

PROCUREMENT BY INTERNATIONAL ORGANIZATIONS

How do international organizations procure goods, services and works to carry out their institutional mission? How does this procurement activity affect individuals? Does the procurement relationship between international organizations and private subjects lead to an even distribution of rights and duties? Are international organizations accountable to private subjects and states when allocating their resources through procurement? This book explores the complex phenomenon of procurement by international organizations from the point of view of the relationship between international organizations and private subjects. It provides, for the first time, a systematization and conceptualization of the emerging rules and practices of procurement by international organizations. It also identifies the international political dynamics and interplay of interests underlying these rules and practices. In doing so, it shows how these dynamics shape the exercise of international public authority over private subjects, and the scope of private subjects' rights vis-à-vis international organizations.

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INTERNATIONAL
ORGANIZATIONS

A Global Administrative Law Perspective

ELISABETTA MORLINO



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Note

Documents in the footnotes are all in the above *List of instruments*. To facilitate reference to the full title of the document, the footnotes include a short title of the document and the section within the *List of instruments* where the document is listed. The sections are indicated as follows:

- A&C Agreements and constitutions
- T&C Treaties and conventions
- S&D Statements and declarations
- RES Resolutions
- REP Reports
- AP&R Administrative policies and regulations
- GT&CC General terms and conditions of contract
- UNCDoc United Nations Collections of Documents
- N&RL National and regional legislation (followed by the name of the country)

ABBREVIATIONS

ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
ADB	Asian Development Bank
AfDB	African Development Bank
AMISOM	African Union Mission to Somalia
APA	Alternative Procurement Arrangements
ARB	Award Review Board
ASG/OCSS	Assistant Secretary-General, Office of Central Support Services, Department of Management (UN)
BSTDB	Black Sea Trade and Development Bank
CDB	Caribbean Development Bank
CEB	Council of Europe Development Bank
CERN	European Organization for Nuclear Research
CPO	Chief Procurement Officer (Field Mission and/or OAH)
CPT	Common Procurement Team
DACON	Data on Consulting Firms
DEX	Direct Execution
DFS	Department of Field Support (HQ)
DIEC	Director General for Development and International Economic Co- operation
DOS	Division for Oversight Services
DPKO	Department of Peacekeeping Operations (HQ)
EBRD	European Bank for Reconstruction and Development
ECA	Economic Commission for Africa or United National Economic Commission for Africa
ECB	European Central Bank
ECE	Economic Commission for Europe
ECHR	European Court of Human Rights
ECJ	European Court of Justice
ECLAC	Economic Commission for Latin America and the Caribbean
ECOSOC	Economic and Social Council
ECSC	European Coal and Steel Community
EDF	European Development Fund

LIST OF ABBREVIATIONS

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EEC	European Economic Community
EIB	European Investment Bank
EOI	Expression of Interest
ESA	European Space Agency
ESCAP	Economic and Social Commission for Asia and the Pacific
ESCWA	Economic and Social Commission for Western Asia
EU	European Union
FAO	Food and Agriculture Organization
GAL	Global Administrative Law
GATT	General Agreement on Tariffs and Trade
GC	General Conditions
GCC	General Conditions of Contract
GTC	General Terms and Conditions
GPA	Agreement on Government Procurement
HCC	Headquarters Committee on Contracts
HQ	Headquarters
IAEA	International Atomic Energy Agency
IAPSO	Inter-Agency Procurement Services Office
IAPSU	Inter-Agency Procurement Services Unit
IAPWG	Inter-Agency Procurement Working Group
IBRD	International Bank for Reconstruction and Development (World Bank Group)
ICAO	International Civil Aviation Organization
ICB	International Competitive Bidding
ICC	International Chamber of Commerce
ICSC	International Civil Service Commission
ICSU	International Council of Science
ICT	Information and Communications Technology
IDA	International Development Association (World Bank Group)
IDB	Inter-American Development Bank
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation (World Bank Group)
IFRC	International Federation of Red Cross and Red Crescent Societies
IGO	International Governmental Organization
ILO	International Labour Organisation
ILOAT	ILO Administrative Tribunal
IMF	International Monetary Fund
IMO	International Maritime Organization
INGO	International Non-Governmental Organization
INMARSAT	International Maritime Satellite Organization
INTOSAI	International Organization of Supreme Audit Institutions
IOS	Internal Oversight Service

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IsDB	Islamic Development Bank
ITB	Invitation to Bid
ITU	International Telecommunications Union
JIU	Joint Inspection Unit
LOA	Letter of Assist
LTA	Long-Term Agreement
MAPS	Methodology for Assessing Procurement Systems
MDB	Multilateral Development Bank
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NATO	North Atlantic Treaty Organization
NCB	National Competitive Bidding
NEX	National Execution
OAH	Office away from Headquarters
OAI	Office of Audit and Investigation
OAS	Organization of American States
OAU	Organisation of African Unity
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIG	Office of the Inspector General
OIOS	Office of Internal Oversight Services
OLA	Office of Legal Affairs
ONUC	Opération des Nations Unies au Congo
OSD	Oversight Services Division
PAM	Parliamentary Assembly of the Mediterranean
PO	Purchase Order
PRAG	Practical Guide to Contract Procedures for EU External Actions
PSO	Procurement Support Office
REOI	Request for Expression of Interest
RFI	Request for Information
RFP	Request for Proposal
RFQ	Request for Quotation
SAI	Supreme Audit Institutions
SMEs	Small and Medium-Size Enterprises
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
UN/PD	United Nations Secretariat Procurement Division (HQ)
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNAMID	African Union – United Nations Hybrid Operation in Darfur

LIST OF ABBREVIATIONS xli

UNAVEM	United Nations Angola Verification Mission
UNCCD	United Nations Convention to Combat Desertification
UNCDF	United Nations Capital Development Fund
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNDT	United Nations Dispute Tribunal
UNEF	United Nations Emergency Force
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UNFSST	United Nations Financing System in Science and Technology Development
UNGCC	United Nations General Conditions of Contract
UNGM	United Nations Global Marketplace
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNIDO	United Nations Industrial Development Organization
UNMIL	United Nations Mission in Liberia
UNOCI	United Nations Operation in Côte d’Ivoire
UNODC	United Nations Office on Drugs and Crime
UNOG	United Nations Office at Geneva
UNON	United Nations Office at Nairobi
UNOPS	United Nations Office for Project Services
UNOV	United Nations Office at Vienna
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSO	United Nations Sudano-Sahelian Office
UNSOA	United Nations Support Office for AMISOM
UNSTAMIH	United Nations Stabilization Mission in Haiti
UNU	United Nations University
UPU	Universal Postal Union
USGAO	United States Government Accountability Office
USSR	Union of Soviet Socialist Republics
WB	World Bank
WFP	World Food Programme
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
WTO	World Trade Organization

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