



GREEN PUBLIC PROCUREMENT
in SLOVAKIA to UKRAINE

Summary of the round table “Green public procurement: on-line course for civil servants”

Date: April 13, 2018

Place: SE “Prozorro”, conference hall, 22, Bulvarno-Kudriavska St, Kyiv

Time: from 10 a.m. till 1 p.m.

Participants: representatives of the Ministry of Economic Development and Trade of Ukraine, the State Enterprise “ProZorro”, the Ministry of Ecology and Natural Resources of Ukraine, the Government Office for European and Euro-Atlantic Integration, the Antimonopoly Committee of Ukraine, the National Agency of Ukraine for Civil Service, the Accounting Chamber of Ukraine, the Bila Tserkva City Council, and the NGO GoLOCAL (hereinafter – GoLOCAL).

The GoLOCAL’s director Igor Komendo opened the meeting and made a brief presentation of the project “Transferring Experience with Green Public Procurement in Slovakia to Ukraine” (hereinafter – the GPP Project). Under coordination of Slovak Centre for Communication and Development and co-financed by the Slovak Development Agency – SlovakAid the GPP Project is conducted by GoLOCAL in order to promote the idea of Green Public Procurement (GPP) in Ukraine by providing evidence of GPP’s positive impact based on the Slovak/European Union experience. The project as well aims helping public authorities to successfully plan and implement GPP.

In order to fulfil the project’s goal GoLOCAL’s experts have developed an e-learning course, designed to raise awareness among public servants involved in the procurement process.

Speaker 1 – Natalia Shymko, deputy director of Department of Public Procurement Regulation of the Ministry of Economic Development and Trade of Ukraine.

- The implementation of the Public Procurement Reform Strategy in the field of GPP is going according to plan. All the events under the Strategy are to be completed till 2019.

- A new draft of the Law “On Public Procurement” is under development. The draft will include ecological criteria for products’ selection and “life-cycle cost of product” criteria.



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- The Ministry of Economic Development and Trade of Ukraine considers the possibility to adopt an advisory document – a Ministerial Order - which specifies the ecological criteria to be implemented by the customer: list of recommended products; recommendations considering each type of products; list of standards and eco-marks; examples of life-cycle cost calculation; market situation survey etc.
- If the market analysis proves that there is a certain type of goods, satisfying ecological criteria, with competitive price, whose market segment is more than 25%, the Ministry of Economic Development and Trade of Ukraine can adopt ecological criteria by a Ministerial Decree. In that case certain amendments to the Ukrainian legislation should previously be done to delegate the Ministry proper authorization.
- Ecological marks, applied according to national or international standards, can be considered as one of the tools for ecological criteria requirements confirmation if included in technical specifications of competitive tendering.
- The Ministry of Economic Development and Trade of Ukraine considers the possibility to include on the web-portal <https://prozorro.gov.ua/> the following information on GPP: technical specifications, including ecological criteria; examples of life-cycle cost calculation; informational and educational materials (including the e-learning course).

Speaker 2 – Oleg Kulik, chief specialist of Strategic Planning and Ecological Policy Section of Strategy and European Integration Department of the Ministry of Ecology and Natural Resources of Ukraine.

- Strategic goals, in particular on the GPP, are determined in the new draft of the Strategy of National Ecological Policy of Ukraine until 2030. In the near future the draft of the mentioned Strategy will be passed to the Government of Ukraine for discussion and further approval. If the Strategy is approved, the Government is expected to develop and pass a Plan of measures aimed at Strategy's implementation; in particular, this means a series of measures aimed at developing the application of environmental criteria in the public procurement system.
- In addition, the Ministry of Ecology and Natural Resources of Ukraine is conducting consultations with the European Commission on the implementation of the 4EU Environment project, one of the components of which will be the development of green (sustainable) public procurement.
- Ecological criteria should be integrated in Ukrainian legislation on the level of Law.

Speaker 3 – Karina Kurakova, chief specialist of Monitoring and State Aid Department of the Antimonopoly Committee of Ukraine.



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- The Antimonopoly Committee of Ukraine has developed a draft of a Decree by the Cabinet of Ministers of Ukraine "On approval of evaluation criteria of state aid to economic entities for environmental protection". The draft is passed to the Government of Ukraine for final approval and is planned to be adopted in 4Q 2018.
- Potentially, ecological criteria can be regarded as discriminators because sometimes customers use the mentioned criteria to prefer the concrete seller. The core question is the customer's grounding.
- In this respect certain educational and informational work should be conducted among customers to duly fulfill and validate the criteria mentioned in competitive tendering's documentation.
- The Antimonopoly Committee of Ukraine does not monitor systematically public procurements but considers only particular complaints.

Speaker 4 – Lyudmila Melnik, deputy manager on economic issues of Housing Section of Housing and Utilities Department of the Bila Tserkva Council, member of Tender Committee of Housing and Utilities Department.

- Local authorities are interested in GPP implementation. But there are a number of pending issues to be solved: what criteria should be implemented to certain type of goods; how to correctly specify in treaty the sellers' obligations etc.
- It would be great if the project's experts could give informational explanations and consultative support to local authorities of GPP's practical implementation: beginning with the right determination of the purchase's object to conclusion of treaty and monitoring of its performance.
- The main barriers to duly implement the GPP approach are the lack of information, knowledge and competence of civil servants directly involved in public procurement process; uncertainty of Ukrainian legislation considering the GPP and the lack of relevant explanatory statements by ministries in charge.
- There is a need to make an expert market research to find products corresponding to mentioned ecological criteria and, by that way, define priority groups of products.



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