

Aspects of Public Procurement Law Reforms: The Cases of the United Arab Emirates and Saudi Arabia

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Abstract

Public procurement plays a crucial role in public financial management and governmental service delivery. In recent years, the United Arab Emirates (UAE) has implemented significant reforms in its public procurement system to enhance transparency, efficiency, and sustainability. This article analyzes the legal and institutional framework governing public procurement in the UAE, focusing on centralized and decentralized procurement structures, electronic procurement systems, and sustainable procurement policies. Using a descriptive and analytical legal research approach, the study examines relevant legislation, policy frameworks, and international best practices. The findings indicate that the UAE has adopted a hybrid procurement model that combines centralized and decentralized mechanisms, supported by advanced e-procurement platforms. These reforms have improved transparency, reduced corruption risks, and enhanced procurement efficiency. Furthermore, sustainable procurement policies have incorporated environmental, social, and economic considerations into procurement practices. The study concludes that continued institutional capacity development and policy coordination are necessary to strengthen sustainable and transparent procurement governance in the UAE.

Keywords

Public Procurement, E-public Procurement, Sustainable Procurement, Procurement Reform, United Arab Emirates.

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Introduction

Public procurement has recently gained increasing importance in most countries worldwide¹, due to its significant influence in local and international markets. The source of public procurement's power lies in the massive financial allocations it receives from the state budget. Public procurement represents approximately 20 to 30% of GDP in some countries² and as much as 40% in others³. This is a significant percentage, giving governments considerable purchasing power. Therefore, governments are the largest buyers in the local market, as their allocation of this massive amount of funding is unmatched by any private sector institution. This, in turn, strengthens their strong presence in markets⁴.

Furthermore, it can help governments indirectly enforce their policies on markets to promote growth opportunities, create jobs, and achieve sustainability goals. Public procurement has always played a prominent and

¹ Gormly, J. 'What Are the Challenges to Commercial Semi-State Bodies in Ireland?', *Journal of Public Procurement*, Vol. 14, No. 1, 2014: 395–445. <https://doi.org/10.1108/JOPP-14-03-2014-B004>; Croom, S. & Johnston, R. 'E-service: enhancing internal customer service through e-procurement,' *International Journal of Service Industry Management*, Vol. 14, No. 5, 2003: 539–555. <https://doi.org/10.1108/09564230310500219>

² Dameri, R.P., Benevolo, C., Rossignoli, C., Ricciardi, F., & Marco, M.D. 'Centralization vs. Decentralization of Purchasing in the Public Sector: the Role of e-Procurement in the Italian Case,' 2012, https://doi.org/10.1007/978-3-642-34447-3_41; Giunipero, L.C., Hooker, R.E. & Denslow, D. 'Purchasing and Supply Management Sustainability: Drivers and Barriers,' *Journal of Purchasing & Supply Management*, Vol. 18, No. 4, 2012: 258–269. <https://doi.org/10.1016/J.PURSUP.2012.06.003>

³ Gnoffo, S. 'A dynamic performance management approach to frame corruption in public procurement: a case study,' *Journal of Public Procurement*, Vol. 21, No. 1, 2021: 75–96. <https://doi.org/10.1108/JOPP-08-2020-0063>; Emiliani, M.L. 'Business-to-business online auctions: key issues for purchasing process improvement,' *Supply Chain Management*, Vol. 5, No. 4, 2000: 176–186. <https://doi.org/10.1108/13598540010347299>; Gelderman, C.J., Semeijn, J. & Bouma, F. 'Implementing Sustainability in Public Procurement: The Limited Role of Procurement Managers and Party-Political Executives', *Journal of Public Procurement*, Vol. 15, No. 1, 2015: 66–92. <https://doi.org/10.1108/JOPP-15-01-2015-B003>

⁴ Daşcıoğlu, B.G. & Yazgan, H.R. 'Dynamic green location and routing problem for service points,' *International Journal of Procurement Management*, Vol. 13, No. 1, 2020: 112 – 133. <https://dx.doi.org/10.1504/IJPM.2020.105199>

crucial role in development processes in most countries⁵. It is the most supportive means for all government functions⁶, helping governments meet their basic needs across all functions⁷. Since governments can leverage public procurement in a variety of areas and policies, several countries have begun to implement structural reforms to their public procurement laws to enable them to achieve their goals and help them carry out their work with a high degree of efficiency and effectiveness. Reforming and modernizing public procurement laws has become an essential component of transparent legal systems that seek greater sustainability and governance. If the procurement department fails to provide goods and services to the government at the required quality, on time, and at an appropriate price, its performance will be negatively impacted⁸. Public procurement, as a function, has not received much attention from decision-makers and policymakers, as it has always been viewed as a routine administrative function⁹. However, trends have emerged, and voices have been

⁵ Sabbatini, M.S. '2nd (or, from a European Point of View, 3rd) Generation Procurement Law Reform: Principles and Underlying Policies', *5th International Public Procurement Conference*, August 17 - 19, 2012, Seattle, USA. pp. 1864-1949.

⁶ Coe, C.K. *Public Financial Management*, 1989, Englewood Cliffs, NJ: Prentice-Hall; McCue, C.P. & Pitzer, J.T. 'Centralized vs. decentralized purchasing: current trends in governmental procurement practices', *Journal of Public Budgeting, Accounting & Financial Management*, Vol. 12 No. 3, 2000: 400-420. <https://doi.org/10.1108/JPBAFM-12-03-2000-B003>; Hardy, C.A. & Williams, S.P. 'E-Government Policy and Practice: A Theoretical and Empirical Exploration of Public e-Procurement', *Government Information Quarterly*, Vol. 25, No. 2, 2008: 155-180. <https://doi.org/10.1016/j.giq.2007.02.003>

⁷ Brammer, S. & Walker, H. 'Sustainable procurement in the public sector: an international comparative study', *International Journal of Operations & Production Management*, Vol. 31, No. 4, 2011: 452-476. <https://doi.org/10.1108/01443571111119551>; Bosch, M., Kemperman, M. & Raes, S. 'Sustainable Procurement and International Financial Institutions', *Paper Presented at the Seminar on Sustainable Public Procurement and Multilateral Development Banks*, 2012, March 22, Washington, DC.

⁸ Cogburn, J.D. 'Exploring differences in the American states' procurement practices', *Journal of Public Procurement*, Vol. 3 No. 1, 2017: 3-28. <https://doi.org/10.1108/JOPP-03-01-2003-B001>; Herrera-Rodríguez, M. 'Sustainable Development in Costa Rica: A Geographic Critique', *Journal of Latin American Geography*, Vol. 12, No. 2, 2013: 193-219. <https://doi.org/10.1353/lag.2013.0011>

⁹ Wittig, W.A. 'Building Value through Procurement: A Focus on Africa', Paper Presented to the *9th International Anti-Corrupting Conference*, 1999, Durban, South Africa; Thai, K.V. 'Public procurement re-examined', *Journal of Public Procurement*, Vol. 1, No. 1, 2001: 9-50. <https://doi.org/10.1108/JOPP-01-01-2001->

raised at the local and international levels to develop and reform public procurement laws to enhance governance and transparency, thereby helping compete in regional and global markets¹⁰.

The reform of public procurement laws has been based on several essential elements, most notably combating corruption and establishing a legal system that significantly facilitates this. This has encompassed all countries of the world. Tackling corruption was not limited to developing countries, but public procurement reforms to fight corruption have extended to developed and wealthy countries as well¹¹. Corruption is considered one of the most global phenomena¹², meaning it exists in all systems in all countries, although the scale of this phenomenon varies, of course. Corruption in public procurement is considered a cancer¹³ that must be addressed quickly and in various ways¹⁴. Corruption consumes, drains, and undermines local wealth, and, worse still, affects all government services and their quality in all countries of the world.

B001; Basheka, B.C., Tumutegyereize, M. & Sabiiti, C.K. 'Procurement Governance and Administrative Efficiency in Uganda: An Empirical Relational Analytical Framework,' *5th International Public Procurement Conference*, August 17 - 19, 2012, Seattle, USA. pp. 1783-1833.

¹⁰ Trybus M. 'The Reform of Public Procurement Laws in the Western Balkans', in Khi V. Thai and Gustavo Piga (eds.), *Advancing Public Procurement: Practices, Innovation and Knowledge-Sharing* (PrAcademics Press: Boca Raton, FL), 2006: 392-412. <https://dx.doi.org/10.2139/ssrn.3719018>; Johnson, P.F., Leenders, M.R. & McCue, C. 'A comparison of purchasing's organizational roles and responsibilities in the public and private sector,' *Journal of Public Procurement*, Vol. 3, No. 1, 2017: 57-74. <https://doi.org/10.1108/JOPP-03-01-2003-B003>

¹¹ DeAses, A. J. 'DEVELOPING COUNTRIES: INCREASING TRANSPARENCY AND OTHER METHODS OF ELIMINATING CORRUPTION IN THE PUBLIC PROCUREMENT PROCESS,' *Public Contract Law Journal*, Vol. 34, No. 3, 2005: 553-572. <http://www.jstor.org/stable/25755330>

¹² Cadapan-Antonio, M. T. 'PARTICIPATION OF CIVIL SOCIETY IN PUBLIC PROCUREMENT: CASE STUDIES FROM THE PHILIPPINES,' *Public Contract Law Journal*, Vol. 36, No. 4, 2007: 629-665. <http://www.jstor.org/stable/25755429>

¹³ Wolfensohn, J. 'A Back-to-Basics Anti-Corruption Strategy', *Economic Perspectives*, Vol. 3, No. 5, 1998.

¹⁴ Lennerfors, T. T. 'The Transformation of Transparency: On the Act on Public Procurement and the Right to Appeal in the Context of the War on Corruption', *Journal of Business Ethics*, Vol. 73, No. 4, 2007: 381-390. <http://www.jstor.org/stable/25075431>

The worst type of corruption is corruption in public procurement¹⁵, as it is the area where corruption is most likely to occur, given that it is the area where the public and private sectors most closely intersect.

Accordingly, most governments now prioritize reducing corruption in public procurement,¹⁶ reforming and updating public procurement laws to align with this goal, which is a national objective in each country. This has led governments to adopt new approaches to raise levels of integrity and transparency and to achieve the highest standards of governance in public procurement, thereby reducing corruption in this area.¹⁷

The efforts of international organizations in this area support countries' reform of public procurement laws. Most modern public procurement laws have been issued to align with the guidelines of various international organizations and the experiences of many countries that have achieved success in reforming their public procurement laws. The most essential guidelines and directives for reforming public procurement laws include the UNCITRAL Model Law on Public Procurement, in well as directives from the European Union¹⁸, the International Monetary Fund, the World Trade Organization, and the Organization for Economic Cooperation and Development.

The efforts of various international organizations, notably the World Bank, have had an impact on achieving and implementing sustainability

¹⁵ Romanets, V. 'The act and rise of canonical psychology'. Man. Subject. Act. Philosophical and psychological studies. V. O. Tatenko (Ed.). Kyiv: Lybid, 2006: 11–36.

¹⁶ Krc, R. 'Transparency Amendment of the Czech Public Procurement Act', *European Procurement & Public Private Partnership Law Review*, Vol. 8, No. 2, 2013: 200–206. <https://www.jstor.org/stable/26693955>; Kiiver, P. & Kodym, J. 'Price-Quality Ratios in Value-For-Money Awards', *Journal of Public Procurement*, Vol. 15, No. 3, 2015: 275-290. <https://doi.org/10.1108/JOPP-15-03-2015-B001>.

¹⁷ Krc, R. 'Transparency Amendment of the Czech Public Procurement Act', *European Procurement & Public Private Partnership Law Review*, Vol. 8, No. 2, 2013: 200–206. <https://www.jstor.org/stable/26693955>; Lee, S.M., Tan, X., & Trimi, S. 'Current practices of leading e-government countries', *Communications of the ACM*, Vol. 48, No. 10, 2005: 99 - 104. <https://doi.org/10.1145/1089107.1089112>

¹⁸ Malolitneva, V. 'The Public Procurement System of Ukraine in the Context of the EU-Ukraine Association Agreement', *European Procurement & Public Private Partnership Law Review*, Vol. 9, No. 2, 2014: 126–137. <https://www.jstor.org/stable/26734217>; Leenders, M.R., Johnson, P.F. 'Major Changes in Supply Organizations', In: Eßig, M. (eds) *Perspektiven des Supply Management*, 2005, Springer, Berlin, Heidelberg. https://doi.org/10.1007/3-540-27018-3_10

standards in public procurement¹⁹, despite the numerous legal and non-legal obstacles and challenges facing this type of procurement²⁰. The European Union has also presented several unique and innovative ideas and proposals to expand competition and reduce monopolies by involving small, medium, and micro-enterprises in public procurement processes through financial support and by overcoming administrative obstacles and challenges related to technical support²¹. Furthermore, most countries have adopted electronic systems to implement public procurement processes by regulating procurement through electronic tenders, thereby reducing corruption and saving money, time, effort, and the complexity of bureaucratic procedures. The use of electronic systems in public procurement processes also helps limit government officials' interactions with the private sector, thereby reducing the chances of corruption in government procurement. Public procurement is also reformed by the law, which distributes procurement responsibilities between central and decentralized public bodies to achieve efficiency and effectiveness in government procurement operations. Most modern procurement laws also aim to establish an ethical and professional system for public procurement practitioners by enshrining these ethics in law²². The Gulf states have focused

¹⁹ Górski, J. 'The World Bank's New Procurement Regulations', *European Procurement & Public Private Partnership Law Review*, Vol. 11, No. 4, 2016: 301–310. <https://www.jstor.org/stable/26643566>; Malone, T.W., Yates, J., & Benjamin, R.I. 'Electronic markets and electronic hierarchies', *Communications of the ACM*, Vol. 30, No. 6, 1987: 484–497. <https://doi.org/10.1145/214762.214766>

²⁰ Faracik, B. 'Non-legal Barriers to Sustainable Public Procurement in Poland,' *European Procurement & Public Private Partnership Law Review*, Vol. 13, No. 3, 2018: 184–197. <https://www.jstor.org/stable/26695279>; Marshall, D., McCarthy, L., Claudy, M., & McGrath, P. 'Piggy in the Middle: How Direct Customer Power Affects First-Tier Suppliers' Adoption of Socially Responsible Procurement Practices and Performance', *Journal of Business Ethics*, Vol. 154, 2019: 1081–1102. <https://doi.org/10.1007/S10551-016-3387-0>

²¹ Clear, S., Clifford, G., Cahill, D., & Allen, B. 'A New Methodology for Improving Penetration, Opportunity-Visibility and Decision-Making by SMEs in EU Public Procurement,' *European Procurement & Public Private Partnership Law Review*, Vol. 15, No. 2, 2020: 83–107. <https://www.jstor.org/stable/27067333>; Messah, Y.A., Abduh, M. & Wirahadikusumah, R.D. 'Conceptual framework for sustainable procurement of construction works', *International Journal of Procurement Management*, Vol. 17, No. 4, 2023: 488–506. <https://dx.doi.org/10.1504/IJPM.2023.132140>

²² Panadès-Estruch, L. 'Cayman Islands: The Cayman Islands Public Procurement Reform – Research Reaps Real Rewards', *European Procurement & Public Private Partnership Law Review*, Vol. 15, No. 2, 2020: 188–196.

on implementing structural reforms in their public procurement laws, which represent a real breakthrough in maximizing the benefit from public spending and promoting the principles of good governance. The United Arab Emirates has sought to update and reform the legal framework governing public procurement systems, beginning with the issuance of Prime Ministerial Resolution No. (4) of 2019 regarding the Procurement and Warehouse Management Regulations in the Federal Government, and continuing through the issuance of Federal Law No. 11 of 2023 regarding procurement in the Federal Government. The United Arab Emirates also consistently strives to achieve sustainability in various fields, which has led it to aim to make its public procurement sustainable. The Kingdom of Saudi Arabia has not hesitated to implement these reforms and updates to its public procurement laws. The Kingdom issued the Government Tenders and Procurement Law in 2019, which included broad structural reforms to the public procurement system, aimed at achieving sustainability, promoting competition, and limiting monopolistic practices.

The introduction effectively establishes a strong policy foundation by situating public procurement within its broader economic and governance context. It highlights that public procurement constitutes a substantial share of government expenditure in many countries, thereby underscoring its critical role in public financial management and economic development. This significance is further reinforced by acknowledging the inherent corruption risks associated with procurement processes, given the scale of public funds involved and the potential for discretionary decision-making. By linking these risks to global reform efforts, the introduction demonstrates awareness of the international shift toward more transparent, accountable, and technology-driven procurement systems. Overall, this framing not only justifies the study's relevance but also situates it within ongoing global debates on governance, anti-corruption, and public sector reform.

This study will examine the procurement system in the United Arab Emirates at the federal and local levels, as well as the Government Tenders and Procurement Law in the Kingdom of Saudi Arabia, and explain how both systems have implemented structural reforms in their public procurement laws. Therefore, this study will present developments in public procurement in the United Arab Emirates and the Kingdom of Saudi Arabia.

<https://www.jstor.org/stable/27067342>; Min, H. & Galle, W.P. 'Electronic commerce usage in business-to-business purchasing', *International Journal of Operations & Production Management*, Vol. 19, No. 9, 1999: 909-921. <https://doi.org/10.1108/01443579910280232>

Main research question:

What legal reforms have shaped the development of public procurement in the United Arab Emirates?

Sub-questions:

1. What is the distinction between centralized and decentralized public procurement?
2. How is procurement authority distributed between federal and local government institutions?
3. What role does e-procurement play in improving transparency and efficiency?
4. How is sustainable public procurement implemented in the UAE?

This study employs doctrinal legal research combined with a descriptive and analytical approach. The descriptive method explains the concepts of centralized and decentralized public procurement, electronic procurement systems, and sustainable procurement policies. The analytical approach evaluates the legal framework governing procurement in the UAE, including Prime Minister's Decision No. 4 of 2019 on Federal Procurement and Warehouse Management. The study also examines international practices in public procurement to assess the effectiveness of the UAE procurement reform framework.

The study relies on secondary data drawn from legal documents, books, journals, research reports, and other reliable academic sources, including books, research papers, conference papers, and reports of international organizations. It also relies on sources published in international journals and indexed in databases such as Web of Science, Scopus, JSTOR, and EBSCO. Some laws, such as the Public Procurement Law of the United Arab Emirates and the Kingdom of Saudi Arabia, and the UNCITRAL Model Law, were also used.²³ Data are collected through a comprehensive literature review that systematically identifies and analyzes relevant laws and academic perspectives. A descriptive-analytical approach is applied to interpret the findings and assess their implications, ensuring a structured discussion on the need for reform of public procurement systems and laws. By integrating normative and comparative legal analysis²⁴, this study aims to provide a comprehensive understanding of the issue while formulating recommendations for future legal reform.

²³ Alhashemi, A. Role of Judicial Intervention in Supporting Arab Arbitration Laws: An Analysis of Judicial Intervention in the Arab World. *Journal of Law and Legal Reform*, 4(4), 2023:582. <https://doi.org/10.15294/jllr.v4i4.69096>

²⁴ Anis Widyawati, Ade Adhari, Ridwan Arifin, Who Executes Justice? Comparative Institutional Paths from Verdict to Prison. *Jambura Law Review* Vol 8, No.1. 2023 : 163, <https://doi.org/10.33756/jlr.v1i1.31642>

A. Historical Background

1. Historical Development of the Legal Framework for Federal Procurement and Warehousing in the United Arab Emirates

Preliminary (Pre-Federation – Before 1971) Before the establishment of the federation, the emirates were governed independently, and there was no unified legal framework regulating procurement or warehousing. Instead, they were governed by traditional, unwritten systems based on local customs and directives.

Establishment and Beginning of Organization (1971–1995) Following the establishment of the United Arab Emirates, work began on building a federal legislative framework to manage financial affairs, including procurement and warehousing.

Financial Procedures Law No. 1 of 1971 was issued, the first regulatory basis for public spending, and it included references to procurement procedures. Federal Law No. 7 of 1995 on Financial Procedures was then issued, more clearly regulating federal procurement and warehousing.

Administrative Modernization Phase (1995–2010) The executive regulations of the financial law were developed, and the Ministry of Finance created internal manuals to regulate procurement and warehousing operations. Initial electronic systems were introduced to manage economic and inventory operations. This phase focused on financial control and accounting documentation.

Digital Transformation and Procedures Development (2010–2018): The Ministry of Finance began developing electronic systems and launched the Suppliers Platform.²⁵ A comprehensive government procurement guide was also prepared, covering procedures for planning, supply, evaluation, award, and storage. Warehouse systems were linked to the ERP system to enhance transparency and control over assets and procurement.

Modern Phase – Unified Procurement and Warehouses Guide (2019–2023). In 2019, the Cabinet approved the Unified Federal Procurement and Warehouses Guide. This guide serves as a comprehensive executive framework regulating procurement and

²⁵ Aldehita Purnasanti Maulida, Angkasa Angkasa, Suhadi Suhadi, and Abu Bakar Munir. 2026. “Transforming Credit Guarantees in Indonesia: Legal Reform and Digital Innovation at Askrindo”. *Journal of Law and Legal Reform* 7 (1): 255. <https://doi.org/10.15294/jllr.v7i1.38585>.

storage operations in federal entities. It includes the principles of competition, framework agreements, sustainable procurement, direct purchasing, award mechanisms, and warehouse management in terms of receipt, inventory, and disposal. The first federal law regulating public procurement in the United Arab Emirates was also issued under Federal Law No. 11 of 2023 on Procurement in the Federal Government: Smart Transformation and Digital Integration (2020–present). The federal procurement system was activated via an integrated electronic platform. Integration between procurement, contracts, and warehouses was expanded under the ERP system. Artificial intelligence tools and data analytics are currently being used to enhance decision-making and anticipate purchasing and warehouse needs.

The various stages of the development of the legal framework for federal procurement and warehouses in the UAE demonstrate a qualitative shift from traditional practices to a modern legal and electronic system that supports efficiency and transparency and enhances the governance of public funds in line with smart government objectives.

2. The Historical Development of the Government Tenders and Procurement Law in the Kingdom of Saudi Arabia

Government tenders and procurement are essential tools for implementing public spending policies, achieving development goals, and ensuring transparency and fairness in government contracting. The system in the Kingdom of Saudi Arabia has gone through various legislative stages that reflect the state's development and reformist orientations.

Phase One – Initial Regulations Before the Issuance of the Official Law (Pre-2006). Before the issuance of the Government Tenders and Procurement Law, procurement was managed according to separate regulations and administrative decisions issued by relevant authorities. There was no unified law regulating tenders and procurement; rather, there was a general regulatory system without a comprehensive legal basis.

Phase Two – The Law of 1427 AH / 2006 AD. Royal Decree issued the first official law for government tenders and procurement. (M/58) dated 4/9/1427 AH. It aimed to regulate government tender procedures and promote transparency and equal opportunities, but

faced challenges related to a lack of procedural flexibility. Phase Three - The New System for the year 1440 AH / 2019 AD. Royal Decree issued the new system No. (M/128) dated 11/13/1440 AH. It represents a qualitative shift in procurement organization, characterized by flexibility, digitization, partnerships with the private sector, and the adoption of new tools, such as framework agreements and sustainable procurement.

Implementing Regulations (2020 and beyond): The Ministry of Finance issued the system's executive regulations in 2020, including a detailed explanation of the provisions and periodic updates in line with digital development and financial governance.

Key Milestones in the System's Development: Pre-2006: Various administrative regulations. 2006: Issuance of the first procurement system. 2019: Issuance of the new system. 2020: Issuance of the executive regulations. 2022-2024: Updating the accreditation platform and introducing new digital tools.

Future directions for the system: It is expected to see greater support for local content, enhanced sustainability, and the use of artificial intelligence in bid evaluation, in addition to facilitating digital participation through the Etimad platform.

The evolution of the government tendering and procurement system in Saudi Arabia reflects a gradual transition from a traditional system to a modern legal framework that aligns with the goals of Vision 2030 and supports the principles of transparency, efficiency, and private sector empowerment.

B. Elements of Public Procurement Law Reforms

Many countries have recently moved towards achieving sustainable development and have developed plans to do so. Some plans and programs for achieving sustainable development have included working on the sustainability of government procurement, not only to rationalize government spending and reduce corruption, but also to achieve the many social, environmental, and economic goals that sustainable development seeks to achieve. This is achieved by considering many of these factors, and not limiting itself to the traditional method of purchasing, which is the lowest-priced tenders, but rather by considering the full benefit of the product or service, which is known as the "product life cycle." This achieves many benefits in the social, economic, and environmental fields, albeit in the long term. Some countries have achieved remarkable progress in this area, making them distinguished models to present

as international experience in this field that can be used to reform the system in force in Egypt. Government procurement systems can also serve as a means to promote many of the policies that governments seek to implement, such as reducing monopolistic practices, expanding the base of competition, reducing unemployment, increasing employment rates, and achieving economic growth. This can be achieved by engaging small and medium-sized enterprises (SMEs) in government procurement processes. This is the approach adopted by some countries when modernizing and developing their government procurement systems.

Most countries have recently moved to enhance e-government systems for most of the services they provide to their citizens. This is done to simplify and facilitate service delivery procedures, as well as to reduce corruption by separating the interactions between service providers and service recipients. The importance of E-Systems in government procurement, in particular, is growing, as this reduces corruption in this area, which is one of the most significant sources of corruption in the government sector. E-government procurement can also contribute significantly to achieving many governance principles, such as transparency, integrity, and accountability. This leads to increased effectiveness of procurement systems, which, in turn, reduces waste in government spending in general and in government procurement in particular. The Gulf Cooperation Council (GCC) countries are among those that have accelerated structural reforms in several key areas of public procurement laws. The United Arab Emirates and the Kingdom of Saudi Arabia have adopted the UNCITRAL Model Law on Public Procurement to reform their public procurement laws, as follows:

1. Sustainable Public Procurement

The concept of sustainable public procurement is relatively new, and there is no consensus on it. This is due to the lack of consensus on the idea of sustainability.²⁶ Despite this, multiple definitions of sustainable public procurement have emerged in some literature. Based on the literature in this field, sustainable procurement can be defined as “the procurement of goods and

⁽²⁶⁾ Daniel J. Fiorino, Sustainability as a Concept Focus for Public Administration, *Public Administration Review*, Volume 70, 2010, pp.78-88; Min, H. & Galle, W.P. ‘E-purchasing: Profiles of Adopters and Non-adopters’, *Industrial Marketing Management*, Vol. 32, No. 3, 2003: 227-233. [https://doi.org/10.1016/S0019-8501\(02\)00266-3](https://doi.org/10.1016/S0019-8501(02)00266-3)

services in an environmentally, socially, and economically conscious manner.”²⁷

Sustainable public procurement can be defined as “a process in which public authorities seek to procure goods, services, and businesses with a lower environmental impact throughout their life cycle compared to goods, services, and businesses that fulfill the same basic function, to achieve some social and economic purpose”. Sustainable public procurement is “the process by which assets, goods, and services are procured, taking into account several social, economic, and environmental factors. It involves looking beyond traditional economic criteria (lowest price) to the product’s life-cycle cost²⁸. Sustainable public procurement is also defined as “a process by which public organizations’ needs for goods and services are met in a way that achieves value for money based on the product’s life cycle, taking into account environmental, social, and economic factors”²⁹.

Sustainable public procurement is based on three main elements: environmental, social, and economic. The environmental factors that must be considered in a sustainable public procurement system mean that each product or service procured must have no environmental impacts throughout its life cycle, from raw material extraction and manufacturing through use and disposal. This is in addition to the use of clean energy in the provision of goods and

(27) Walker, H. & Phillips, W. ‘Sustainable Procurement: An International Policy Analysis of 30 OECD Countries’, *International Public Procurement Conference*. (Washington: Seattle, 17-19 August 2012):128-137; Nidumolu, R., Prahalad, C.K., & Rangaswami, M.R. ‘Why sustainability is now the key driver of innovation’, *IEEE Engineering Management Review*, Vol. 43, No. 2, 2015: 85-91. <https://doi.org/10.1109/emr.2015.7123233>

(28) Mohan V. ‘Public Procurement for Sustainable Development’, *International Public Procurement Conference*, (South Korea: Seoul, 26-28 August, 2010), Part 7-11: 1-19; Rainville, A. ‘Standards in green public procurement: a framework to enhance innovation’, *Journal of Cleaner Production*, Vol. 167, No. November, 2017: 1029-1037. <https://doi.org/10.1016/j.jclepro.2016.10.088>

(29) Korkmaz A. ‘Sustainable Procurement as a Secondary Policy Tool and Turkey Case’, *International Public Procurement Conference*. (Washington: Seattle, 17-19 August, 2012): 1122; Raj, A., Agrahari, A. & Srivastava, S.K. ‘Do pressures foster sustainable public procurement? An empirical investigation comparing developed and developing economies’, *Journal of Cleaner Production*, Vol. 266, No. September, 2020: 1-14. <https://doi.org/10.1016/j.jclepro.2020.122055>

services. This dimension also includes the conservation of natural resources throughout the product's life cycle.³⁰

Social factors in a sustainable public procurement system also involve the establishment of government procurement procedures on many social repercussions, such that government procurement is used to drive social improvements, for example, including equality principles in government procurement processes, in addition to promoting the principle of equal opportunities by providing the opportunity for small and medium-sized enterprises to enter government procurement processes and removing obstacles that prevent them from doing so. All of this is with the necessity of respecting human rights in the work provided through the government procurement contract by adhering to specific working hours and workers' rights and limiting the work of children under the legal age³¹, as the Child Law and international conventions in this regard must be taken into account and explicitly stipulated in government procurement laws and government procurement contracts³².

Economic factors mean that consideration is not only given to the initial purchase price of a product or service, but also all costs of use, storage, maintenance, and disposal at the end of its life cycle, in addition to any other costs expected to be incurred as a result of purchasing the product or service. This means achieving the

(30) Ochieng, M. M., Oginda, M. & Biraori, E. 'Analysis of Sustainable Procurement Practice and the Extend of Integration in Lake Victoria South Water Services Board', *Journal of Business and Management*, Vol. 18, No. 3, 2016: 111; Roman, A. 'Institutionalizing Sustainability: A Structural Equation Model of Sustainable Procurement in US Public Agencies', *Journal of Cleaner Production*, Vol. 143, No. February, 2017: 1048-1059. <https://doi.org/10.1016/J.JCLEPRO.2016.12.014>

³¹ Indah Sri Utari, Ridwan Arifin, and Diandra Preludio Ramada, "Exploring Child Grooming Sexual Abuse through Differential Association Theory: A Criminological and Legal Examination with Constitutional Implications," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* 7, no. 1 (2024), <https://doi.org/10.24090/volksgeist.v7i1.9564>.

(32) Sharma, A., Iyer, G.R., Mehrotra, A., & Krishnan, R. 'Sustainability and Business-To-Business Marketing: A Framework and Implications', *Industrial Marketing Management*, Vol. 39, No. 2, 2010: 330-341. <https://doi.org/10.1016/j.indmarman.2008.11.005>.

maximum possible benefit from a good or service, ensuring economic sustainability, known as “value for money.”³³

The UAE Federal Law No. 11 of 2023 on Procurement in the Federal Government, as well as Cabinet Resolution No. 122 of 2024 on the Executive Regulations of the Federal Government Procurement Law, provide a sound framework for sustainable public procurement across all three dimensions: social, economic, and environmental.

Law No. 11 of 2023 on Procurement in the Federal Government stipulates that the best value for money must be achieved to achieve public value. It stipulates that public value must be achieved, which is the best result a federal entity can achieve for its money by optimally and economically utilizing resources.³⁴

The law’s objectives also stipulate that integrity, trust, transparency, and competition should be promoted in all procurement procedures, while providing public value and public interest, taking into account quality standards, sustainable development, and support for small and medium-sized enterprises (SMEs) and the national economy.³⁵

The law also includes federal entities’ obligations, such as non-discrimination in the treatment of suppliers, working to create opportunities to attract and encourage SMEs, national procurement, and local suppliers, and supporting the Emiratization policy, green companies, sustainable business activities, and products that reduce carbon emissions and environmental damage.³⁶

The federal government’s public procurement principles include the need to create business opportunities for green companies and sustainable business activities, or for products that reduce carbon

(33) Aboelazm, K. S., et al. ‘Legal Pathways to Professionalizing the Procurement Workforce for Good Governance to State Contracts: A Comparative Study’, *Corporate Law & Governance*, 7(3), 2025: 86–95. <https://doi.org/10.22495/clgrv7i3p8>.

³⁴ Article 1 of Federal Law No. 11 of 2023 regarding procurement in the federal government.

³⁵ Article 2 of Federal Law No. 11 of 2023 regarding procurement in the federal government.

³⁶ Article 7 of Federal Law No. 11 of 2023 regarding procurement in the federal government.

emissions and environmental damage, as set out in the law's executive regulations.³⁷

The law's executive regulations were issued and include several provisions that encourage and require sustainable public procurement. The regulations regulate green public procurement and sustainable products. It stipulates that green procurement is procurement that aims to promote the adoption of environmentally responsible business practices and eliminate wasteful practices, while ensuring they continue to meet stakeholder requirements by integrating environmental, economic, and social factors of corporate responsibility into procurement practices and decision-making.³⁸

The executive regulations also mandate that federal entities commit to sustainable products, defined as those that meet applicable environmental standards throughout their lifecycle, including efficient use of resources, reduced carbon emissions, and minimized ecological damage.³⁹

The executive regulations of the UAE Federal Public Procurement Law impose several obligations and responsibilities on the Central Procurement Unit, including promoting sustainability and green procurement practices, increasing national content, monitoring the quality of procurements within the federal procurement catalog submitted by suppliers, and fulfilling sustainable contractual obligations.⁴⁰

The regulations also mandate that federal entities engage in green procurement, stipulating that, based on procurement type and requirements, they must encourage green procurement and sustainable products wherever possible to meet the federal entity's needs, and encourage registered and approved suppliers to adhere to sustainability procurement standards. Federal agencies are also required to specify in the Federal Government Procurement Procedures Manual the guidelines that federal entities must adhere to ensure their contributions to sustainable development and to

³⁷ Article 13 of Federal Law No. 11 of 2023 regarding procurement in the federal government.

³⁸ Article 1 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

³⁹ Article 1 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

⁴⁰ Article 2 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

promote green procurement and sustainable products. In addition, federal agencies are required to specify in the Federal Government Procurement Procedures Manual any exceptions to the application of the green procurement and sustainable products guidelines⁴¹.

2. SMEs

Governments of various countries spend money to purchase goods and services to meet their needs. The government sector is the largest buyer in the market. Thus, the participation of small and medium-sized enterprises (SMEs) in government procurement can be encouraged, as SMEs employ approximately 60% to 70% of the workforce.⁴² SMEs also represent 99% of all European Union enterprises⁴³, a significant proportion, given the numerous benefits they offer, which may encourage developing and emerging countries to foster the growth of these companies.

The definition of SMEs varies from country to country, depending on the prevailing policies and legislation in those countries⁴⁴. In some countries, SMEs are defined based on the number of employees. In others, SMEs are defined based on the size of their investments. In others, they are determined based on annual sales volume. In still others, more than one criterion is combined to define SMEs, such as the number of employees and the company's sales volume, or the number of employees and the company's capital, as follows:

SMEs in South Africa are defined based on only one criterion: the number of employees. Small companies are defined as those with fewer than fifty employees. In comparison, medium companies are

⁴¹ Article No. 16 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

⁴² Aboelazm, K. S., et al. 'Ameliorating public procurement performance: Green public procurement policies within a legislative framework', *Corporate Law & Governance*, 7(2), 2025: 21–31. <https://doi.org/10.22495/clgrv7i2p2>.

⁴³ Reijonen, H., Tammi, T. and Saastamoinen, J., SMEs and Public Procurement: Does Entrepreneurial Orientation Make a Difference?, *International Small Business Journal*, Volume 34, Issue 4, 2016: 469.

⁴⁴ Sun, S.X., Zhao, J., & Wang, H. 'An agent based approach for exception handling in e-procurement management', *Expert Systems with Applications*, Vol. 39, No. 1, 2012: 1174–1182. <https://doi.org/10.1016/j.eswa.2011.07.121>.

defined as those with fewer than 100 employees in general and up to 200 employees in the mining and electricity sectors⁴⁵.

In India, SMEs are defined based solely on the size of the company's investments. Small companies are defined as those with annual investments of less than \$750,000 in annual investments, while medium companies are defined as those with investments ranging from \$750,000 to \$25 million annually.⁴⁶

Small and medium-sized enterprises (SMEs) play a significant economic role in many industrialized countries, but their opportunities to participate in public procurement are minimal.⁴⁷

Encouraging SME participation in public procurement would benefit both the government and SMEs. By involving SMEs in government procurement, several advantages can be achieved, including job creation and economic development, and the limitation of monopolistic practices by large corporations in government procurement processes. The participation of SMEs increases competition and ensures that the procurer does not rely solely on a few large companies.⁴⁸

Providing policies that support small and medium-sized enterprises (SMEs) in entering the government market through government procurement processes yields multiple benefits for the government. These benefits include limiting monopolistic practices,

⁴⁵ Chapter 1 From Act No.102 of 1996: National Small Business Act, 1996.

⁴⁶ Islam, M.T. 'Effectiveness of centralized procurement systems in public sector enterprises of Bangladesh: a focus on Economic Census 2013', Dissertation for the Degree of Master's in Procurement and Supply Management, 2014, Bangladesh, BRAC University, BRAC Institute of Governance and Development: 156.

⁴⁷ Bin-Obaidellah, S.S.A., Mokhtar, N.F., Awi, N.A. & Mokhlis, S. 'The effect of ICT infrastructure on business performance of micro and small enterprises in Yemen: the moderating effect of social media marketing,' *International Journal of Procurement Management*, Vol. 18, No. 1, 2023: 44 – 67. <https://dx.doi.org/10.1504/IJPM.2023.132590>

⁴⁸ Timothy S. Reed, Patricia G. Luna and William C. Pike, Evaluation Balancing Socioeconomic and Public Procurement Reform Goals: Effective Metrics for Measuring Small Business Participation in Public Procurement. In Khi. V. Thai and Others (Editors), *Challenges in Public Procurement: An International Perspective*, Florida: PrAcademics Press, 2004, pp.85-86; Singer, M., Konstantinidis, G., Roubik, E. & Beffermann, E. 'Does e-procurement save the state money?', *Journal of Public Procurement*, Vol. 9, No. 1, 2009: 58-78. <https://doi.org/10.1108/JOPP-09-01-2009-B002>

providing job opportunities, and increasing the efficiency of resource allocation, as follows:

- a. Reducing monopolistic practices: Government procurement policies that support small and medium-sized enterprises (SMEs) can help increase competition in government markets between SMEs and large corporations. Government policies supporting SMEs in this area can also help lower bid prices in government procurement processes, which directly contributes to reducing and rationalizing government spending. This can also limit the dominance of large corporations in government procurement processes, preventing monopolistic practices in this area.⁴⁹
- b. Contributing to job creation: The rapid growth of SMEs creates new jobs in the economies of developing countries. These companies rely on intensive labor and tend to distribute income more equitably than large corporations. They play an essential role in creating job opportunities, alleviating poverty, as they often provide jobs at reasonable wages. They also help generate employment opportunities by providing training and using modern technologies, which helps foster the development of these companies. This, in turn, results in the creation of more jobs⁵⁰.

Contributing to improving the efficiency of resource allocation in developing countries, where SMEs tend to adopt labor-intensive production methods, reflecting the country's labor

⁴⁹ Teich, J., Wallenius, H. & Wallenius, J. 'Multiple-Issue Auction and Market Algorithms for the World Wide Web', *Decision Support Systems*, Vol. 26, No. 1, 1999: 49-66. [https://doi.org/10.1016/S0167-9236\(99\)00016-0](https://doi.org/10.1016/S0167-9236(99)00016-0); Svensson, G. 'Aspects of Sustainable Supply Chain Management (SSCM): Conceptual Framework and Empirical Example', *Supply Chain Management: An International Journal*, Vol. 12, No. 4, 2007: 262-266. <https://doi.org/10.1108/13598540710759781>

⁵⁰ Tate, W.L, Ellram, L.M., & Dooley, K.J. 'Environmental Purchasing and Supplier Management (EPSM): Theory and Practice', *Journal of Purchasing & Supply Management*, Vol. 18, No. 3, 2012: 173-188. <https://doi.org/10.1016/j.pursup.2012.07.001>; Steinfeld, C., Kraut, R. & Chan, A. 'The Impact of Interorganizational Networks on Buyer-seller Relationships', *Journal of Computer-Mediated Communication*, Vol. 1, No. 3, 1995: 28-35. <https://doi.org/10.1111/j.1083-6101.1995.tb00168.x>

abundance and capital scarcity. SMEs support the development of comprehensive productive capacities, helping to absorb productive resources across all levels of the economy and contributing to the establishment of dynamic, flexible economic systems in which SMEs are interconnected. They are more geographically widespread than large corporations, support the development and growth of entrepreneurship and skills, and help reduce economic disparities between urban and rural areas⁵¹.

The UAE Federal Law No. 11 of 2023 on Procurement in the Federal Government, as well as Cabinet Resolution No. 122 of 2024 on the Executive Regulations of the Federal Government Procurement Law, further encourage small and medium-sized enterprises (SMEs) to participate in federal government public procurement.

Law No. 11 of 2023 on Procurement in the Federal Government stipulates that integrity, trust, transparency, and competition must be promoted in all procurement procedures, while providing public value and public interest, taking into account quality standards, sustainable development, and support for SMEs and the national economy.⁵²

The law also imposes obligations on federal entities, including non-discrimination among suppliers, working to create opportunities to attract and encourage SMEs, national procurement, and local suppliers, and supporting the Emiratization policy, green companies, sustainable business activities, and products that reduce carbon emissions and environmental damage.⁵³

The principles of public procurement in the federal government include advancing the public interest by providing benefits that support the government's strategic visions and priorities, such as creating business opportunities for local companies and supporting SMEs. The law also stipulates the need for preferential criteria for small and medium-sized enterprises (SMEs). It specifies that a margin of preference may be granted to

⁵¹ Svidronova, M.M. & Mikus, T. 'E-Procurement as the ICT Innovation in the Public Services Management: Case of Slovakia', *Journal of Public Procurement*, Vol. 15, No. 3, 2015: 317-340. <https://doi.org/10.1108/JOPP-15-03-2015-B003>.

⁵² Article 2 of Federal Law No. 11 of 2023 on Procurement in the Federal Government.

⁵³ Article 7 of Federal Law No. 11 of 2023 on Procurement in the Federal Government.

participating suppliers who achieve the best public interest or national added value, support locally produced purchases, or stimulate local SMEs, as determined by the implementing regulations of this law.⁵⁴

The executive regulations of the law were issued and include several provisions that encourage SMEs and oblige federal government agencies to do so. They stipulate the necessity for the Central Procurement Unit to develop government-wide procurement strategies, including engaging and classifying registered and approved suppliers, effectively managing their relationships, and enhancing opportunities for SMEs and local suppliers, thereby supporting the national economy⁵⁵.

It also stipulates that federal government entities must adhere to the following.⁵⁶:

1. Federal entities shall allocate 10% of their annual procurement spending to small and medium-sized enterprises (SMEs).
2. The procurement organizational unit shall review and analyze historical data to determine SME spending across various categories, verify the current supplier portfolio, and identify potential opportunities for these companies to meet future business needs. This may include holding meetings with SME suppliers to understand and enhance their current capabilities across various categories.
3. The procurement organizational unit shall encourage SMEs to participate in procurement opportunities and ensure the provision of sufficient information to enable them to participate in the bidding process.
4. During the award process, an additional 10% of points shall be applied to the final score to support SMEs participating in that procurement opportunity, by the mechanism specified in the Federal Government Procurement Procedures Manual.

⁵⁴ Article 13 of Federal Law No. 11 of 2023 on Procurement in the Federal Government.

⁵⁵ Article 22 of Federal Law No. 11 of 2023 on Procurement in the Federal Government.

⁵⁶ Article No. 13 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

5. SME suppliers are exempt from providing a performance bond; however, the amount withheld as a performance bond may be deducted from the supplier's initial invoices.
6. If, before awarding a contract, a small or medium-sized enterprise (SME) submits a claim that the requirements of the RFP unjustifiably restrict its ability to compete for that procurement opportunity, the Procurement Regulatory Unit should review the application submitted by that enterprise and, if necessary, make recommendations on ways to increase the SME's competitiveness.
6. SMEs must be given a fair opportunity to compete for all procurement opportunities that can be implemented in line with the federal entity's interests. If necessary, the Procurement Regulatory Unit should ensure that a procurement implementation program, including implementation timelines, is developed based on realistic principles that encourage SME participation in the business and align with the actual government requirements.
7. The federal entity has the flexibility to implement economic incentives to support SME suppliers by reducing or modifying payment terms, especially for procurement contracts concluded with these companies, or by agreeing to provide specific advance payments.

In the context of public procurement in the Kingdom of Saudi Arabia, the law includes several important provisions that encourage the involvement of small and medium-sized enterprises (SMEs) in public procurement operations. The law stipulates that priority shall be given in local SMEs, local content enterprises, and companies listed on the financial market. The regulations referred to in paragraph (3) of Article (Ninety-Six) of the law clarify the mechanism for this.⁵⁷

The law also requires government agencies to contract using limited competition if the estimated value of work and purchases does not exceed (five hundred thousand) riyals, by inviting the largest possible number of bidders, provided that their number is at least

⁵⁷ Article 9 of the Government Tenders and Procurement Law 2019.

five. In this case, priority in extending the invitation to negotiate and submit the bid shall be given to local SMEs⁵⁸.

The new government procurement law also stipulates that government agencies may conduct direct procurement in the following cases: 1. Securing purchases of weapons, military equipment, and spare parts through the General Authority for Military Industries. 2. If the work and procurement are exclusively available from a single contractor, supplier, or contractor, and there is no acceptable alternative, the contract must be made by the regulations. 3. If the estimated cost of the work and procurement does not exceed one hundred thousand riyals. In this case, priority in inviting local small and medium enterprises (SMEs) shall be given⁵⁹.

The law also stipulates that a preliminary guarantee is not required when contracting with local SMEs⁶⁰. It also stipulates that the executive regulations of the law must include a list of preferences for local content, local SMEs, and companies listed on the financial market in work and procurement, in conjunction with the Authority, the General Authority for Small and Medium Enterprises, and the Capital Market Authority. The mechanism for preferring local SMEs and companies listed on the financial market in work and procurement must include a preference percentage in evaluating bids, a specific price range, or a percentage of the total contract value.⁶¹

3. E-Public Procurement

Electronic systems play a fundamental role in modernizing the work of governments and administrative agencies and bodies in general. This role is particularly increasing in the modernization and development of government procurement systems. Government procurement is no longer merely a traditional function (assisting the government in carrying out its public duties). Instead, it has transformed into a strategic mission of vital importance in providing public services to citizens. This function is used to achieve several objectives sought by the state's public finances, including reducing and rationalizing government spending. Furthermore, developing government procurement systems using technology can simplify

⁵⁸ Article 30 of the Government Tenders and Procurement Law 2019.

⁵⁹ Article 32 of the Government Tenders and Procurement Law 2019.

⁶⁰ Article 42 of the Government Tenders and Procurement Law 2019.

⁶¹ Article 96 of the Government Tenders and Procurement Law 2019.

procedures for stakeholders, save time, and enhance transparency, integrity, and accountability.

As for what is meant by e-government procurement, definitions of this concept have varied, both due to its novelty and the system's purpose. Given this diversity in the concept, the types of e-government procurement have also varied. Ultimately, all of these systems have achieved numerous advantages and played a fundamental role in combating corruption in government procurement. International experiences in introducing e-government systems to government procurement have also varied.

Some proponents of this approach have defined e-government procurement as “the use of internet technology in the process of providing government goods and services.”⁶² Proponents of this approach have limited their definition of e-government procurement to the mere use of internet technology, without specifying in which procurement processes, components, or stages this technology is used. They have also limited this definition to goods and services, excluding other forms of government procurement, such as contracting and construction work. Consequently, the generality of this definition is significantly reduced.

Government e-procurement is defined as “the government's use of information and communications technology, such as the internet, to manage relationships with suppliers and bidders for the purchase of goods, services, construction, and consulting services”⁶³. It is defined as “the use of technological means in important aspects of the government procurement process, such as selection, communication, bidding, or awarding contracts”⁶⁴. Government procurement is defined as “the use of electronic communications means by government institutions when purchasing supplies or services or submitting bids for contracting and public works

⁶² De Boer, L. et al. ‘A Conceptual Model of Assessing the Impact of Electronic Procurement,’ *European Journal of Purchasing & Supply Management*, Vol. 8, 2002: 25–33. <https://doi.org/10.1016/S0969-7012%2801%2900015-6>;

⁶³ De Araujo Santos, N., Pereira, L.A. & Rodrigues, D.S. ‘Relationship between performance of the FunDeb municipal board and active and passive waste’, *Brazilian Business Review*, Vol. 15, No. 5, 2018: 460–474. <https://dx.doi.org/10.15728/bbr.2018.15.5.4>.

⁶⁴ Aboelazm, K. S., et al., ‘The role of ethics in public procurement law: Theoretical study for the underpinnings of ethics’, *Corporate Law & Governance Review*, 7(3) [Special issue] 2025: 170–179. <https://doi.org/10.22495/clgrv7i3sip2>.

projects”⁶⁵. Government e-procurement is defined as “the use of integrated information and communications technology on the internet to carry out all individual stages of the government procurement process, including advertising, negotiation, receiving, and delivery, as well as the use of these means in post-procurement processes”⁶⁶.

It has also been defined as “the use of electronic communications means by government institutions when conducting government procurement for supplies or services or submitting bids for contracting and public works projects, to achieve higher levels of efficiency and transparency.”⁶⁷ Government procurement is defined as “information systems shared between various government organizations and the private sector, conducted electronically in any part of the procurement process, to improve the efficiency, quality, and transparency of government procurement.”⁶⁸

The seven components of the integrated e-government procurement system are shown in the previous table. The e-government procurement system begins with the first component: electronic publishing. This involves electronically publishing information to external and internal parties via the procurement departments in government agencies and institutions on the Internet, so that suppliers or contractors can access it easily and quickly. It is considered a means of electronic advertising⁶⁹.

⁶⁵ Aboelazm, K. S., & Dganni, K. M. ‘Public Procurement Futurity: Using of Artificial Intelligence in A Tender Process’, *Corporate Law & Governance*, 7(1), 2025. <https://doi.org/10.22495/clgrv7i1p6>

⁶⁶ Majumdar, B. ‘E-Procurement in India with a Case Study on MSTC Limited (A Government of India Enterprise)’, Master’s Degree Thesis, Solovenia, University of Ljubljana, Faculty of Economics, 2008: 13.

⁶⁷ Roman, A. ‘Public policy and financial management through eprocurement: A practice oriented normative model for maximizing transformative impacts’, *Journal of Public Procurement*, Vol. 13, No. 3, 2013: 337-363. <https://doi.org/10.1108/JOPP-13-03-2013-B004>.

⁶⁸ Aboelazm, K. S. ‘An Inevitable Dialogue of Professional Ethics - An Enlightenment Perception of Upholding Professional Ethics in Public Sector Procurement Management Jobs’, *Journal of Public Procurement*, 2025. <http://dx.doi.org/10.1108%2FJOPP-06-2024-0066>.

⁶⁹ Aboelazm, K. S. ‘A New Era of Public Procurement: Critical Issues of Procuring Artificial Intelligence Systems to Produce Public Services’, *International Journal of Law and Management*.2025. <https://doi.org/10.1108/IJLMA-06-2024-0208>

The second component of the e-procurement system is sourcing, which involves identifying suppliers or contractors electronically. At this stage, qualified suppliers or contractors are identified to participate in the procurement process, which increases the competitiveness of the tender when their names are published. This also reduces the risk that the current supplier will fail to submit a valid bid. Other sources (suppliers or contractors) whose bids are still being approved are used.⁷⁰

The next stage, which includes the third component of the e-government procurement system, is electronic bidding. This component is one of the most significant challenges in e-government procurement systems, as the transition from the traditional paper-based system to an electronic bidding system requires high technical capabilities from procurement department staff, as well as advanced knowledge of communications and internet technology. The e-bidding system is also more efficient and cost-effective in terms of procedures and costs than the traditional paper-based system.⁷¹

Electronic bidding, the fourth component of the integrated e-government procurement system, is an automated online procurement method used by the procuring entity to select the winning bid. It involves suppliers or contractors submitting lower bids over a specified period, and it also includes automated bid evaluation.⁷²

Electronic bidding involves the procuring entity purchasing goods or services by posting a tender on a website. Suppliers or contractors submit their bids on this website within the specified

⁷⁰ Aboelazm, K. S., et al. 'Ameliorating public procurement performance: Green public procurement policies within a legislative framework', *Corporate Law & Governance*, 7(2), 2025: 21–31. <https://doi.org/10.22495/clgrv7i2p2>.

⁷¹ Aboelazm, K. S. 'An Inevitable Dialogue of Professional Ethics - An Enlightenment Perception of Upholding Professional Ethics in Public Sector Procurement Management Jobs', *Journal of Public Procurement*, 2025. <http://dx.doi.org/10.1108%2FJOPP-06-2024-0066>.

⁷² Article 2/f of the UNCITRAL Public Procurement Law No. 66/95 of 9 December 2011. Also see the list of procurement-related terms used in the UNCITRAL Public Procurement Law of 2011 (Model Law), Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 17 (17/66/A), Annex I, expression No. 24.

timeframe, and these bids are automatically evaluated and awarded to the lowest bidder⁷³.

Then, the online resource planning process appears. This is a new component of e-government procurement systems. It refers to the process of creating and approving purchase requests and placing purchase orders through a software system that attracts bids from suppliers for products or services they can provide to government institutions, agencies, or departments. The government agency or institution then selects the products it needs from the products offered online, rather than purchasing them.⁷⁴ Purchasing is carried out through various stages. Still, this component's sole purpose is to identify the needs of a government agency or institution based on what is available in the market via the internet.

Electronic orders and requests are also components of the e-government procurement system. This component uses the internet to facilitate the procurement process, including submitting a request or supply order, approving it, receiving supplies, and making payments. All of these processes are completed online.⁷⁵

The e-government procurement system also manages contracts electronically, and this stage is also a component of the e-government system. Here, the contract is signed electronically via the internet, and all contract terms and every detail are then stored online.⁷⁶

The United Arab Emirates has adopted a transparent and fair public procurement strategy by implementing an electronic tendering system and integrating technology into the process to

⁷³ Aboelazm, K. S., & Dganni, K. M. 'Public Procurement Futurity: Using of Artificial Intelligence in A Tender Process', *Corporate Law & Governance*, 7(1), 2025. <https://doi.org/10.22495/clgrv7i1p6>.

⁷⁴ Bruno, G., Esposito, E., Mastroianni, M. & Vellutino, D. 'Analysis of public e-procurement web site accessibility,' *Journal of Public Procurement*, Vol. 5, No. 3, 2005: 344–366. <https://doi.org/10.1108/JOPP-05-03-2005-B003>.

⁷⁵ Brezovnik, B., Oplotnik, Ž.J., & Vojinović, B. '(De)Centralization of Public Procurement at the Local Level in the EU,' *Transylvanian review of administrative sciences*, Vol. 11, 2015: 37–52. <https://www.rtsa.ro/tras/index.php/tras/article/view/450>.

⁷⁶ Carayannis, E.G., & Popescu, D. 'Profiling a Methodology for Economic Growth and Convergence Learning from the EU e-Procurement Experience for Central and Eastern European countries', *Technovation*, Vol. 25, No. 1, 2005: 1–14. [https://doi.org/10.1016/S0166-4972\(03\)00071-3](https://doi.org/10.1016/S0166-4972(03)00071-3).

ensure equality, fairness, transparency, and integrity. Federal entities are required to submit procurements through the electronic procurement system, stating that “procurement shall be submitted through the procurement system unless the law or its implementing regulations stipulate otherwise. Independent federal entities may submit their procurements through an electronic or digital procurement system or any system used by the federal entity. The implementing regulations of this law shall specify the procedures for using the procurement system, including correspondence and communication via the electronic system, signing contracts, and other related matters that have the necessary legal effect. The procurement system must provide the highest levels of privacy, confidentiality, security, information transparency, and ease of use, while ensuring the integrity of procedures. The procurement system must also allow suppliers to access information and data related to tenders specified by the law and its implementing regulations.”⁷⁷

The law also requires federal entities to announce Procurement tenders and their electronic publication, as stipulated in the law: “The federal entity shall publicly issue procurement tenders unless the conditions for other tendering methods specified in the implementing regulations of this law are met. The announcement shall follow the following steps, at a minimum: a. Publish the announcement of the procurement opportunity or tender via the electronic or digital procurement system or any other system used by the federal entity. b. Provide participating suppliers with access to all relevant tender documents”⁷⁸.

The Ministry has established the Digital Procurement Platform. It must include a supplier registry, which is an electronic database of suppliers registered and accepted in the procurement system, as required by law, this resolution, and the Federal Government Procurement Procedures Manual.⁷⁹

The executive regulations of the law stipulate the procedures for using the detailed procurement system. They stipulate that federal entities must adhere to the following provisions and controls when

⁷⁷ Article 8 of Federal Law No. 11 of 2023 regarding procurement in the federal government.

⁷⁸ Article 17 of Federal Law No. 11 of 2023 regarding procurement in the federal government.

⁷⁹ Article 1 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

initiating any procurement process through the procurement system⁸⁰:

1. Supplier Registration and Acceptance: All suppliers wishing to participate in procurement opportunities to supply essential supplies to federal entities must register in the supplier registry via self-registration (electronically). The supplier acceptance process begins after complete and correct self-registration in accordance with the relevant terms and conditions. No supplier is permitted to participate in any tender unless they are registered and accepted.
2. Procurement: All procurement opportunities are offered through the procurement system, including requests for information, requests for proposals, tender opportunities, and electronic auctions, as well as evaluation, award, and contracting between the federal entity and the supplier.

The executive regulations of the Federal Government Procurement Law also require all entities subject to the law to advertise public tenders through the procurement system. Procurement opportunities for public tenders may be published on the federal entity's website, provided that only registered and approved suppliers may participate in procurement opportunities.⁸¹

The new Saudi Competition and Procurement Law establishes a unified electronic portal for government procurement under the Ministry's supervision.⁸² All information related to tender activities must be published on the portal, as well as lists of prohibited persons.⁸³ All government entities are required to submit their tender

⁸⁰ Article 17 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

⁸¹ Article 18 of Cabinet Resolution No. 122 of 2024 regarding the executive regulations of Federal Law No. 11 of 2023 regarding procurement in the federal government.

⁸² Article 1 of the Government Competition and Procurement Law 2019.

⁸³ Article 13 of the Government Competition and Procurement Law 2019. Article 11 of the executive regulations of the Government Competition and Procurement Law 2020.

and procurement procedures through the portal, unless this is impossible for technical or national security reasons.⁸⁴

The Saudi Arabian Government Competition and Procurement Law includes certain guarantees that must be provided by the electronic procurement portal, requiring it to provide the highest levels of privacy, confidentiality, and information transparency.⁸⁵

Conclusion

This study has demonstrated that the evolution of public procurement regimes in the United Arab Emirates and Saudi Arabia reflects a broader transformation from administratively driven purchasing systems toward strategically governed regulatory frameworks. These reforms are not merely technical adjustments aimed at efficiency; rather, they represent a normative reconfiguration of procurement as an instrument of public governance. By embedding principles of transparency, accountability, and integrity—particularly through the institutionalization of electronic tendering and standardized evaluation criteria—both jurisdictions have repositioned procurement as a key mechanism to mitigate corruption risks and enhance public trust in state institutions.

At a comparative level, the UAE's procurement framework reveals a notable convergence with transnational legal standards. Its emphasis on competitive procedures, non-discrimination, and procedural transparency resonates with the UNCITRAL Model Law on Public Procurement and parallels core elements of EU procurement directives. However, this convergence is not purely imitative; it reflects a selective adaptation of global norms within a hybrid legal and administrative context. In this sense, the UAE model illustrates how international procurement principles can be localized to accommodate domestic institutional structures while still maintaining global credibility and investor confidence.

Moreover, procurement reform in both countries must be understood within the broader political economy of state-led development. In the UAE, public procurement serves as a policy lever aligned with long-term national strategies aimed at economic diversification, innovation, and private-sector

⁸⁴ Article 16 of the Government Competition and Procurement Law 2019. Article 8 of the executive regulations of the Government Competition and Procurement Law 2020.

⁸⁵ Article 17 of the Government Competition and Procurement Law 2019. Article 9 of the Executive Regulations of the Government Competition and Procurement Law 2020.

expansion. The integration of sustainability criteria into bid evaluation signals a shift toward “strategic procurement,” where environmental and social objectives are internalized within market transactions. Similarly, the facilitation of SME participation reflects an intentional redistribution of economic opportunity, using procurement as a tool to stimulate domestic entrepreneurship and reduce structural dependence on large incumbents.

Nevertheless, the effectiveness of these reforms depends on their implementation within complex institutional environments. Persistent challenges include uneven bureaucratic capacity, fragmentation between federal and emirate-level systems, and the potential for regulatory formalism without substantive compliance. The digitization of procurement processes, while enhancing transparency, also introduces new governance demands related to data management, cybersecurity, and system interoperability. Furthermore, institutional resistance—whether due to entrenched administrative practices or vested interests—may constrain the transformative potential of legal reforms.

Looking ahead, the trajectory of procurement reform in both jurisdictions—particularly in the UAE—will likely depend on the extent to which digitalization deepens and governance mechanisms are further integrated. Advancing toward fully interoperable e-procurement ecosystems, embedding open contracting data standards, and leveraging data analytics for real-time oversight could significantly enhance both transparency and policy effectiveness. Equally important is the need to move from formal compliance to performance-based accountability, where procurement outcomes are systematically evaluated against broader developmental objectives.

In this context, public procurement should be reconceptualized not merely as a regulatory function but as a dynamic instrument of statecraft—capable of advancing economic, environmental, and governance goals simultaneously. The continued evolution of procurement systems in the UAE and Saudi Arabia will therefore serve as a critical indicator of their capacity to align legal reform with transformative development agendas in an increasingly complex global economy.

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