

**Consolidated Bibliography of recent writings related to
the work of UNCITRAL (1968 – 2007)**

VIII. Procurement

- Adolphsen, J. Das UNCITRAL-Modellgesetz über die Beschaffung von Gütern, Bau- und Dienstleistungen. Düsseldorf, Werner, 1996. xxxiv, 347 p. (Baurechtliche Schriften; Bd. 31). Includes bibliography, checklist of UNCITRAL documents and subject index. Appendix reproduces the UNCITRAL Procurement Model Law (1994) in English, p. 293-342.
- Ahmadu, M.L. Evaluating public procurement regimes in the South Pacific: perspectives on Fiji, Samoa and Vanuatu. *Journal of South Pacific law* (Suva, Fiji) 9:1, 2005. Available online at <http://www.paclii.org/journals/fJSPL/vol09no1/2.shtml>
- Arrowsmith, S. The character and role of national challenge procedures under the Government Procurement Agreement. *Public procurement law review* (London) 11:4:235-260, 2002.
- _____. New developments in UNCITRAL future work on public procurement and new model provisions on privately financed infrastructure projects. *Public procurement law review* (London) 12:6:NA131-NA134, 2003.
- _____. Public procurement: an appraisal of the UNCITRAL Model Law as a global standard. *International and comparative law quarterly* (London) 53:1:17-46, 2004.
- _____, J. Linarelli and D. Wallace, Jr. Regulating public procurement: national and international perspectives. The Hague, Kluwer, 2000. 856 p.
- Beviglia-Zampetti, A. The UNCITRAL Model Law on Procurement of Goods, Construction and Services. In *Law and Policy in Public Purchasing*. Hoekman, B. and P. Mavroidis, eds. Ann Arbor, Mich., University of Michigan Press, 1997. Ch. 15. p. 273-288.
- Bock, C. UNO: UNCITRAL Model Law on Procurement. In *his* Das europäische Vergaberecht für Bauaufträge: unter besonderer Berücksichtigung der Auswirkungen auf das schweizerische Submissionsrecht. Basel, Helbing und Lichtenhahn, 1993. p. 74-76. (Basler Studien zur Rechtswissenschaft. Reihe B, Öffentliches Recht; Bd. 43). In German. Translation of title: UNCITRAL Procurement Model Law (1994).
- Bolton, P. Grounds for dispensing with public tender procedures in Government contracting. *Potchefstroom electronic law journal* 9:2:1-39, 2006. Electronic resource, available online at http://www.puk.ac.za/opencms/export/PUK/html/fakulteite/regte/per/issuepage/s/2006Volume9no2/2006x2x_Bolton_art.pdf
- Comparison between the E.C. Procurement Directives and the UNCITRAL Model Law. *Public procurement law review* (London) 9:287-305, December 2000. Reprint. Originally published as SIGMA Paper no. 28 with the same title; CNM/SIGMA/PUMA(2000) 32. Paris, OECD, 2000.
- Diesse, F. Travaux des organisations internationales (Droit du Commerce international). *Revue de droit des affaires internationales = International business law journal* (Paris) 5:671-685, 2000.
- Dischendorfer, M. The UNCITRAL model law on procurement: how does it reconcile the theoretical goal of total objectivity with the practical requirement

- for some degree of subjectivity? *Public procurement law review* (London) 12:2:100-107, 2003.
- Gordon, D.I. Constructing a bid protest process: the choices that every procurement challenge system must make. *Public contract law journal* (Washington, D.C.) 35:427-447, 2006.
- Greiner, M.J. Übersicht zu einigen Entwicklungen im internationalen Handels- und Verfahrensrecht. *Schweizerische Zeitschrift für Wirtschaftsrecht = Swiss review of business law = Revue Suisse de droit des affaires* (Zürich) 66:5:251-256, 1994. In German. Translation of title: Overview on some developments in international trade law and procedural law. This article deals, *inter alia*, with UNCITRAL's work in the fields of independent guarantees, procurement and electronic data interchange.
- Hernández García, R. La contratación pública en el contexto internacional. *Foro* (México.) 19:2:25-49, 2006.
- Hunja, R. The UNCITRAL Model Law on Procurement of Goods, Construction and Services and its impact on procurement reform. In *Public Procurement: global revolution*. Arrowsmith, S. and A. Davies, eds. London, Kluwer Law International, 1998. 304 p.
- Kovács, A. The global procurement harmonisation initiative. *Public procurement law review* (London) 14:1:15-38, 2005.
- Lamvol, A. From transition to cohesion: the reform of public procurement in Estonia. *Public procurement law review* (London) 11:1:74-97, 2002.
- Linarelli, J. The WTO Agreement on Government Procurement and the UNCITRAL Model Procurement Law: a view from outside the region. *Asian journal of WTO and international health law and policy* (Taipei) 1:61-84, 2006.
- Morán Bovio, D. La contratación pública de obras y bienes se abre al mercado mundial: nueva Ley Modelo de UNCITRAL. *Derecho de los negocios* (Madrid) 50:5:10-17, noviembre 1994. In Spanish. Translation of title: Public procurement of construction and goods opens to the world market: new model law of UNCITRAL.
- Mosoti, V. Reforming the laws on public procurement in the developing world: the example of Kenya. *International and comparative law quarterly* (London) 54:3:621-649, 2005.
- _____. The WTO agreement on government procurement: a necessary evil in the legal strategy for development in the poor world? *University of Pennsylvania journal of international economic law* (Philadelphia, Pa.) 25:593-638, 2004.
- Myers, J.J. The new UNCITRAL Model Law on Procurement. *Public contract law journal* (Chicago, Ill.) 23:2:267-276, winter 1994. An account of the UNCITRAL Model Law on Procurement of Goods and Construction (1993). A more recent issue of the Law includes services: UNCITRAL Model Law on Procurement of Goods, Construction and Services (1994).
- _____. UNCITRAL Model Law on Procurement. *International business lawyer* (London) 21:4:179-182, April 1993. The draft Model Law on Procurement, as approved 1992 by UNCITRAL Working Group, will be submitted for final adoption to the 26th annual session of the Commission, in July 1993.
- New UNCITRAL Model Law on Procurement accommodates electronic data interchanges. *Data law report* (Deerfield, Ill.) 1:2:22, September 1993.

- Nicholas, C. Reforms to the UNCITRAL Model Procurement Law on Procurement of Goods, Construction and Services. *In* Seminario internacional de insolvencia, insolvencia transfronteriza y contratación pública, 27 al 29 de marzo de 2006, Bogotá, D.C. = Insolvency, cross-border insolvency and procurement international seminar, 27 and 29 March 2006, Bogota. Bogotá, D.C., Cámara de Comercio de Bogotá, 2006. p. 157-169.
- _____. The UNCITRAL Model Law on Procurement: the current reform programme. *Public procurement law review* (London) 15:6:NA161-NA166, 2006.
- Nwogwugwu, E. Towards the harmonization of international procurement policies and practices. *Public procurement law review* (London) 14:3:131-152, 2005.
- Piselli, E. The scope for excluding providers who have committed criminal offences under the E.U. procurement directives. *Public procurement law review* (London) 9:6:267-286, December 2000.
- Proektozakon za materialnite dostavki: komentari po proekta za zakon-model za materialnite dostavki. Doklad na Generalniya sekretar. [s.l., s.n., ca. 1990] 137 p. In Bulgarian. Translation of title: Draft law on procurement: commentary on draft model law on procurement. Report of the Secretary-General. Original: English text of UNCITRAL document A/CN.9/WG.V/WP.25 of 24 November 1989 (Procurement: commentary on draft model law on procurement)
- Rawlins, H.A. Aspects of the UNCITRAL regimes for procurement and for international commercial arbitration, and government international commercial contracts in the Commonwealth Caribbean. *Journal of transnational law and policy* (Tallahassee, Fla.) 7:1:41-75, fall 1997. Article abstract included before table of contents.
- Rivolta, M. and M. Bugoni. Compras gubernamentales electrónicas: panorama nacional e internacional. Buenos Aires, Observatorio de Políticas Públicas, 2007. 51 p. Cat. OPP/CAG/2007-38. Available online at http://www.sgp.gov.ar/contenidos/ag/paginas/opp/docs/2007/38_OPP_2007_TECNOLOGIAS.pdf
- Sahaydachny, S.A. Model procurement legislation = Loi-type sur la passation de marchés publics = Mustergesetz über die öffentliche Auftragsvergabe. *EU public contract law = Droit européen des marchés publics = Europäisches Vergaberecht* (Bonn) 5:2:116-122, 1995. In English, French and German, p. 116-117, 118-120, 120-122, respectively.
- _____. UNCITRAL adopts Model Law on Procurement = UNCITRAL p ijímá vzorový zákon o zadávání veřejných zakázek. *Evropské a mezinárodní právo* (Brno, Czech Republic) 4:1:22-25, 1995. In Czech and English on facing columns. English version earlier published in: *Law in transition: a newsletter on legal cooperation and training* / European Bank for Reconstruction and Development (London) 2-4, autumn 1994.
- Seminario El Derecho Comercial Internacional (20-21 October 1993: Buenos Aires, Argentina) UNCITRAL y el futuro derecho comercial: el arbitraje comercial, garantías y pagos internacionales, contrataciones públicas. Buenos Aires, Depalma, 1994. xiv, 253 p. In Spanish. Translation of title: International Trade Law Seminar (20-21 October 1993: Buenos Aires, Argentina) UNCITRAL and future trade law: commercial arbitration, guarantees and international payments, public procurement. Contributions dealing with UNCITRAL legal texts on public procurement: UNCITRAL Model Law on Procurement of Goods and Construction: background and salient features / J. Sekolec, p. 167-

183 — La Ley Modelo sobre Contratación Pública de la CNUDMI: conveniencia de su adopción por la República Argentina / Ma. Graciela Reiriz, p. 185-191 — El Proyecto de Ley Modelo sobre Adjudicación de Trabajos Públicos: conveniencia de su adopción / J.A. Sánchez, p. 197-204 — La regulación de la contratación pública / T. Hutchinson, p. 205-210 — Annex: Spanish text of UNCITRAL Model Law on Procurement of Goods and Construction (1993), p. 211-253.

Tian, J. Public procurement in China: the way forward. *Public procurement law review* (London) 10:4:207-228, 2001.

Trepte, P.-A. Contract award procedures. *In* Public procurement in the EU: a practitioner's guide. Oxford, Oxford University Press, 2007. Ch. 7. p. 373-480. See, in particular, discussion in regard to regulation of restricted tendering in the UNCITRAL Procurement Model Law (1994), p. 378-380.

_____. Regulating procurement: understanding the ends and means of public procurement regulation. New York, Oxford University Press, 2004. xiv, 411 p.

Troff, E.A. The United States agency-level bid protest mechanism: a model for bid challenge procedures in developing nations. *Air force law review* (Washington, D.C.) 57:113-154, winter 2005. Available online at <http://www.afjag.af.mil/shared/media/document/AFD-081009-010.pdf>

UNCITRAL Model Law on Procurement and Guide to Enactment. *Commonwealth law bulletin* (London) 19:4:1631-1634, October 1993.

UNCITRAL Model Law on Procurement of Goods, Construction and Services = Loi type de la CNUDCI sur la passation des marchés publics de biens, de travaux et de services. *Uniform law review = Revue de droit uniforme* (Roma) 91-187, 1994-1995. This is a reproduction of the UNCITRAL Procurement Model Law (1994), as adopted by the Commission at its twenty-seventh session, 31 May-17 June 1994 (*Official Records of the General Assembly, Forty-ninth Session, Supplement No. 17 (A/49/17)*, annex I). Text is reproduced in English and French on facing pages.

United Nations Commission on International Trade Law: Model Law on Procurement of Goods and Construction, [adopted by UNCITRAL on 16 July 1993]. *International legal materials* (Washington, D.C.) 33:2:445-455, March 1994. Reproduces Introductory Note *from* Guide to Enactment of UNCITRAL Model Law on Procurement of Goods and Construction, UNCITRAL document A/CN.9/393 of 1 December 1993. Reproduces also the text of the UNCITRAL Procurement Model Law *from* Report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session, 5-23 July 1993 (A/48/17).

United Nations Commission on International Trade Law: Model Law on Procurement of Goods, Construction and Services [adopted, December 9, 1994]. *International legal materials* (Washington, D.C.) 34:3:718-757, May 1995. Reproduction of the UNCITRAL Procurement Model Law (1994), as published in: *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 17 (A/49/17)*, annex 1, p. 58-96. A detailed content summary is provided, p. 718-720.

United Nations Commission on International Trade Law (UNCITRAL). *In* Asian-African Legal Consultative Committee. Report on legislative activities of United Nations and other international organisations concerned with international trade law prepared by the Secretariat of the Committee. New Delhi, India, The Secretariat, 1995. p. 1-28. (AALCC\XXXIV\DOHA\95\10). Summary of the 27th session of the Commission, held from 31 May-17 July

- 1994, New York: Note on the UNCITRAL Procurement Model Law (1994), paras 11-22.
- United Nations: Draft Model Law on Procurement. *EU public contract law = Droit européen des marchés publics = Europäisches Vergaberecht* (Bonn) 3:4:57, 1993. Parallel titles of short note: ONU: Loi-type sur les achats = UNO: Mustergesetz über Beschaffung.
- United Nations. UNCITRAL Model Law on Procurement of Goods, Construction and Services with Guide to Enactment. New York, United Nations, 1999. viii, 108 p. United Nations publication, sales no. E.98.V.13. Description based on English edition. Published in all official languages of the United Nations.
- Wallace, D., Jr. The changing world of national procurement systems: global reformation. *Public procurement law review* (London) 4:2:57-62, 1995. Reprint.
- _____. UNCITRAL Model Law on Procurement of Goods and Construction. *Public procurement law review* (London) 3:CS2-CS9, 1994.
- _____. UNCITRAL Model Law on Procurement of Goods, Construction and Services: the addition of services. *Public procurement law review* (London) 3:CS218-CS219, 1994. This is a short presentation of the new UNCITRAL Procurement Model Law (1994).
- _____. UNCITRAL: reform of the model procurement law. *Public contract law journal* (Washington, D.C.) 35:485-493, 2006.
- _____. The United Nations Model Law on Procurement. *Public procurement law review* (London) 1:6:406-407, 1992.
- Wallace, D. and others. UNCITRAL Model Law: reforming electronic procurement, reverse auctions, and framework contracts. *Procurement lawyer* (Chicago, Ill.) 40:2:12-15, 2005.
- Watermeyer, R.B. Facilitating sustainable development through public and donor procurement regimes: tools and techniques. *Public procurement law review* (London) 13:1:30-55, 2004.
- Westring, G. Multilateral and unilateral procurement regimes: to which camp does the UNCITRAL Model Law on Procurement belong? *Public procurement law review* (London) 3:4:142-151, 1994.
- Wey, M. UNCITRAL-Working Group "New International Economic Order": öffentliches Beschaffungswesen = procurement = passation des marchés. *Schweizerische Zeitschrift für internationales und europäisches Recht* (Zürich) 1:4:501-512 (1991). In German with multilingual title.
- Yukins, C.R. A case study in comparative procurement law: assessing UNCITRAL's lessons for US procurement. *Public contract law journal* (Washington, D.C.) 35:457-484, 2006. Also available online at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=908637&rec=1&srcabs=346000
- _____. Integrating integrity and procurement: the United Nations Convention against Corruption and the UNCITRAL Model Procurement Law. *Public contract law journal* (Washington, D.C.) 36:3:307-329, 2007. Also available online at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=995244
- _____. *and others*. International procurement. *International lawyer* (Chicago, Ill.) 40:2:337-350, 2006.

_____ and D. Wallace, Jr. UNCITRAL considers electronic reverse auctions, as comparative public procurement comes of age in the United States. *Public procurement law review* (London) 14:4:183-202, 2005.

_____ and S.L. Schooner. Incrementalism: eroding the impediments to a global public procurement market. *Georgetown journal of international law* (Washington, D.C.) 38:529-576, 2007.

Zadávání veřejných zakázek, všeobecné poznámky: podle: UNCITRAL, document on Procurement. *Evropské a mezinárodní právo* (Brno, Czech Republic) 4:1:17-18, 1995. In Czech, Dagmar Boušková, tr: Summary of UNCITRAL document A/CN.9/403 of 18 August 1994: Guide to enactment of UNCITRAL Model Procurement Law (1994).