



AGENDA

SECOND SIGMA REGIONAL ENP EAST CONFERENCE ON PUBLIC PROCUREMENT

organised by **SIGMA**
and **The Ministry of Economic Development and Trade of Ukraine**

Kyiv, Ukraine, 29-30 May 2018



SIGMA – a joint initiative of the European Union and the Organisation of Economic Co-operation and Development (OECD) – together with the Ministry of Economic Development and Trade of Ukraine is organising the Second Regional European Neighbourhood (ENP) East Conference on Public Procurement for all of the ENP East countries (Armenia, Azerbaijan, Georgia, Moldova and Ukraine).

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Background

Public procurement is one of the key means by which public money is spent. It is an integral part of good public financial management. Also its economic impact is both significant and highly visible. Public procurement can improve the competitiveness of a country's economy, as well as help deliver major policy outcomes in response to today's societal and economic challenges while addressing innovation, inclusiveness and environmental and social considerations. Public procurement is becoming a policy strategy instrument. Under the new rules, public procurement procedures will also help public purchasers to implement environmental policies, as well as those governing social integration and innovation. However, in order to ensure high quality of service delivery and safeguard the public interest, the political environment must enable formulation of proper policies governing the public procurement system and public bodies need to carry out public procurement procedures efficiently and with high standards.

Most of the countries in the ENP East region are in the process of modernising their public procurement systems. All three Association countries (countries that have signed Association Agreements with the European Union [EU]: Georgia, Moldova and Ukraine) are in the process of harmonising their public procurement legislation and practice with EU standards. They are required to demonstrate that they have a satisfactory degree of administrative capacity at central government level to ensure a fully secure and efficient system of public procurement. In addition, in accordance with the recently-signed Comprehensive Enhanced Partnership Agreement with the EU, Armenia is obliged to adjust its public procurement legislation and practice to international standards (based on the WTO/Government Procurement Agreement [GPA] and European good practice). Azerbaijan is negotiating a new trade agreement with the EU, and public procurement will be part of it.

Therefore, irrespective of the nature of their links with the EU, all of the countries in the ENP East region see the EU public procurement legislation and practice as a vital point of reference.

All of the countries are interested in introducing some of the new instruments and mechanisms laid down in the 2014 EU Public Procurement Directives, such as framework agreements, central purchasing bodies and electronic procurement in its various forms. There is also a strong need for, and interest in, capacity building at all levels among central public procurement institutions, contracting authorities and economic operators. These reform activities represent a major challenge, and the countries would definitely benefit from an efficient mechanism for dialogue and exchange of information. Public procurement reform should aim at fulfilling all objectives outlined in *the Principles of Public Administration for ENP countries*¹.

The central government-level public procurement institutions in all the countries have expressed an interest in developing regional co-operation in public procurement, in order to allow consultation with colleagues in other countries on a regular basis and to seek information, advice and models that may inspire and promote their own national reform initiatives. There are many good examples of such cross-fertilisation in other regions which could serve as examples for addressing this interest. SIGMA has already organised one regional conference for public procurement officials from the region (in 2014, in Paris) and that event was much appreciated by all participants.

¹ OECD (2016), SIGMA, [The Principles of Public Administration for ENP countries](#), OECD, Paris.

Objectives

The main objective is to provide participants with an overview of the most recent developments in the EU public procurement system and trends, achievements and challenges in the region. The event will provide a platform for formal and informal exchange of experiences between SIGMA's partner ENP East countries, the European Commission and EU member countries. The key procurement officials from the region will learn and get a better understanding on how the EU member countries implement and use the new procedures and instruments of the EU 2014 Public Procurement Directives.

Main topics

The main topic of the conference will be the challenges presented by the increasing pressure to adjust the public procurement systems to international practice. SIGMA will also use this opportunity to present its new publications on public procurement. The presentations and discussion will be organised around the following three main themes:

- the EU public procurement policy and legislative framework: practical experiences of its implementation at the national level and future developments (based on presentations by representatives of the European Commission and EU member countries),
- the most recent achievements and challenges in public procurement reforms in the ENP East region (based on presentations by representatives of the ENP countries),
- the most recent SIGMA studies on key public procurement issues: framework agreements and selection of economic operators in practice, with a comparative analysis of national EU examples (based on presentations by SIGMA experts).

Participants

The conference will be attended by senior officials from ENP East countries responsible in their countries for designing and implementing public procurement reforms: heads of the central Public Procurement Offices/Agencies and Procurement Review Bodies and their key staff, or officials from the leading ministries and other governmental agencies competent for public procurement. Five participants from each ENP East country, including the host country, will be financed by SIGMA. Additional participants from the host country may attend at their own cost (not financed by SIGMA). The participation of DG GROW and DG NEAR and national experts from EU member countries is also envisaged. Representatives of other international donors active in the region (the EBRD, the EIB and the World Bank) will be invited as observers.

Venue

The conference will take place in Kyiv, Ukraine on 29-30 May 2018.

Format

The conference will be interactive and based on case presentations. Experts from the ENP countries and EU member countries as well as representatives of the European Commission will inform participants about EU policies and provide examples of good practice. Participants will be asked to present recent developments and share experience from their countries. The meeting will also provide all participants with the opportunity to meet informally to compare national experiences and discuss specific issues among peers, and to establish a network for more regular exchanges.

Language

The working language of the event will be English. Interpretation into Ukrainian, Armenian, Moldovan, Azeri and Georgian will be provided.

AGENDA

Monday 28 May 2018

18:00 - 20:00 Official Welcome Cocktail

Location: Terrasse, Intercontinental Hotel, Kyiv

Tuesday 29 May 2018

Location: Room Zoloti Vorota hall Intercontinental Hotel, Kyiv

Chair: **Ms. Erika Bozzay**, Senior Policy Adviser, SIGMA

09.00 - 09.30 Registration

09.30 - 10.00 Opening and welcome remarks

Mr. Stepan Kubiv, First Vice Prime Minister, Minister of Economic Development and Trade of Ukraine

Mr. Hugues Mingarelli, Ambassador, Head of the EU Delegation to Ukraine (TBC)

Ms. Erika Bozzay, Senior Policy Adviser, SIGMA

10.00 - 10.20 Coffee break

10.20 - 12:15 Session 1: Panel discussion on the key priorities for developing the framework and sound foundations of public procurement system

Moderator: **Ms. Margaréta Molnár**, procurement expert, Hungary

Speakers:

Mr. Bonifacio Garcia-Porrás, Head of Unit G/2 Access to Procurement Markets, European Commission, DG GROW:

Key values and principles of a modern public procurement for jobs and growth

Mr. Maxim Nefyodov, Ukraine, First Deputy Minister of the Economic Development and Trade:

The public procurement reform in Ukraine: challenges and achievements

Ms. Maria Stylianidou, Professor of the Hellenic Open University, Member of the Single Public Procurement Authority, Greece:

The public procurement reform in Greece: implementation of the new EU public procurement directives and structural reforms

Mr. Marian Lemke, Senior Policy Adviser, SIGMA:

Principles of Public Administration as a tool for assessing progress in implementing public procurement reforms

12.15 - 12.30 Group Photo

12.30 - 14.00 Lunch

14.00 – 15.30 Session 2: Panel discussion on reforming the legal framework of public procurement – Legislative reform in the ENP East region

Moderator: **Mr. Piotr-Nils Górecki**, Senior Policy Adviser, SIGMA

Speakers:

Mr. László Kojnok, Legal Officer, G/2 Access to Procurement Markets, European Commission, DG GROW:

Working together for modern public procurement systems in the region

Mr. Kakhi Demetrashvili, Deputy Chairman, State Procurement Agency of Georgia:

Implementation of the EU Association Agreement – challenges of legal approximation

Mr. Bahadır Gasimov, Head of the Government Procurement Department, State Service on Antimonopoly and Consumers Rights Protection, Azerbaijan

Improving the public procurement legislation

Mr. Ruslan Malai, Head of Public Procurement Agency, Moldova:

Implementation of the EU-Moldova Association Agreement

Mr. Vahe Mahtesyan, Head of Procurement Processes Regulation Division, Ministry of Finance, Armenia:

Challenges of harmonisation with international regulations (GPA and EEU)

15.30 - 15.45 Coffee break

15.45 - 17.00 Session 3: Panel discussion on electronic procurement: chances and challenges

Moderator: **Mr. Yarema Dul**, Head of International Cooperation Division, Ministry of Economic Development and Trade of Ukraine

Speakers:

Ms. Carmen Raluca Ipate, Policy Officer, G/2 Access to Procurement Markets, European Commission, DG GROW:

Boosting the digital transformation of public procurement in the EU

Ms. Liliya Lakhtionova, Ukraine, Director, Public Procurement Regulation Department, Ministry of Economic Development and Trade of Ukraine:

Electronic procurement as a tool to increase transparency and efficiency – results achieved

Mr. Iuri Cicibaba, Policy Adviser, Ministry of Finance, Moldova:

Establishing a new e-procurement system – dilemmas and challenges

Mr. Tato Urjumelashvili, procurement expert, Georgia:

The future of electronic procurement

19.00 - 21.00 Dinner

Wednesday 30 May 2018

Location: Room Zoloti Vorota hall Intercontinental Hotel, Kyiv

09.00 - 11.00 Session 4: Panel discussion about how to improve the efficiency of public procurement through centralisation

Moderator: **Ms. Daria Kutsenko**, Ukraine, Corporate Development manager, SOE "Profesiyni Zakupivli" (CPB of Ukraine)

Speakers:

Mr. Peder Blomberg, procurement expert, Sweden:

Conditions for a successful centralised purchasing

Ms. Kenza Khachani, OECD, Public Governance Directorate, Public Procurement Unit:

Centralised purchasing in the OECD countries

Ms. Ivančica Franjković, Head of Sector, Ministry of Labour and Pension System, Croatia:

Centralised purchasing in Croatia – a success?

11.00 - 11.15 Coffee break

11.15 - 12.15 Session 5: Streamlining the procurement process: practical examples based on the most recent SIGMA Papers

Moderator: **Mr. Marian Lemke**, Senior Policy Adviser, SIGMA

Speakers:

Ms. Małgorzata Stachowiak, procurement expert, Poland:

Selection of economic operators in public procurement procedures: overview of legislation and practice in the EU

Mr. Daniel Ivarsson, procurement expert, Sweden:

Implementation of framework agreements in the EU

12.15 - 13.15 Lunch

13.15 - 15.15 **Session 6: The guardians of the system**

Moderator: **Ms. Margaréta Molnár**, procurement expert, Hungary

Speakers:

Mr. Silviu Popa, President of the National Council for Solving Complaints, Romania:

Requirements for an efficient and independent review system

Ms. Alina Tsaturyan, Advisor to the Member of Procurement Complaints Body, Armenia:

Functioning of the review system

Ms. Olesea Stamate, President of AGER (Association for Efficient and Responsible Governance), Moldova:

Monitoring public procurement processes by civil society

Mr. Oleksandr Shkuropat, First Deputy Head of the State Audit Service of Ukraine
Auditing public procurement

15.15 - 15.30 **Way forward – discussion & closing remarks**

15.30 - 16.00 **Networking opportunity with coffee/tea**

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