



No. VN-PH-164-2024

The Permanent Mission of the Republic of the Philippines to the United Nations and other International Organizations in Vienna presents its compliments to the Secretariat of the United Nations Office on Drugs and Crime and with reference to Note No. CU 2024/132(A)/DTA/CEB/TSS dated 13 May 2024, has the honor to submit the attached Annex 1 containing the submission of the Philippines on information and good practices in the prevention of corruption in procurement at various government levels and effective use of technology to prevent, detect, deter and counter corruption in procurement in relation to Chapter I, Article 9 of the United Nations Convention Against Corruption (UNCAC).

The Permanent Mission of the Republic of the Philippines to the United Nations and other International Organizations in Vienna avails itself of this opportunity to renew to the United Nations Office on Drugs and Crime the assurances of its highest consideration.

Vienna, 10 June 2024

The Secretariat

United Nations Office on Drugs and Crime

Vienna International Center (VIC)

<unodc-sgb@un.org> <uncac@un.org>



ANNEX 1

1. Please describe (cite and summarize) measures/steps your country has taken (or is planning to take) to implement the provisions of Article 9 of the United Nations Convention against Corruption (UNCAC) and Conference Resolution 10/9.

- The Philippines has undertaken several measures to implement Article 9 of the UNCAC, focusing on public procurement. The most significant legislative measure in the Philippines was the proposal to amend Republic Act No. 9184, otherwise known as the Government Procurement Reform Act (GPRA), which took effect on 26 January 2003.
- The New Government Procurement Act (New GPA) has established a procurement framework prioritizing good governance through principles of transparency, competitiveness, efficiency, proportionality, and accountability. It highlights the significance of public oversight, professionalization, and sustainability in public procurement.
- Moreover, the new law seeks to continue to suppress corruption in government procurement process and introduces the open data contracting that allows the public to access procurement data, participatory procurement or active involvement of stakeholders in various procurement stages, and a beneficial ownership disclosure registry that will require the suppliers, contractors, and consultants to disclose the beneficial owners by identifying the individuals who have control and will benefit from procurement contracts.

2. Please describe (cite and summarize) the measures/steps your country has taken, if any (or is planning to take, together with the related appropriate time frame) to promote the effective use of technology to prevent, detect, deter and counter corruption in procurement.

- The Philippines' current procurement regime is founded on the following principles of, among others:
 - a) Transparency in the procurement process and in the implementation of procurement contracts;
 - b) Competitiveness by extending equal opportunity to enable private contracting parties who are eligible and qualified to participate in competitive bidding;
 - c) System of accountability where both the public officials directly or indirectly involved in the procurement process as well as in the implementation of procurement contracts and the private parties that deal with government are, when warranted by circumstances, investigated and held liable for their actions relative thereto; and
 - d) Public monitoring of the procurement process and the implementation of awarded contracts with the end in view of guaranteeing that these contracts are awarded pursuant to relevant laws, and that all these contracts are performed strictly according to specifications.
- Along these lines, the following have been undertaken:
 - I. Establishment of the posting requirements and other relevant information, before and after the award of contract, to online facilities such as the Philippine Government Electronic Procurement System (PhilGEPS) since the early implementation of the law, and is undergoing modernization;
 - II. Pioneer implementation on some select agencies which are already using the Modernized PhilGEPS (mPhilGEPS) to conduct Electronic Bidding

since 2021. The timeframe for its mandatory use by all agencies is still for updating; and

III. The Philippines, through its Government Procurement Policy Board and its Technical Support Office (GPPB-TSO), initiated various online platforms to deter and counter corruption and promote transparency in government procurement.

a) Enhanced Online Blacklisting Portal (OBP) - These enhancements include, (i) providing a high level of security to the document posted by the Procuring Entity (PE); and (ii) promoting user access, allowing the users to make changes to the portal. The OBP started in 2023 while the Enhanced OBP went live on 3 April 2024.

b) Observer Portal - This portal provides an online space for civil society organizations (CSOs) as third-party observers to participate in government procurement actively. The portal will allow the Observers to have access to PEs' procurement documents and submit their observations during the procurement process. Additionally, this portal was developed with the technical assistance of the World Bank.

c) Procurement Dashboard - This is meant to aid the PEs in efficiently and effectively managing their procurements and making reliable and evidence-based decisions. Among the information available in the system are the following: timeliness of the procurement process; various bid statistics; participation of suppliers in procurement activities; and top procurement risks per government agency and all agencies. The Dashboard was developed with the assistance of the United Kingdom Foreign and Commonwealth Office and UN Development Programme as part of its regional project entitled, "Mitigating Integrity Risks in Public Procurement."

3. Please outline actions required to strengthen or improve the measures described above and any specific challenges you might be facing in this respect.

- The Philippines will conduct training sessions for CSOs to encourage them to register on the portal and to train the Observers on its functionalities.
- The challenges or opportunities in implementing these measures include encouraging the Observers to attend and submit reports on their procurement activities consistently.
- Specific challenges of the new law include training not only the CSOs but also the PEs and Suppliers. There are about 307,715 registered suppliers, merchants, contractors and consultants, while there are 68,487 registered PEs that will undergo training.

4. Do you require technical assistance in relation to the measures described above? If so, please specify the forms of technical assistance that would be required. In case you have received or are receiving technical assistance to implement these measures, please indicate so in your response.

- The Philippines, through the GPPB-TSO, received technical assistance from the World Bank for the development of the Observer portal, which is now in its final phase.
- The Philippines is also exploring the possibility of engaging Consulting Services to assist or provide technical assistance to implement the new law.