
Eighth session

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Report of the Court on procurement*

A. Introduction

1. The Court has been asked to provide the following procurement report to the Committee on Budget and Finance (“the Committee”). The following information was requested:

- a) Information on procurement procedures:
 - i) How to inform vendors of procurement activity;
 - ii) How to identify potential providers;
 - iii) How the Court ensures a wide geographical representation of vendors;
- b) Previous and current years’ procurement values;
- c) Main ten goods purchased with the providers identified by country; and
- d) Separate data for field purchases.

B. Procurement procedures

2. The Court’s procurement process is outlined in annex I to this report.

3. The overriding principles to which due consideration is given when a procurement action is taken are outlined in the Financial Regulations and Rules, rule 110.12:

- a) Best value for money;
- b) Fairness, integrity and transparency;
- c) Effective international competition; and
- d) The interests of the Court.

4. Vendors for Court procurement activities are identified using well known international vendor databases such as “Kompass”, SAP vendor database, vendor catalogues, the United Nations Development Programme (“UNDP”) vendor database or other desktop research. As soon as a complete set of potential vendors is identified, each is contacted and asked to provide a proposal in a manner dependent on the value and nature of the order. Potential providers are identified with regard to the above principles. The Court is in the

* Previously issued as ICC-ASP/8/CBF.1/11.

process of considering the use of its internet site for listing procurement requests for proposal. However, this may lead to a large number of unqualified vendors providing proposals. After careful consideration, the Court might decide to implement the United Nations practice of using the internet for expressions of interest, attracting potential vendors who peruse the internet.

5. For more information on the subject of geographical representation of the Court's vendors, annex II is providing an overview of the Court's procurement activities per vendor nationality.

C. Current and previous years' procurement values

6. An overview of the Court's procurement activities for current and previous years is available in annex III.

D. Main goods and services purchased (by country of origin)

7. Annex IV provides a list of main goods and services purchased in 2008 by country of origin.

E. Purchases for field operations

8. Since the end of 2008, field office managers have the capacity to place purchase orders locally up to a value of €3,000. However, the majority of purchases for the field are processed through headquarters, delivered to headquarters, processed and configured at headquarters and then transported to the field. Separate data is therefore not readily available for the value of purchases that can be attributed to field operations. It would be possible to set up a database to track this value but the expense required to provide such a database has not, thus far, been deemed to provide added value to the Court's operations. Should the Committee require such data in the future, funds will be identified to provide such a database.

Annex I

Court procurement process

Steps in procurement

Action	Responsible party
SAP purchase requisition	Requisitioning Office
Certification	Certifying Officer
Solicitation process	Procurement
Submission to the Procurement Review Committee	Procurement and Requisitioning Office
Contract types	Procurement
Terms and conditions	Procurement and Legal Section
Receiving and inspection	R&I unit
Invoice payment	Finance Section

Steps description

SAP Purchase Requisition	Requisitioning Office
Certification	Certifying Officer

Requisitioning office creates an SAP Purchase Requisition:

- Budget is checked automatically in SAP
- Certification is received online in SAP and accepted or rejected in SAP by certifying officer.
- If accepted, the purchase requisition reaches Procurement. The solicitation process starts.

Solicitation process	Procurement
Submission to the Procurement Review Committee	Procurement and Requisitioning Office

The solicitation process depends on the cost of the goods or services requested:

- Below €3,000: one written quotation is requested
- Between €3,000 and €10,000: up to three competitive bids are requested
- Above €10,000: a minimum of three competitive bids are requested
- Above €50,000: a minimum of three competitive bids are requested and the requested is submitted Procurement Review Committee (PRC)

PRC: check on the validity of the request (process and content). Once the PRC is satisfied that all measures have been implemented according to the rules, it reports on the request to the Registrar for approval. If the Registrar has further questions, the process returns to the Certification stage. If the Registrar approves, the Purchase Order is created.

Contract Types	Procurement
Terms and Conditions	Procurement and Legal Section

Depending on the scope or specifications of obligations, the following are created:

- Goods or specifically defined services: Purchase Order, requiring Standard General Purchasing Conditions
- Goods and/or Services of complex and specialized technical nature: Contract or Agreement, requiring Legal Review for Specific New Provisions

Receiving and inspection	R&I unit
Invoice Payment	Budget and Finance Section

Depending on the service or good received, the following takes place:

- Goods receipt: the R&I Unit performs the R&I check on the basis of the SAP Purchase Order
- Service: the requisitioning office creates a Service Entry Sheet (SES) in SAP upon reception of the services, based on the SAP purchase order

In SAP, once the Purchase Order is linked to an R&I or SES, an invoice is created by the Budget and Finance Section

Annex II

Overview of the Court's procurement activities per vendor nationality

Table 1: Purchases from the Court in 2008, per country, in % of total value

Vendor country	Purchase order value	% of total value
Argentina	€7.12	0.0%
Austria	€4,157.47	0.1%
Australia	€64,929.77	0.2%
Belgium	€44,864.88	2.0%
Canada	€45,440.12	1.3%
Democratic Republic of the Congo	€1,166,589.20	4.4%
Central African Republic	€41,568.59	0.5%
Switzerland	€94,347.81	1.9%
Cote d'Ivoire	€2,830.00	0.0%
Chile	€69.69	0.0%
China	€1,587.99	0.2%
Germany	€85,562.40	0.7%
Denmark	€19,554.12	0.4%
Algeria	€7,140.00	0.0%
Egypt	€6,588.11	0.1%
Spain	€7,484.60	0.3%
Ethiopia	€4,046.00	0.0%
France	€53,140.18	0.9%
United Kingdom	€808,789.71	3.0%
Ghana	€8,571.60	0.1%
Greece	€00.00	0.0%
Ireland	€1,825.00	0.3%
India	€18,310.00	3.1%
Italy	€2,984.79	0.3%
Japan	€7,849.94	0.0%
Kenya	€5,293.50	0.0%
Lebanon	€5,000.00	0.0%
Luxembourg	€3,000.00	0.0%
Monaco	€18.06	0.0%
Netherlands	€18,685,456.46	70.1%
Portugal	€1,000.00	0.0%
Russian Federation	€8,803.90	0.1%
Sweden	€3,626.58	0.0%
Senegal	€5,307.38	0.0%
Chad	€22,859.08	1.6%
United Republic of Tanzania	€2,505.30	0.0%
Uganda	€71,580.49	3.6%
United States of America	€1,104,953.62	4.1%
Uruguay	€0,666.10	0.1%
South Africa	€2,590.53	0.3%
Total	€26,652,320.09	

Annex III

Current and previous years' procurement values (in euros)

Figure 1: 2009 procurement activities (as at 28 February 2009)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total (year)
Number of procurement staff	6	6	6	6	6	6	6	6	6	6	6	6	6
Procurement													
Purchase Orders													
No of Pos	272	149											421
No of Pos previous year	181	168	99	110	117	79	87	76	87	145	139	128	1416
Value of Pos	4952352	1647567											6599919
TFV Contracts	65000												65000
													6664919
Value of Pos previous year	2217972	1308999	1265591	932255	1067737	1163375	768509	1910817	1007315	897086	1210840	993403	14743898.99
Requisitions													
No of Requisitions	102	136											238
Previous year	219	154	85	142	116	116	139	91	116	156	132	105	1571
PRC													
No of PRC	3	4											7
No of PRC previous year	1	4	4	4	2	3	3	4	4	6	7	12	54
Value of PRC	844000	3167000											4011000
Value of PRC previous year	900000	440430	194426	704000	120320	541075	384777	427187	233580	1114067	3514200	4866531	13440593

Figure 2: 2008 procurement activities

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total (year)
Number of procurement staff	6	6	6	6	6	6	6	6	6	6	6	6	6
Procurement													
Purchase Orders													
No of Pos	181	168	99	110	117	79	87	76	87	145	139	128	1416
No of Pos previous year	151	163	126	71	126	108	64	93	180	172	144	184	1582
Value of Pos	2217972	1308999	1265591	932255	1067737	1163375	768509	1910817	1007315	897086	1210840	993403	14743898.99
TFV Contracts											884452	781021	1665473
											2095292	1774424	16409371.99
Value of Pos previous year	2664327	1879607	1022838	871588	1151386	1042313	354047	1633195	1287101	1404035	2879826	7203938	23394201
Requisitions													
No of Requisitions	219	154	85	142	116	116	139	91	116	156	132	105	1571
Previous year	103	163	157	104	130	120	73	110	180	181	193	166	1680
PRC													
No of PRC	1	4	4	4	2	3	3	4	4	6	7	12	54
No of PRC previous year	3	8	5	2	3	3	4	3	4	7	5	20	67
Value of PRC	900000	440430	194426	704000	120320	541075	384777	427187	233580	1114067	3514200	4866531	13440593
Value of PRC previous year	285000	1166289	449725	187223	619590	157371	629500	651929	135361	461214	1779765	6271688	12794655

Figure 3: 2007 procurement activities

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total (year)
Number of procurement staff	7	7	7	6	6	6	6	6	6	6	6	6	6
Procurement													
Purchase Orders													
No of Pos	151	163	126	71	126	108	64	93	180	172	144	184	1582
No of Pos previous year	159	137	121	91	91	112	92	92	138	88	153	170	1444
Value of Pos	2664327	1879607	1022838	871588	1151386	1042313	354047	1633195	1287101	1404035	2879826	7203938	23394201
Value of Pos previous year	1308838	709604	1426788	722466	608547	1286162	596788	889732	1083730	827320	2497923	5386263	17344161
Requisitions													
No of Requisitions	103	163	157	104	130	120	73	110	180	181	193	166	1680
Previous year	233	140	120	103	113	167	96	127	148	124	192	178	1741
PRC													
No of PRC	3	8	5	2	3	3	4	3	4	7	5	20	67
No of PRC previous year	1	3	4	1	1	4	3	0	7	1	7	23	55
Value of PRC	285000	1166289	449725	187223	619590	157371	629500	651929	135361	461214	1779765	6271688	12794655
Value of PRC previous year	60000	350000	600000	80000	400000	490000	529832	0	990000	630000	969000	4830565	9929397

Figure 4: 2006 procurement activities

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total (year)
Number of procurement staff	4	4	4	4	4	4	4	5	5	5	5	5	4.4
Procurement													
Purchase Orders													
No of Pos	159	137	121	91	91	112	92	92	138	88	153	170	1444
No of Pos previous year	10	95	96	110	95	106	81	101	91	134	148	171	1238
Value of Pos	1308838	709604	1426788	722466	608547	1286162	596788	889732	1083730	827320	2497923	5386263	17344161
Value of Pos previous year	389503	1088621	801157	1452195	2555581	1393649	1080183	810063	599851	1386107	1381583	8484651	21423144
Requisitions													
No of Requisitions	233	140	120	103	113	167	96	127	148	124	192	178	1741
Previous year	89	82	104	110	83	108	122	101	175	173	177	139	1463
PRC													
No of PRC	1	3	4	1	1	4	3	0	7	1	7	23	55
No of PRC previous year	1	3	5	3	5	7	4	2	2	3	9	24	68
Value of PRC	60000	350000	600000	80000	400000	490000	529832	0	990000	630000	969000	4830565	9929397
Value of PRC previous year	100000	610000	1590000	470000	1220000	730000	680000	1150000	200000	380000	2890000	4450000	14470000

Annex IV

Main goods and services purchased (by country of origin)

Table 2: Main 2008 expenditures by the Procurement Section.

No.	Description	Amount (euros)	Country
1	Rental of cells in the Netherlands	1,068,640.00	The Netherlands
2	Office cleaning of headquarters	433,650.00	The Netherlands
3	ASP conference in The Hague	430,000.00	The Netherlands
4	Mobile phone subscriptions and usage	400,000.00	The Netherlands
5	Supply of electricity in headquarters	322,000.00	The Netherlands
6	MS products	252,277.00	United States of America
7	Humanitarian services	243,708.00	Democratic Republic of the Congo
8	Humanitarian services	205,090.00	Uganda
9	Field medical services	189,000.00	South Africa/Switzerland
10	Ringtail enterprise licences	180,000.00	United States of America
11	SAP maintenance	179,000.00	The Netherlands
12	Court English transcription services	178,500.00	Canada
13	CISCO products and communications equipment	178,000.00	The Netherlands
14	Additional TRIM licences	175,000.00	United Kingdom
15	Resumed 6 th session of the Assembly of States Parties	150,000.00	United Nations (United States of America)
16	Language tools terminology software and maintenance	134,000.00	Belgium
17	Telephone and communications costs	130,000.00	Democratic Republic of the Congo
18	Maintenance of electrical and mechanical systems in headquarters buildings	120,000.00	The Netherlands
19	Printing services for the headquarters	100,000.00	The Netherlands
20	Vehicles for the field offices	98,500.00	Denmark