

2021

Public Procurement Reform in Lebanon

PREPARING FOR THE IMPLEMENTATION OF THE PUBLIC PROCUREMENT LAW NO. 244/2021

BRIEFING NOTE – SEPTEMBER 2021

LATEST DEVELOPMENTS | JULY – SEPTEMBER 2021

Amidst challenges of many folds and a multi-facet economic and financial crisis considered by the World Bank as the third severe crisis across the globe since the 19th century, Lebanon was able to mark a key milestone on the path of needed structural reforms.

The Public Procurement Law in Lebanon no. 244/2021 was issued on July 19, 2021 and published in the Official Gazette on July 29, 2021. The law was drafted, discussed and promulgated **in light of international standards and guidelines**, and based on the **recommendations of Lebanon’s MAPS assessment**, with a continuous technical guidance and support from international partners, namely the World Bank, OECD-SIGMA, and the AFD.

This law is key for Lebanon to improving financial governance, market competition and promote transparency and accountability on the use of taxpayers’ money. It ensures a solid, modern and unified legal framework for transform public procurement into a strategic instrument for economic recovery and restoration of investors and citizens’ trust.

Following an appeal before the Constitutional Council, the **Council issued its decision on September 16th preserving the essence of the Public Procurement Law**, with only two minor amendments to the text. This decision confirmed the righteousness of principles advocated by this law and the serious commitment to embark into structural reforms in Lebanon.

The Public Procurement Law enters into force 12 months after the date of its publication; the period is practically now 10 months; thus, **time is very tight to complete all necessary steps and be ready for sound and efficient law implementation in July 2022.**

However, with national budget shortage and unprecedented pressure on public finance, **Lebanon lacks substantial resources** to manage the reform process and mobilize high-level expertise.

THE WAY FORWARD

The new Government of Lebanon's Declaration, issued on September 16, 2021, clearly commits to pursue efforts to reform Public Procurement including issuing secondary legislations necessary for enactment.

The following calendar presents the key actions that the new Government of Lebanon needs to undertake towards the law implementation, and that require efforts, funding, expertise and support from international partners.

Pillar	Action	To be completed by
National Action Plan for Public Procurement Reform	1- Council of Ministers to issue a decision to endorse the National Action Plan and call for the donor community to provide necessary funding	December 2021
	2- Council of Ministers to issue a decision to set up an inter-ministerial committee chaired by the Minister of finance and a technical committee headed by MoF/loF to implement the National Action Plan	December 2021



Secondary legislations for PPA and RCA	1- Prepare secondary legislations for Public Procurement Authority (PPA) and Review and Complaints Authority (RCA) and conduct necessary public consultations	January 2022
	2- Council of Ministers to issue a decree on the secondary legislations of PPA and RCA	March 2022
Standard Bidding Documents	1- Develop, test and finalize the standard bidding documents (SBDs)	April 2022
	2- Council of Ministers to issue a decree to make the use of SBDs mandatory	June 2022
Professionalization	1- Council of Ministers to issue a decision endorsing the capacity building and professionalization strategy	December 2021
	2- Mobilize resources and launch training on public procurement	January 2022
	3- Council of Ministers to issue a decree on competency framework and professionalization of procurement workforce	June 2022
E-Procurement	1- Council of Ministers to issue a decision endorsing the E-procurement strategy and workplan	January 2022
	2- Implement the e-procurement platform	July 2022

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