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Professor Trybus at EBRD and UNCITRAL procurement event in London

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In January 2013 Professor Martin Trybus contributed to a conference on the UNCITRAL Model Law on Public Procurement jointly organised by the European Bank for Reconstruction and Development (EBRD) and the United Nations Commission for International Trade Law (UNCITRAL) at the EBRD headquarters in London.

The seminar introduced the core objectives and policy approach of the 2011 UNCITRAL Model Law on Public Procurement as a new policy tool, and the main changes introduced when revising the earlier 1994 Model Law. A lecture by Caroline Nicholas, UNCITRAL, focussed on implementation and use of the Model Law in practice, as well as harmonization of public procurement norms and standards. A panel discussion on public procurement reform models featured Professor Gustavo Piga (University of Rome Tor Vergata), Professor Martin Trybus (IEL Birmingham), Marian Lemke (SIGMA-OECD, Paris) and Anna Mueller from the WTO GPA Secretariat. The event was an opportunity to assist the understanding of those who may support governments in implementing the Model Law, or to advise on its provisions in other contexts. It was therefore useful for all experts and consultants working with the Model Law.

In his contribution during the panel discussion Professor Trybus welcomed the new UNCITRAL Model Law on Procurement, especially its new and detailed review and remedies section. He also praised the greater conversion with the EU Public Procurement Directives and WTO Government Procurement Agreement. On the question of how it should be used by organisations such as the EBRD, he pointed out that the Model Law was to a certain extent a model law 'for them and not for us'. The law is not for the experts from regions such as the EU or North America, regions subject to the EU Directives or other national procurement laws. It is a model law for transition countries. Therefore it should be used carefully, not taken as gospel, and always making clear 'what is in it for them', how the UNCITRAL Model Law on Procurement can benefit the public procurement systems of the transition countries.

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