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# Sustainable public procurement

A great opportunity to achieve the SDGs and support the Paris Agreement

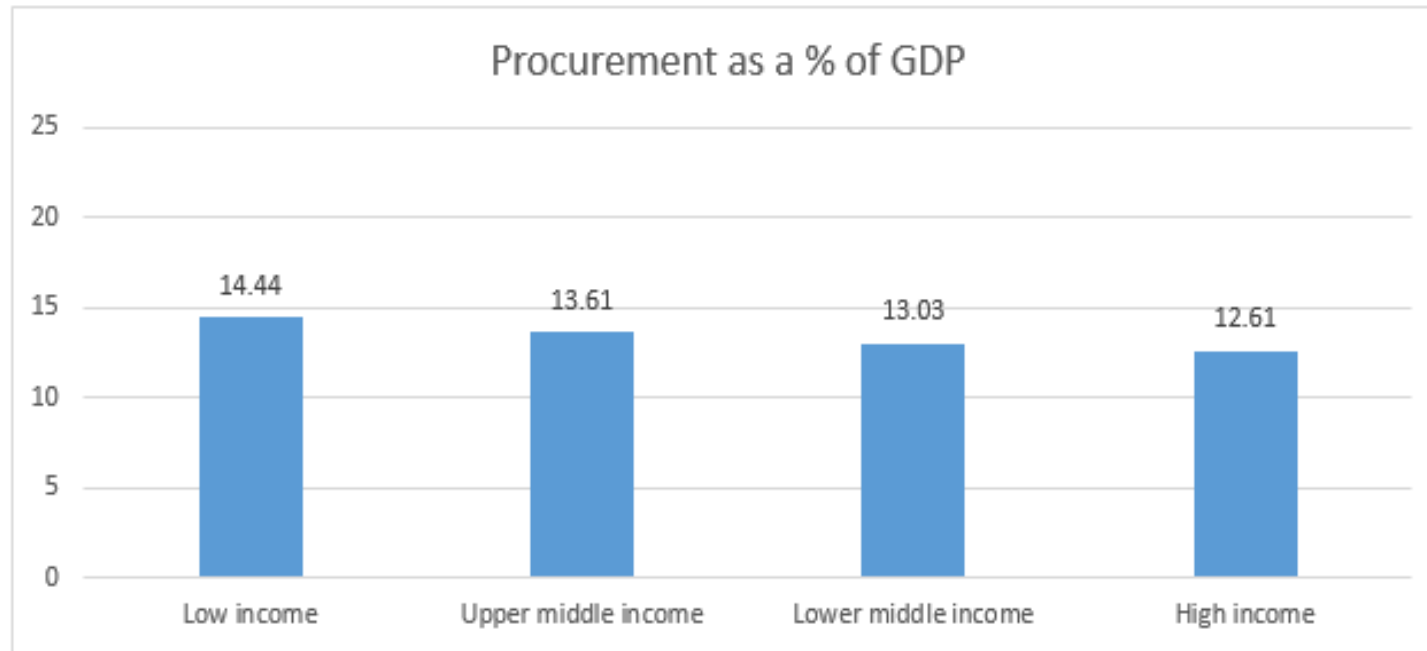
November 13, 2023  
Abidjan, APPN Meeting

Farid Yaker, Senior Sustainable Public Procurement Expert  
[farid.yaker@spxcel.com](mailto:farid.yaker@spxcel.com)



# Public procurement: a formidable lever

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Graph: Procurement as % of GDP in low-income, lower middle income, upper middle income and high income countries (World Bank 2016)

Governments are the largest consumers in all economies

**UE : 2 trillion euros**    **EU : \$ 1.7 trillion**  
**USD**

**Global :**  
**\$11 trillion**

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Sources: WTO, 2015; Eurostat, 2017; European Commission 2018



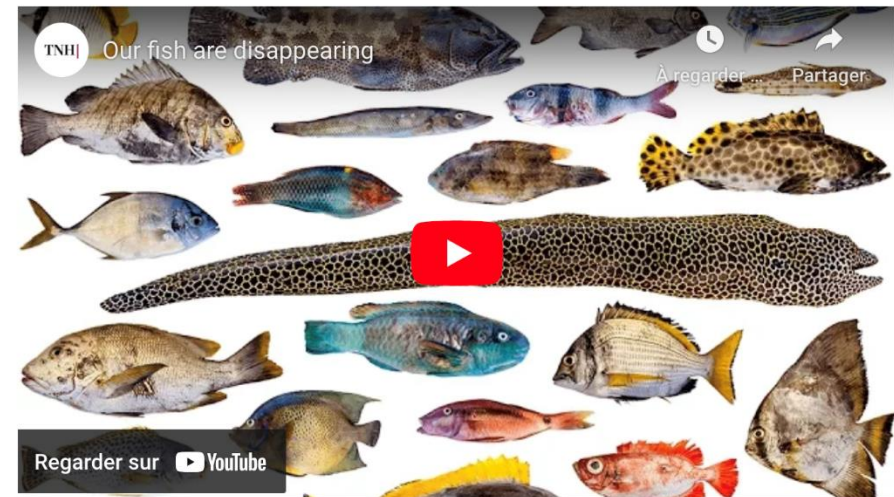


Every purchase has hidden impacts on human health, the environment, and society throughout the supply chain



### Ocean Fish Stocks on "Verge of Collapse," Says IRIN Report

February 28, 2017 | By Azua (Zizhan) Luo





# A multitude of social and environmental impacts





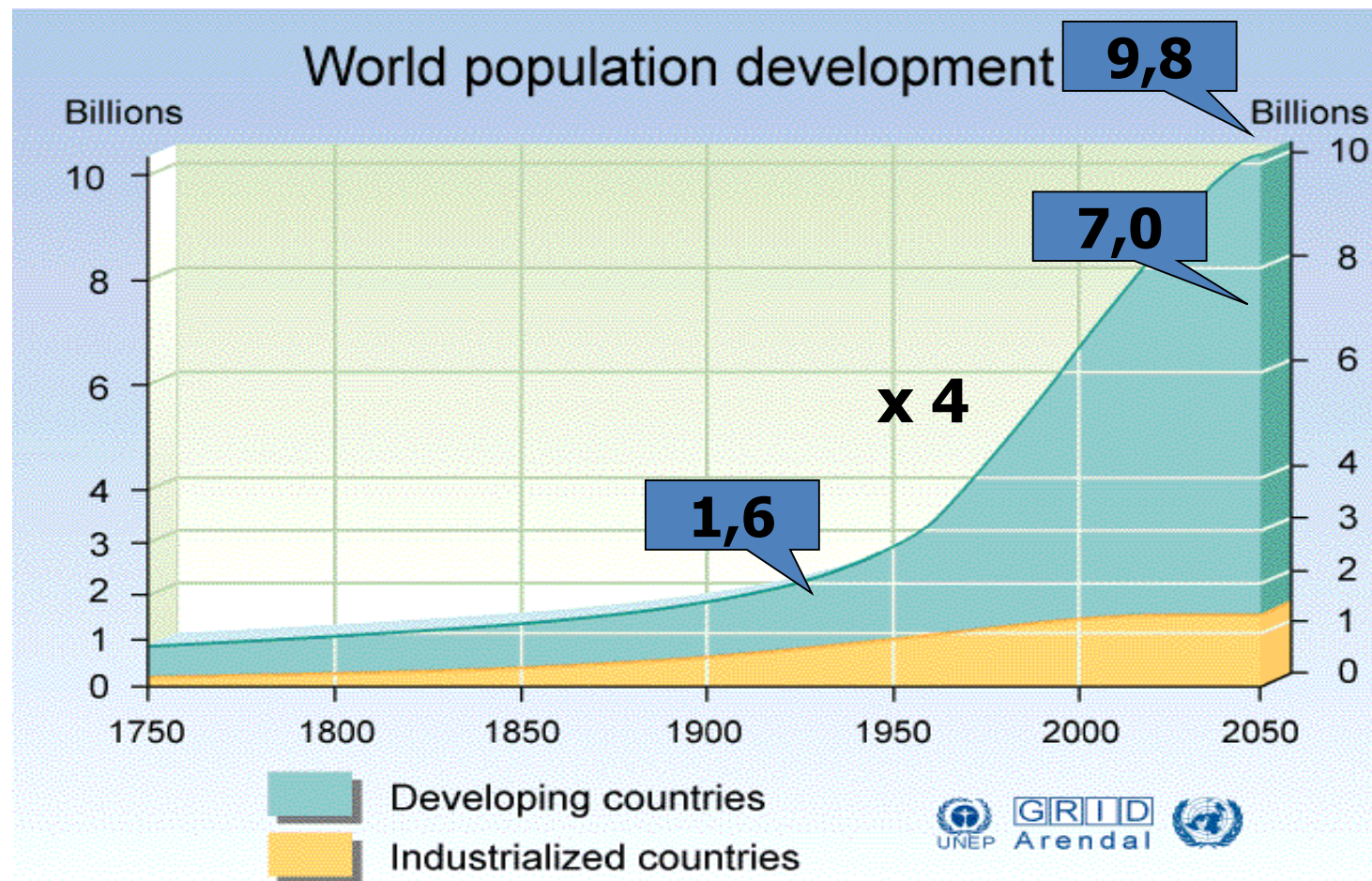
# The demographic challenge: from 6.5 billion in 2005 to about 9.8 billion in 2050

## MIDDLE CLASS

2009: 1.8 billion people

2020: 3.2 billion

2050: 5.5 billion

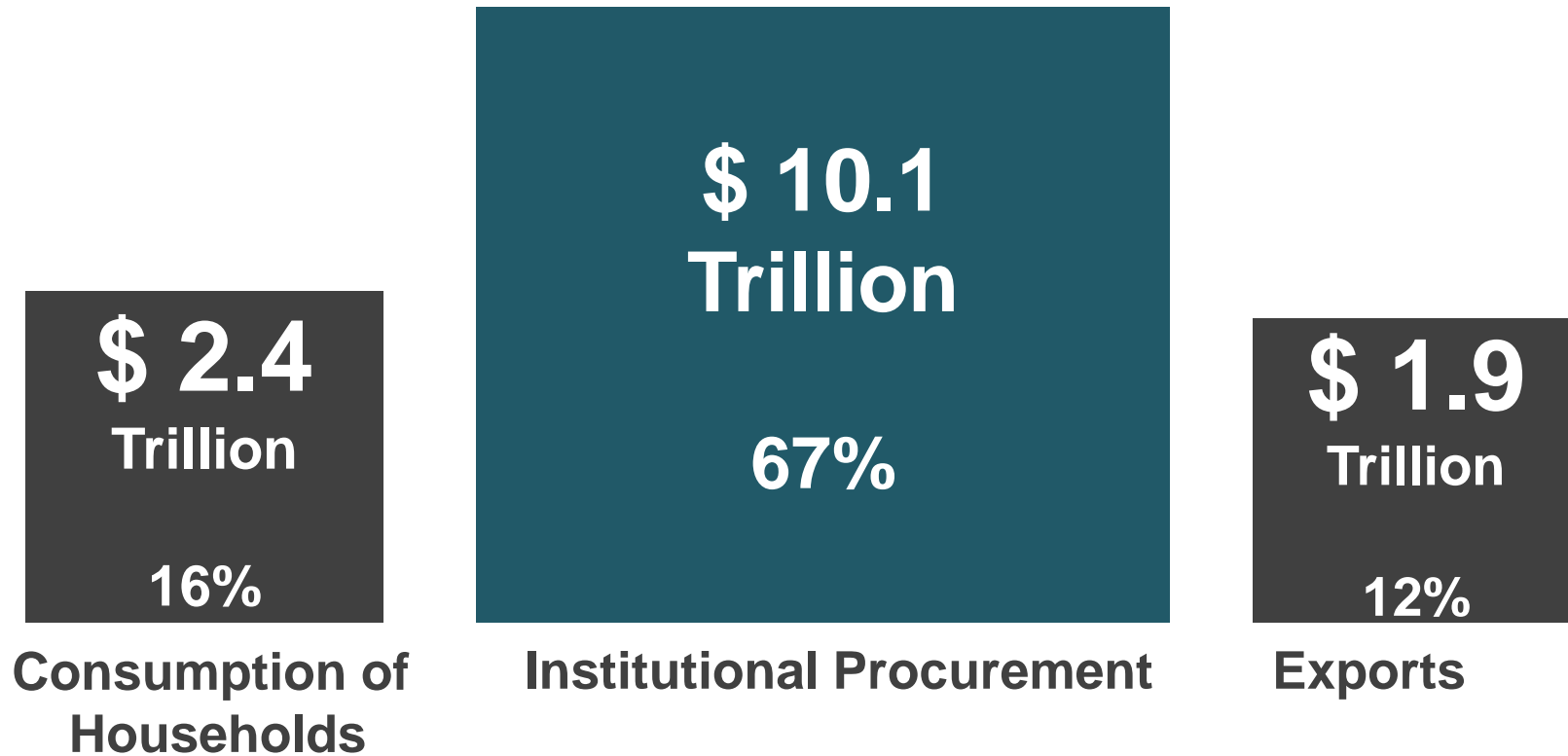


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**It is therefore imperative to limit the negative impacts of public procurement and to use public procurement to promote the production of sustainable goods, services and works, i.e. with a low ecological impact and positive economic and social impacts.**



# The share of GDP allocated to institutional final consumption is enormous



Source: SPLC, 2015





# Purchasing Organizations



... are uniquely placed to demand transparency on the upstream and downstream impacts of the production and distribution of goods and services.

... are able to integrate sustainability criteria into purchasing decisions at a scale that can transform markets.



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**The good news is that  
the movement towards  
SPP is underway!**





# SUSTAINABLE DEVELOPMENT GOALS





# SUSTAINABLE DEVELOPMENT GOALS

## SDG 12

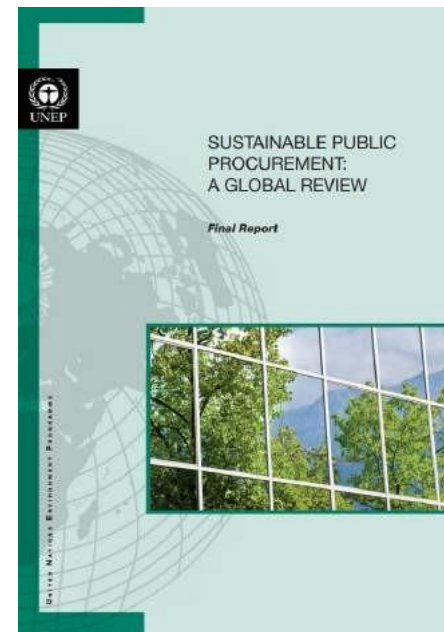
- **Goal 12: Ensure sustainable consumption and production patterns**
- **Target 12.7 :P Promote sustainable public procurement practices in line with national policies and priorities**
- **Indicator 12.7.1: Number of countries implementing sustainable public procurement policies and action plans**



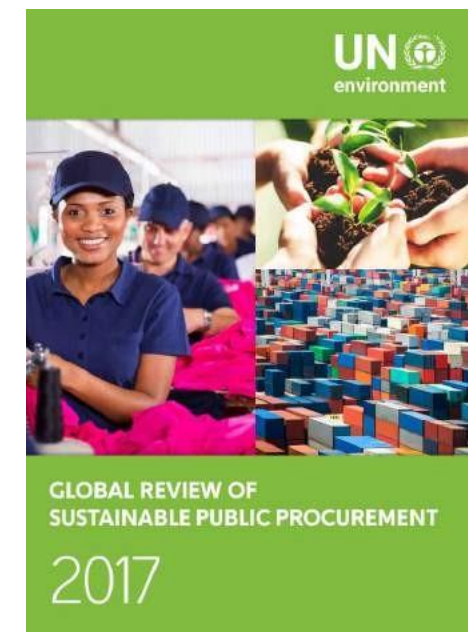
# The Global SPP Review from 2013 to 2022

## ★ Objectives:

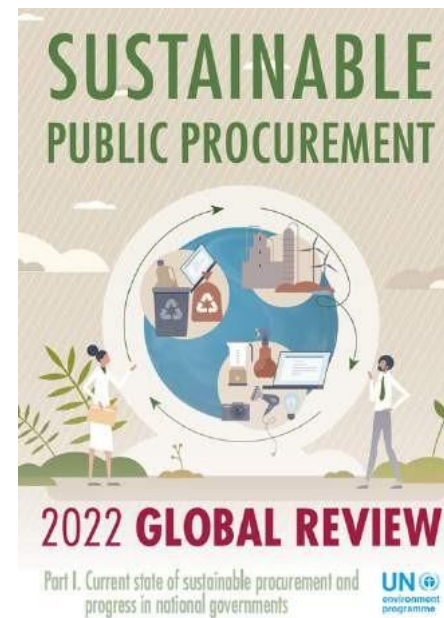
- Provide an overview of the current state of sustainable public procurement (ODA) in national governments, highlighting progress in areas such as the development, implementation and monitoring of ODA policies.
- Assess progress towards SDG 12.7
- of the United Nations.
- Create a broader view of ODA practice by identifying
- how private sector actors are engaged.
- Understand how international organizations, universities and networks support the development, implementation and implementation of SPP policy implementation and research.
- Broaden understanding of ODA drivers, barriers, needs and expectations around the world by reflecting the views of stakeholders across a range of countries, organizations and professions.



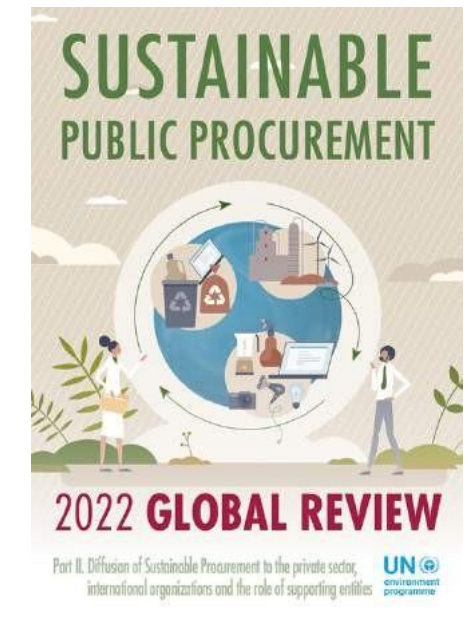
2013



2017



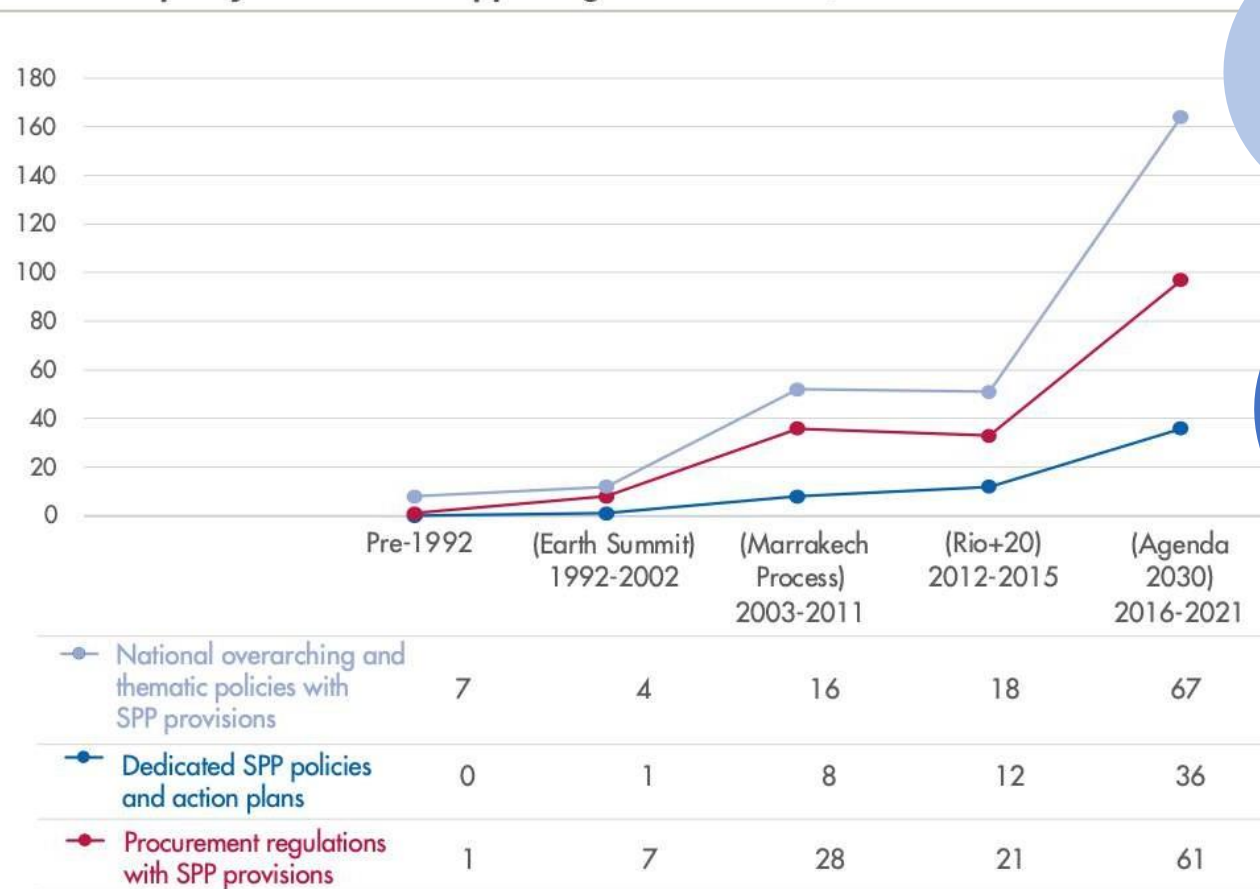
2022 Parties I et II





# The role of sustainable public procurement as a policy instrument is growing

**Figure 3.3. Growth in policy frameworks supporting SPP worldwide, 1990-2021<sup>11</sup>**



100%

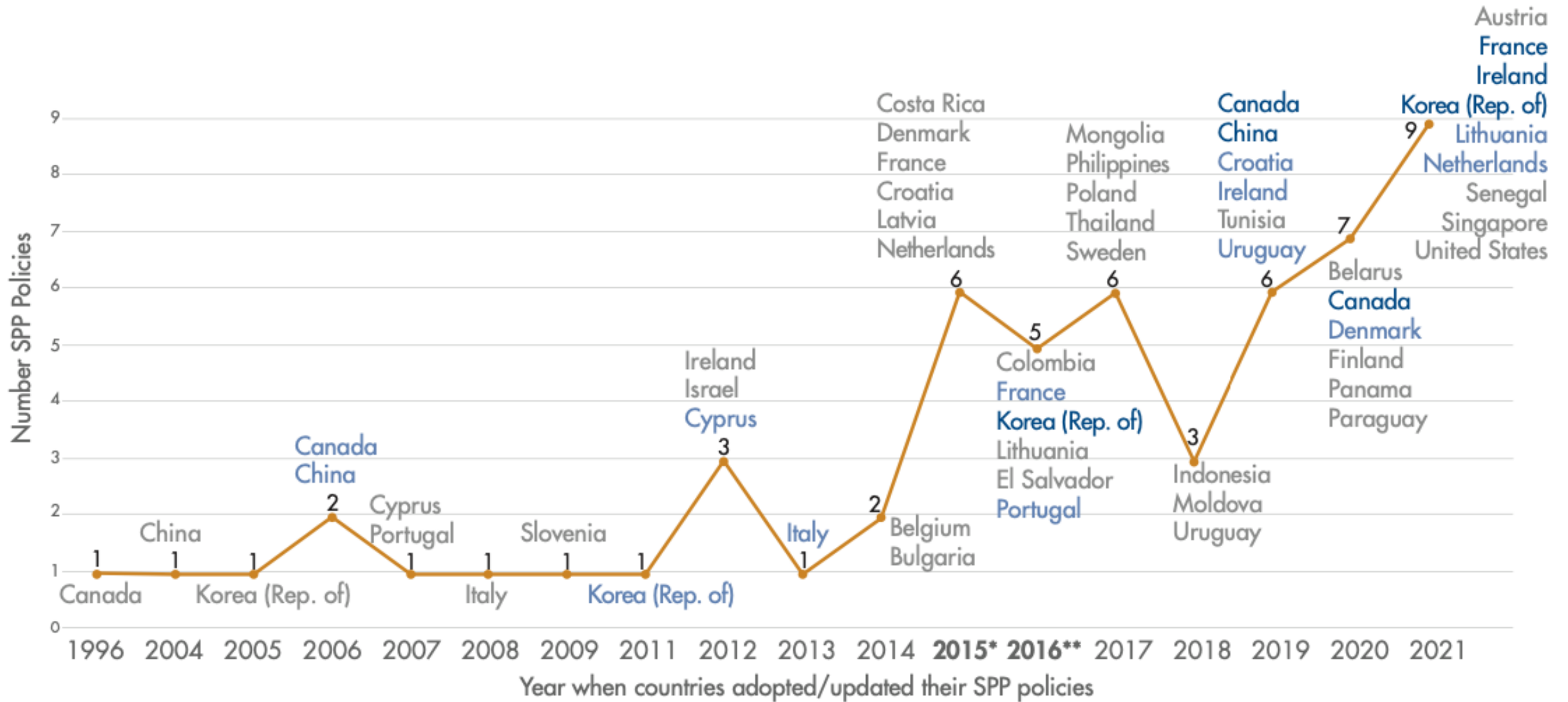
82%

76%

More than 2/3 have all three instruments

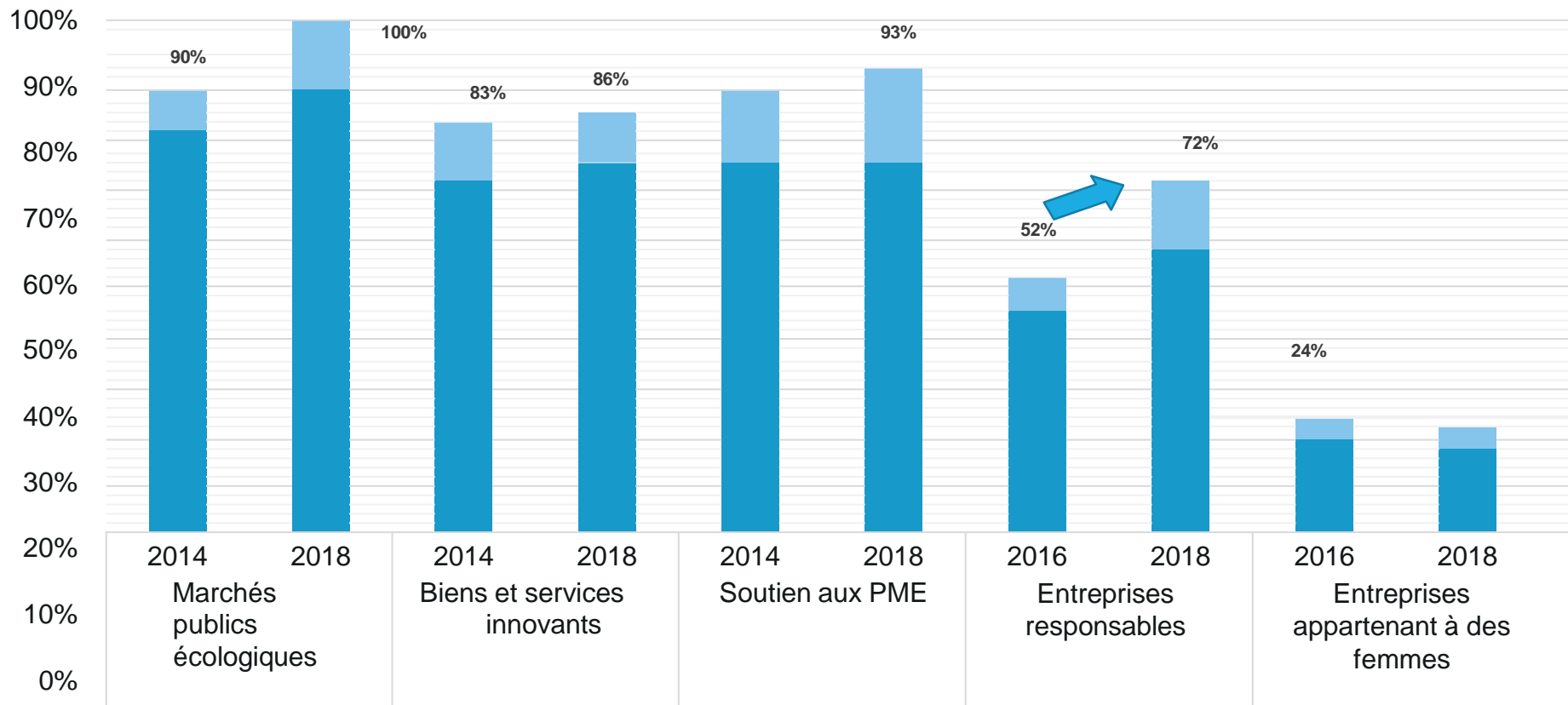
Source: 2021 SPP Global Review National Government Questionnaire and 2021 SDG 12.7.1 Monitoring Exercise.

# Adopting Sustainable Public Procurement Globally





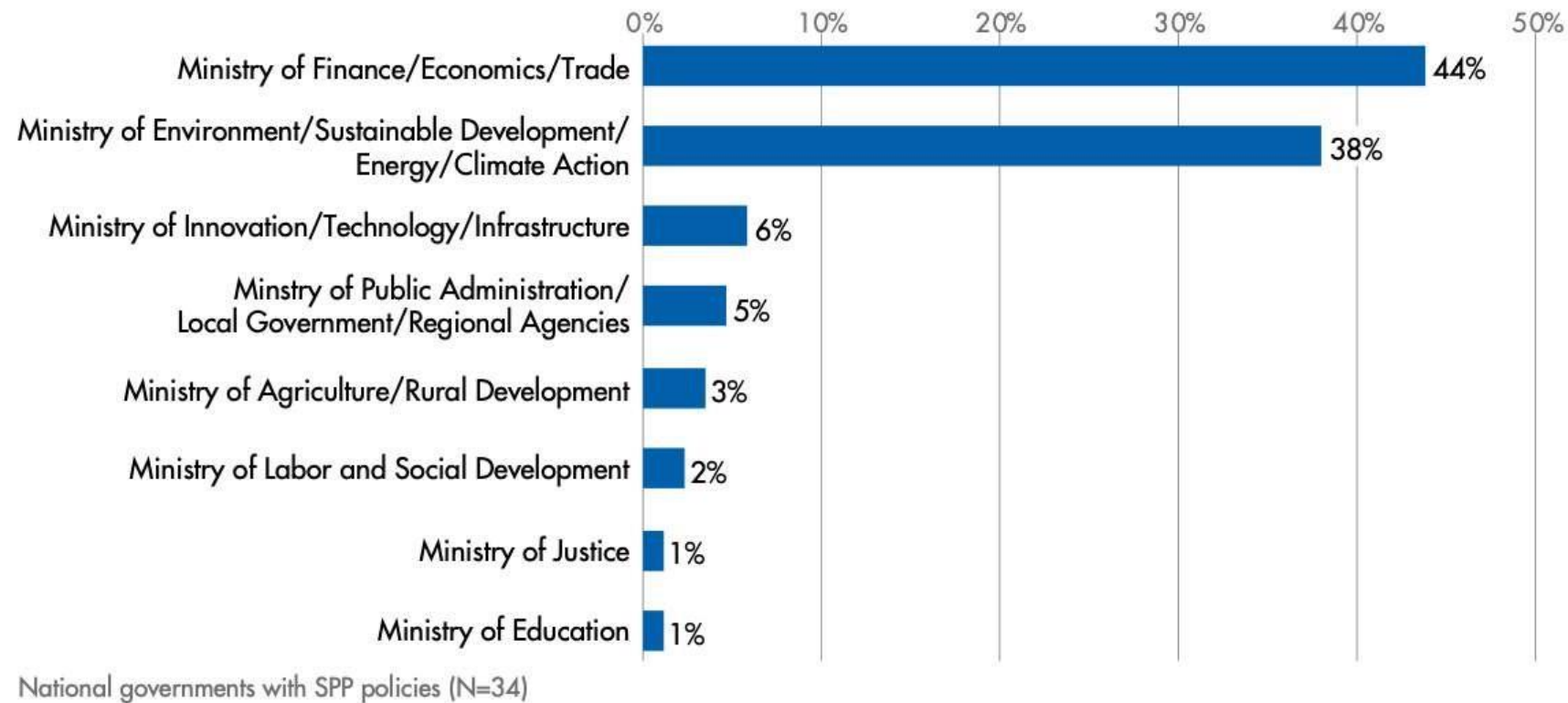
# Situation in OECD countries: Government procurement is increasingly being used to achieve a variety of policy objectives



- Only a few procuring entities have developed an internal strategy/policy A
- strategy/policy has been developed at central level

# The Environment and Finance sectors lead the development of sustainable public procurement policies

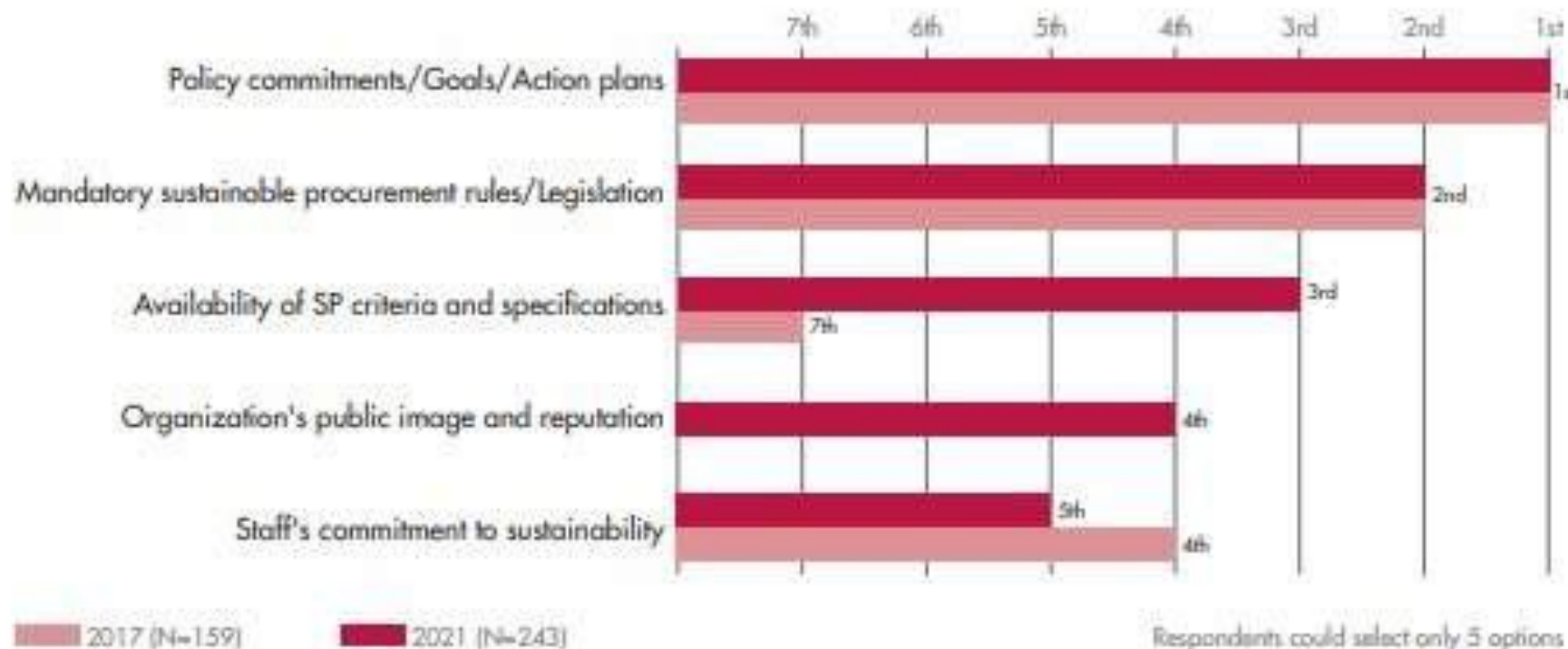
**Figure 3.17. Public authorities leading the development of the most recent SPP policy**



Source: 2021 SPP Global Review National Government Questionnaire.

# Drivers of SPP implementation

**Figure 2.20. Strongest drivers for the implementation of SP in survey participants' organizations ranking, 2017 and 2021**

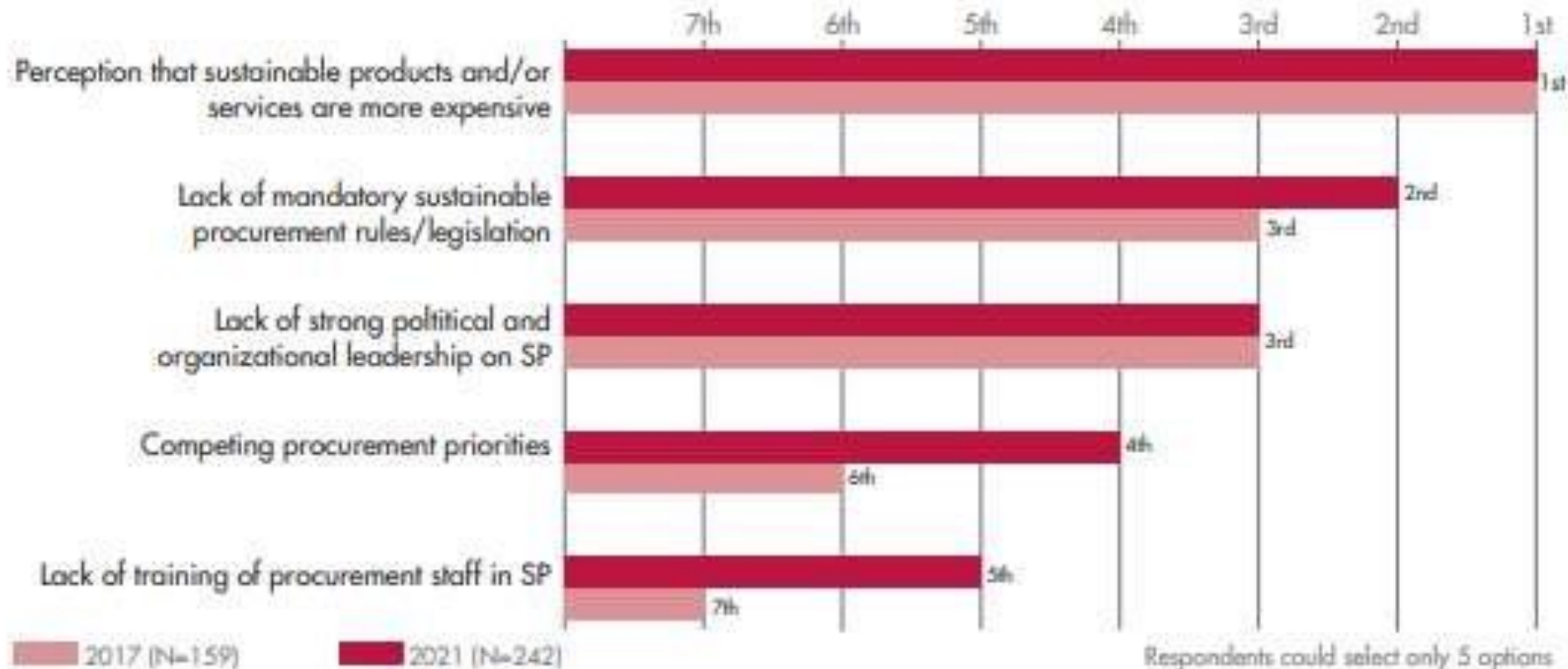


Source: 2021 SPP Global Review Stakeholder Survey.



# Obstacles to the implementation of SPP

**Figure 2.22. Strongest barriers to the implementation of SP in survey participants' organizations ranking, 2017 and 2021**



Source: 2017 SPP Global Review and 2021 Stakeholder Survey.

# Conclusion: Global Trends

- A Continued Increase in Commitment from public authorities
- Public authorities with economic/financial responsibility play a leading role, underlining the strategic importance of sustainable public procurement.
- Environmental issues remain priority issues with a growing focus on the socio-economic dimension of SPP
- Growth in the maturity level of SPP implementation, particularly in relation to product categorisation
- Political commitments, targets and action plans remain the main drivers of SPP, with an increasing importance of the presence of laws and legal mandates
- The perception that sustainable products and services are more expensive remains the most cited obstacle to SPP.
- Having tools for SPP implementation requires international support.
- The monitoring of sustainable public procurement is also increasing, thanks to electronic platforms.

## 2020/21 data collection results for indicator 12.7.1

**SDG 12:** Ensure sustainable consumption and production patterns

**Target 12.7:** Promote public procurement practices that are sustainable in accordance with national policies and priorities

**Indicator 12.7.1:** Number of countries implementing sustainable public procurement policies and action plans





# National/federal administrations that took part in the 2020/2021 reporting exercise on indicator 12.7.1

## Europe



Autriche



Pays-Bas



République tchèque



Suède



Bulgarie



Portugal



Danemark



Malte



Belgique



Lettonie



Norvège



Pologne



Croatie



Italie



Finlande



Slovénie



France



Chypre



Allemagne



Irlande



Lituanie

## Latin America and the Caribbean



Colombie



Costa Rica



République dominicaine



Honduras



Mexique



Panama



Paraguay



Uruguay

## Africa and Western Asia



Île Maurice



Côte d'Ivoire



Tunisie

## Asia and the Pacific



Chine



Japon



Indonésie



Nouvelle-Zélande



République de Corée



Philippines

## North America



États-Unis d'Amérique



Canada

# 2020/21 data collection results for indicator 12.7.1

## Regional distribution and performance levels 2020/21 data collection results for indicator 12.7.1 assigned to submissions

based on the information and documents provided (December 2020)

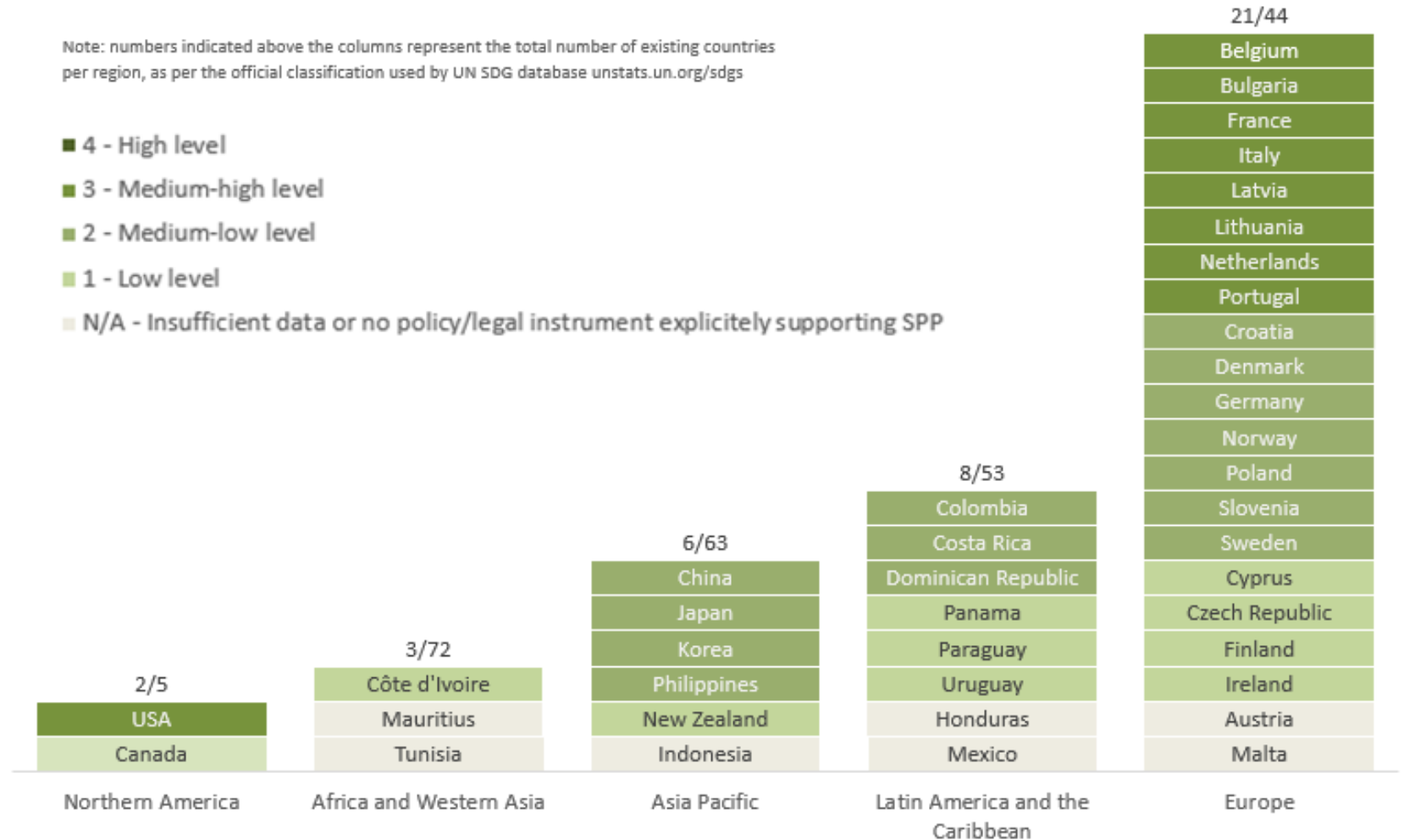
TARGET 12.7



PROMOTE SUSTAINABLE PUBLIC PROCUREMENT PRACTICES

Note: numbers indicated above the columns represent the total number of existing countries per region, as per the official classification used by UN SDG database [unstats.un.org/sdgs](https://unstats.un.org/sdgs)

- 4 - High level
- 3 - Medium-high level
- 2 - Medium-low level
- 1 - Low level
- N/A - Insufficient data or no policy/legal instrument explicitly supporting SPP



TARGET 12-7

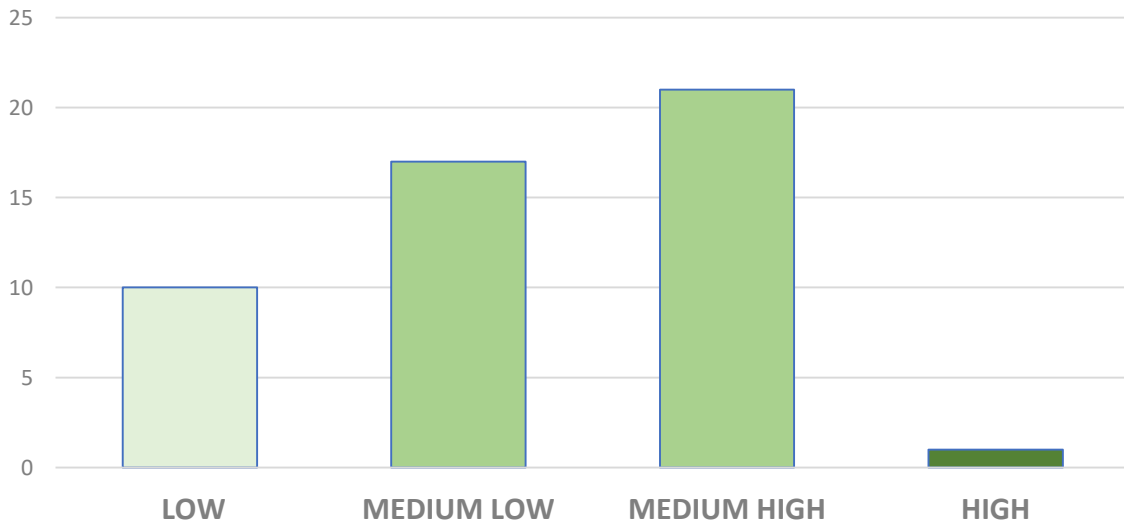


PROMOTE SUSTAINABLE PUBLIC PROCUREMENT PRACTICES

# 2022 Data Collection Exercise

67 participating countries  
49 compliant  
24 non compliant

## Distribution of compliant countries



LOW	MEDIUM LOW	MEDIUM HIGH	HIGH
Czechia	Argentina	Austria	
El Salvador	Canada	Belgium	
Kenya	Chile	Bulgaria	
Morocco	Colombia	China	
Panama	Cyprus	Costa Rica	
Singapore	Estonia	Croatia	
Spain	Germany	Finland	
Trinidad and Tobago	Israel	France	
Tunisia	Japan	Greece	
Uganda	Malaysia	Ireland	
	New Zealand	Italy	
	Norway	Latvia	
	Peru	Lithuania	
	Philippines	Malta	
	Serbia	Netherlands	
	UK	Paraguay	
	Uruguay	Poland	
		Portugal	
		Republic of Korea	
		Slovenia	
		Switzerland	
		USA	



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# SPP Tools for Governments and International Organizations



# Second edition of the UNEP Handbook on the Implementation of Sustainable Public Procurement

- Provide guidance to policymakers, experts and consultants on the design and implementation of sustainable public procurement (ODA) policies.
- Use a specific and adaptable approach, called the "ODA approach", refined based on experiences and feedback received from countries using this methodology.
- Can be used as a step-by-step guide on how to build and strengthen a country's long-term work on ODA
- Incorporates a large number of best practices and case studies mainly collected in the countries supported by our organization since 2012.

<https://www.unep.org/resources/publication/second-edition-uneps-sustainable-public-procurement-guidelines>





# WORLD BANK 2021

## Green Public Procurement: An Overview of Green Reforms in National Public Procurement Systems

- Provides an overview of international experience in the implementation of Green Public Procurement (GPP).
- Focuses on the institutional framework needed to support the integration of GPP practices across government.
- The intention is to give practitioners a general understanding of the issues they need to consider in the design and implementation of GPP reforms. The report draws on a wide range of country examples. It provides links to manuals and tools for practitioners.



<https://www.worldbank.org/en/events/2021/12/09/green-public-procurement-an-overview-of-countries-green-procurement-practices>



## Troisième édition de Buying Green! Manuel (2016)

- The Handbook is the European Commission's main guidance document to help public authorities purchase goods and services with a lower environmental impact.
- The third edition of the Handbook includes:
  - Guidance on how environmental considerations can be included at each stage of the procurement process in the current EU legal framework (adopted in 2014)
  - Practical examples from EU Member States' contracting authorities
  - Sector-specific approaches for buildings, food and beverage services, road transport vehicles and energy-using products



168<sup>e</sup> ANNEE - N° 7592 NUMERO SPECIAL JEUDI 26 JANVIER 2023

# JOURNAL OFFICIEL

## DE LA REPUBLIQUE DU SENEGAL

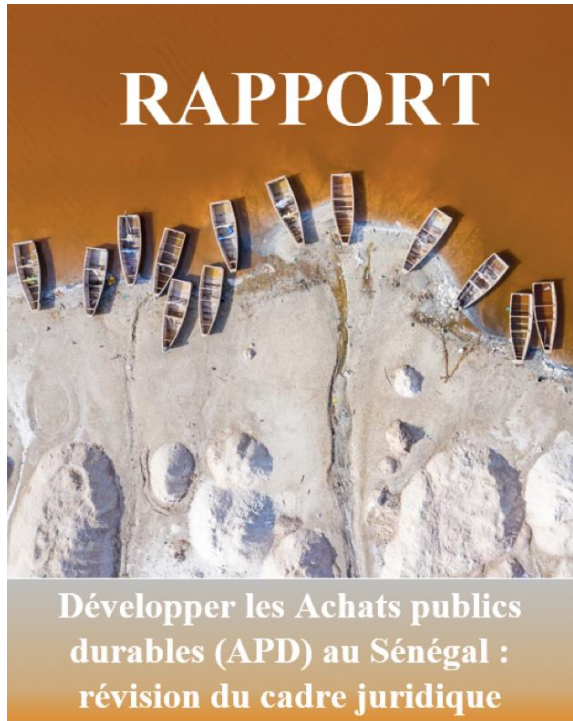
PARAISANT LE SAMEDI DE CHAQUE SEMAINE


<b>ABONNEMENTS ET ANNONCES</b>	<b>TARIF DES ABONNEMENTS</b>	<b>ANNONCES ET AVIS DIVERS</b>								
<p>Pour les abonnements et les annonces s'adresser au directeur de l'imprimerie nationale à Rufisque</p> <p>Les annonces doivent être mises à l'imprimerie au plus tard le mardi. Elles sont payables d'avance.</p> <p>Toute demande de changement d'adresse ainsi que les lettres demandant réponse devront être accompagnées de la somme de 175 francs</p>	<table border="1"> <tr> <th>VOIE NORMALE</th> <th>VOIE AERIENNE</th> </tr> <tr> <td>Sénégal et autres États de la CEDEAO ..... 15 000F</td> <td>Six mois Un an</td> </tr> <tr> <td>25 000F</td> <td>40 000F</td> </tr> <tr> <td>23 000F</td> <td>40 000F</td> </tr> </table> <p>Étranger : France, RDC, E.C.A., Gabon, Maroc, Algérie, Tunisie, ..... 25 000F</p> <p>Étranger : Autres Pays, ..... 23 000F</p> <p>Par la poste : ..... Annonces courantes 600 F Annonces art. 700F</p> <p>Journal légalisé ..... 900 F</p>	VOIE NORMALE	VOIE AERIENNE	Sénégal et autres États de la CEDEAO ..... 15 000F	Six mois Un an	25 000F	40 000F	23 000F	40 000F	<p>La ligne ..... 1 000 francs</p> <p>Chaque annonce répétée, moitié prix (il n'est jamais compté moins de 10 000 francs pour les annonces).</p> <p>Comptebancard B.I.C.I.S n°120778163881</p>
VOIE NORMALE	VOIE AERIENNE									
Sénégal et autres États de la CEDEAO ..... 15 000F	Six mois Un an									
25 000F	40 000F									
23 000F	40 000F									


  

<b>SOMMAIRE</b>	<b>MINISTÈRE DES FINANCES ET DU BUDGET</b>
<b>PARTIE OFFICIELLE</b>	<b>Décret n° 2022-2295 du 28 décembre 2022 portant Code des marchés publics</b>
<b>DECRET</b>	<b>RAPPORT DE PRESENTATION</b>
<b>MINISTÈRE DES FINANCES ET DU BUDGET</b>	Dans une perspective dynamique d'adaptation aux exigences de transparence et de célérité, d'appropriation des standards internationaux en la matière et d'internationalisation, dans l'ordre juridique interne, des directives communautaires et relatives, le cadre normatif régissant les marchés publics a connu, au gré des réformes, des évolutions multiples.
<b>2022</b>	Le décret n° 2014-1212 du 22 septembre 2014 portant Code des marchés publics qui capitalise ces avancées nécessaires, néanmoins, à la lumière du contexte actuel, une actualisation au regard de certaines limites liées notamment :
<b>28 décembre</b>	- à la désignation de cadre juridique par une multiplication des dérogations consenties ;
<b>Décret n° 2022-2295 portant Code des marchés publics</b>	- au rétrécissement du champ d'application du Code des marchés publics par l'exclusion de certaines structures relevant de l'État ;
<b>79</b>	- à la faiblesse du dispositif de promotion des achats publics durables ;
<b>PARTIE OFFICIELLE</b>	- à la non prise en charge des impératifs liés au budget-programme avec l'avènement de loi organique n° 2020-07 du 26 février 2020 relative aux lois des finances et des textes subséquents.
<b>DECRET</b>	Aussi, le dispositif en vigueur ne prend-il pas en compte des évolutions nouvelles conjuguées à l'adoption, notamment, de la loi n° 2020-01 du 06 janvier 2020 relative à la création et à la promotion de la startup au Sénégal et de la loi d'orientation n° 2018-02 du 07 janvier 2020 sur les Petites et Moyennes Entreprises.
	Dès lors, il a paru nécessaire d'abroger et de remplacer le décret n° 2014-1212 du 22 septembre 2014 portant Code des marchés publics, modifié.


Africa is joining the movement, but we need to accelerate!




  
 République du Sénégal
   
 au Peuple en Son Nom



  
 MINISTÈRE DE L'ENVIRONNEMENT ET DE LA TRANSITION ÉCOLOGIQUE
   
 DIRECTION DES FINANCEMENTS VERTS ET DU PARTENARIAT

**MISE EN ŒUVRE DES ACTIVITÉS DE PRIORISATION ET DE DÉVELOPPEMENT DE CRITÈRES DE DURABILITÉ ET CLAUSES ENVIRONNEMENTALES ET SOCIALES DANS LES DIFFÉRENTES ÉTAPES DE LA PROCÉDURE DE PASSATION DES MARCHÉS PUBLICS**



  
**RAPPORT PROVISOIRE**

Thierno GUEYE
   
 ALPHA OMEGA LOTUS
   
 Novembre 2022

**TARGET 12-7**


  
**PROMOTE SUSTAINABLE PUBLIC PROCUREMENT PRACTICES**

<b>2020</b>	<b>2022</b>
Côte d'Ivoire	Kenya
	Morocco
	Tunisia
	Uganda




# Thank you !

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Farid Yaker, Senior Expert Commande Publique Durable

Farid.yaker@gmail.com