of corporate boards. He was previously CEO of Lonbridge Associates, Senior Managing Director of Bear Stearns, President of Indosuez Mexico, and VP of Salomon Brothers Citibank. Mr. Hayek has an MA in International Management from the University of Texas. He is conversant with eleven languages.



Ibrahim CHAHOOR

Ibrahim Chahrour is the director of planning and programming at the Council for Development and Reconstruction (CDR). He also taught civil engineering at the I.N.S.A. in Lyon as well as at the Université Saint Joseph in Beirut, and is the author of several specialized publications in his field. He Holds a PhD and of a D.E.A. in Civil Engineering from the National Institute of Applied Sciences of Lyon (I.N.S.A.).



Sepehr FOTOVAT

Sepehr Fotovat is a Senior Procurement Specialist and a Country Procurement Coordinator of IBRD Mashregh Countries (Iran, Iraq, Jordan, Lebanon & Syria). He has been based in Beirut at the office of the World Bank Group since 2006. He follows up on procurement reforms and e-procurement as part of e-governance in Mashregh countries. Holder of a Bachelor's degree and a Master's degree in Mechanical Engineering, Sepehr's experience includes working in Fragility, Conflict & Violence context in Iraq and Yemen and managing Water Projects. His domain of expertise also includes contracts such as DBO, BOT, Life Cycle Analysis, Performance Based Contracts, and Framework Agreements.



Racheeda BOUZEKIA

Racheeda Bouzekia is Senior Economist at the Fiscal Affairs Department of the International Monetary Fund. She is specialized in public finance management and has been providing advice to member countries since 2011. Her expertise includes public investment management, fiscal risks, fiscal reporting, budget reforms and cash management in countries as diverse as fragile states or advanced economies. Racheeda Bouzekia has been working essentially in Western anglophone and francophone Africa, Europe and the Middle-East North Africa region. She is leading the Public Investment Management Assessment joint IMF/METAC/World Bank mission in Lebanon which will end in July 6th.



Jan JACKHOLT

Jan Jackholt is Director of the procurement function at the European Bank for Reconstruction and Development. Jan is a Swedish National and holds a Master in Business Administration from Uppsala University. Before joining the EBRD in 1999 Jan was working with procurement and implementation of IFI and donor funded development projects in Latvia, Estonia, Zambia, Vietnam and Poland. Apart from the very important day to day support to the Bank's projects Jan consider the establishment of the International Master Class in Public Procurement Management with Tor Vergata University in Rome as one of the most satisfying achievements in his career. The Master class has formed a natural large network of public procurement professionals in the Bank's countries of operations that consists of not only skilled professionals, but personal friends. "You can't beat that!", says Jan.



Hala BEJJANI

Hala Bejjani is an experienced management professional who worked in Paris, Edinburgh, Doha and Beirut. She is currently the Managing Director of Kulluna Irada, a political organization fostering the dialogue on Transparency, Accountability and Citizen participation. She spent over two decades of her career as a business consultant (Arthur Andersen, Edingburgh) and marketing manager in the insurance industry (SNA Group-Paris and Bankers Assurance-Lebanon) before becoming the General Manager of Al-Akhbar newspaper of which she is a co-founder. Since 1996, she has been actively involved in social development organizations in Lebanon. Hala holds an MBA (Marketing & Finances) and is fluent in English, Arabic and French.

Parallel Session I

E-services for Competition, Transparency and Savings






Ali ABDALLAH

Ali E. Abdallah is the Senior Advisor to the Lebanese Government on Digital Transformation and the Head of Computing Research in Birmingham City University, United Kingdom. Holder of a Master's degree and DPhil in Computer Science from the University of Oxford, his current research focuses on engineering, open trustworthy platforms and sustainable digital services. He has extensive experience working with stakeholders in business, government and scientific environments. He leads EU funded projects in partnership with Birmingham City Council for the co-creation of smart city innovations.



Elie NAIM

Elie Naim is a Public Procurement consultant working in Lebanon and Arab countries since 2004. Holder of a Master's degree in Civil Engineering, in International Business and in Public Procurement for Sustainable Development, Elie Naim is the founder of two companies in engineering consultancy and real estate management. He worked as an Advisor in public procurement to several ministers in various sectors and participated to developing procurement standard bidding documents in Lebanon and Iraq. He provides regular public procurement training to senior public officials in the Arab region.

	<p>Knut LEIPOLD</p> <p>Knut works as Lead Procurement Specialist in the Global Governance Practice, Solutions & Innovations in Procurement, Europe & Central Asia Region. He leads a team of procurement professionals in charge of supervising high-value complex procurements funded by the World Bank across different sectors in Bulgaria, Croatia, Poland, and Romania and provides advice on procurement reform, including e-Procurement and capacity development to strengthen public procurement systems in client countries.</p>
	<p>Adnan KHAN</p> <p>Adnan Khan is Research and Policy Director of the International Growth Centre at the London School of Economics. He has been leading IGC's research program since 2009 providing policy advice to governments in Africa and Asia and connecting policymakers with researchers. He teaches courses on public policy, economic development and bureaucracy at the LSE and at Harvard Kennedy School. His research typically involves field experiments conducted at scale through long-term collaborations with governments. He also received a Presidential Medal for performance.</p>
	<p>Viviana MORA</p> <p>Viviana Mora is a Public Administrator of the Central University of Chile, holder of a Master's Studies in Political Science. In 2007, she joined ChileCompra, where she carried out different functions facing numerous challenges: Responsible for Accreditation of Competencies and Training, Head of Specialized Advice to Public Buyers, Head of the Procurement Department and Head of the ChileCompra Observatory. She has advised different public services in strategic purchases, probity and transparency and taught courses for public buyers.</p>
	<p>Ana VIEIRA</p> <p>Ana Vieira works at ESPAP, IP, the entity responsible for managing the National Public Procurement System in Portugal. She holds a degree in Management and Business Administration and pursued a Post-graduate Advanced course in Public Procurement at the Universidade de Católica Portuguesa in Lisbon. Her professional experience includes 20 years in specialized consultancy and in FMCG multinational companies. Throughout her career she has taken part in several international projects and has participated in many trainings and workshops.</p>



Ramzi El HAFEZ

Ramzi El Hafez is the founder of InfoPro, a publishing, business consultancy and market research firm. He is the chairman of Al-Majmoua, one of largest microcredit organizations in Lebanon and a member of the Board of Directors of several NGOs and organizations. He published hundreds of articles on the economies of Lebanon and the Arab World and is a frequent guest at talk-shows and conferences. He holds a Bachelor and Master degree in Industrial Engineering and a Master in Business Administration from the University of Wisconsin – Madison.

Parallel Session II

Using Procurement Data for combating Fraud and Corruption



Elie MAALOUF

Elie Maalouf is a Judge at the Court of Audit. He advises several administrations and parliamentarian committees on the updates and review of laws. Lecturer at Sagesse University and the Lebanese University, he has several financial and legal studies on topics such as the Independent Municipal Fund, parliamentary oversight, the role of the Court of Audit, public procurement, among many others. Elie Maalouf is a certified Trainer in public procurement at the Institute of Finance – Lebanese Ministry of Finance.



Viktor NESTULIA

Viktor Nestulia is the Director of Innovation Projects Program at Transparency International Ukraine.

When the process of national public procurement reform was launched, he joined Transparency International as a coordinator of the ProZorro e-procurement system project on behalf of civil society. After the successful implementation of ProZorro, he has been working on building a monitoring ecosystem around ProZorro using innovative tools, risk indicators and the implementation of Open Contracting Data Standard. He also works on public sales and e-health issues.

Prior to joining the public sector, Viktor worked in the country’s largest agro-industrial company where he was responsible for analysis of procurement.



Niels BRALEY

Niels BRALEY is Chargé de mission at the international affairs and open Government, ETALAB, in France. Graduating in Public Policy, he focused on innovation within public procurement. As a public servant, he is now involved in the open-up of the public procurement data at Etalab, the French PM’s service for Open Data, Open Government and the digital transformation of the Public Service. He also works on the international and open government affairs, while Etalab is also the one-year chair of the Contracting 5, a 6 countries partnership on Open Contracting matters.



Badri MEOUCHI



Badri Meouchi is the President of the Board of Directors of the Lebanese Transparency Association, the first Lebanese NGO to focus on curbing corruption and promoting good governance. He worked in partnership with the International Finance Corporation’s Corporate Governance Project to offer Lebanese and Arab companies with a variety of services through the IoD. He joined Tamayyaz in 2015 and has been developing new Corporate Governance Services to help SMEs develop and implement governance framework within their organizations.



Sahar El ATTAR

Sahar El Attar is the Editor in Chief of the Commerce du Levant, a Lebanese business magazine. She previously worked as a Freelance Journalist for Future TV, the European Institute of the Mediterranean (IEMed) and Qatar Media Corporation. From 2015 to 2017, Sahar was a Senior Journalist at the Commerce du Levant where she wrote investigative and in-depth reports about the Lebanese economy covering topics such as public finance, public governance, waste management among others. She holds a Bachelor's and Master's degree in Information and Communication as well as a Diploma of Higher Specialized Studies (DESS) in Journalism from ASSAS-Paris II University.

Parallel Session III
Capacity for Public Procurement

	<p>Jinane GHANEM DOUEIHY</p> <p>Jinane Ghanem Doueihy is the Director of Training at the Institut des Finances Basil Fuleihan. Specialized in training engineering and adult learning, she accumulates over 20 years of experience in training, communication and technical assistance in Lebanon and the MENA region.</p> <p>She holds a Diploma of Higher Specialized Studies (DESS) in Journalism and a Master's degree in Political and Administrative Sciences.</p>
	<p>Erika BOZZAY</p> <p>Erika Bozzay works as a senior policy adviser in SIGMA, a joint initiative of the OECD and the European Union. She coordinates the public procurement professional team and is involved in public procurement peer reviews, advice on drafting public procurement development strategies, institutional framework and national legislation, as well as capacity building activities. She holds a Master's degree in law and political sciences and a higher degree in European Union Law.</p>
	<p>Adnan KHAN</p> <p>Adnan Khan is Research and Policy Director of the International Growth Centre at the London School of Economics. He has been leading IGC's research program since 2009 providing policy advice to governments in Africa and Asia and connecting policymakers with researchers. He teaches courses on public policy, economic development and bureaucracy at the LSE and at Harvard Kennedy School. His research typically involves field experiments conducted at scale through long-term collaborations with governments. He also received a Presidential Medal for performance.</p>
	<p>Côme DECHERY</p> <p>Côme Dechery works as a financial governance specialist at the French Development Agency. He provides technical and financial support to governments in the design and implementation of capacity-building programs. His operations typically focus on public expenditure management, procurement and public investment. He is the French representative within the Global Procurement Partnership, an international coalition for the advancement and professionalization of public procurement systems.</p>



Nisrine MACHMOUCHEH

Nisrine Machmoucheh is First Controller at the Civil Service Board in Lebanon. She is specialized in Administrative Law, Administrative Organization and Human Resources. She contributes to the proposal and analysis of regulations and mechanisms for the development of human resources in the Lebanese public sector. She is responsible for projects related to competency identification and job descriptions and represents the Board in related committees. She also heads the Procurement Committee. She has a Master's degree in Law.

Parallel Session IV

Public Procurement for sustainability and the achievement of SDG 12



Rana RIZKALLAH

Rana Rizkallah is the procurement specialist at the Institut des Finances Basil Fuleihan. While working on public procurement related topics, she helped introduce and promote sustainable public procurement and helped anchor Lebanon's position in this international agenda. Rana holds an Executive MBA in Corporate Management from Dauphine University in Paris and Saint-Joseph University in Beirut and is a trainer in Public Procurement.

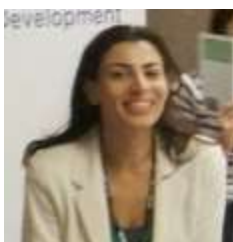


Ibrahim MALLAH

Ibrahim Mallah is the Head of the Energy and Sustainable Development Committee at the Association of Lebanese Industrialists. He is also member of the lobbying & membership committees.



Enjoying extensive experience in the industrial field, he is the General Manager of two companies involved in the marble, granite & natural stone processing & manufacturing.

Ibrahim holds a diploma of civil engineering from Saint Joseph University (ESIB).



Lara GEADAH

Lara Geadah has regional expertise in sustainable development of natural resources, and in the environmental aspect of the 2030 agenda and the sustainable development goals. She contributes to capacity building projects and reports addressing sustainable resource use, agriculture sustainability, SDGs monitoring, and dissemination of green technologies in rural areas. She holds a Bachelor's Degree in Agriculture and a Master's Degree in Agriculture

	Economics from the American University of Beirut.
	<p>Jawad WAKIM</p> <p>Jawad Wakim is a Procurement Specialist at the United Nations – ESCWA. He has strong communication and problem-solving skills with specialties in managing contracts; competitive bidding, performance indicators, risk identification, prevention and investigation, as well as conducting procurement training. He holds a CIPS Advanced Diploma in Procurement and Supply, a Master’s Degree in Business Administration from Université de Quebec in Montreal, and a Bachelor Degree in Business Administration from Notre Dame University, Lebanon.</p>
	<p>Jihan SEOUD</p> <p>Jihan Seoud has been working for the Energy and Environment Programme at the United Nations Development Programme in Lebanon since 2004. Her current role involves building strategic partnerships, mobilising resources and managing a team of experts that work with the government of Lebanon on environmental governance projects. The main areas of support include sustainable energy and climate change, conservation of natural resources and environmental policy initiatives. She holds a Bachelor degree in Environmental Health from the American University of Beirut and a graduate degree in Environmental Science and Technology from UNESCO-IHE in Delft, The Netherlands.</p>