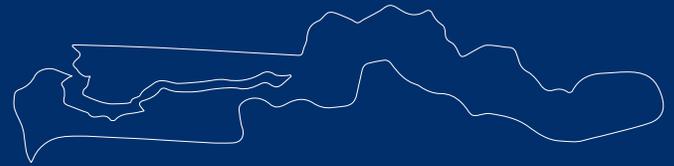


THE TIME IS NOW TO ACCELERATE
WOMEN'S PUBLIC PROCUREMENT

Case Study: The Gambia¹

OVERCOMING BARRIERS

The Gambia is working toward gender-inclusive public procurement. Key stakeholders are involved, and regulating authorities are considering incorporating specific targets in the existing procurement act.



The Gambia case study is adapted with permission from the International Trade Centre.



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Who Regulates Public Procurement?

The Gambia spends around \$100 million a year through public procurement. The Gambia Public Procurement Authority has the task of assisting public procuring entities to fulfill their responsibilities. It ensures procuring entities comply with legislation and helps the public get value for money.

How Are Women-Owned Businesses Involved In Public Procurement?

The Gambia spends an estimated one percent of its public procurement budget on women-owned businesses.

1. Adapted with permission from ITC's *Making Public Procurement Work for Women*, published on November 11, 2020, and formally launched at Italy's 2021 Kickoff of the Women20 on February 22, 2021. The author of this case study is not indicated.

The Time Is Now To Accelerate Women's Public Procurement is a 23-part toolbox and call to action series created by USAID.



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There is no central registry of registered women-owned businesses. Women entrepreneurs are found mainly in the informal economy (distributive trades, gardening, handicrafts, artisanal trades), and they constitute a large majority of the country's micro-enterprises.

As part of its commitment to empower women-owned businesses, The Gambia recently worked with the International Trade Centre (ITC) to develop a draft Gender-Responsive Public Procurement Policy, which includes measures to overcome barriers that women tend to face, targeted assistance strategies to help women win more public tenders, and institutional arrangements for the operationalization of the Policy. The draft Policy was created in anticipation of an update to the Public Procurement Regulations.

The process consisted of several policy dialogues and stakeholder consultations to gather valuable insights from both procuring institutions and women in business and validate the Policy text.

Government entities that participated in the consultations included: The Gambia Public Procurement Authority; the Ministry of Finance; the Ministry of Trade, Industry, Regional Integration and Employment; and the Ministry of Women's Affairs, Children and Social Welfare. Representing the private sector were The Gambia Chamber of Commerce and Industry, The Gambia Women's Chamber of Commerce, The Gambia Youth Chamber of Commerce, the National Women Council, the Women's Business Advocacy Group, and several associations of women entrepreneurs. Also present were the National Assembly and representatives of the Economic Community of West African States and United Nations Women.

In-Depth Women's Public Procurement Case Studies

The Gambia case study is one of five case studies demonstrating how five countries have worked on gender-inclusive public procurement—either on their own or in conjunction with international development and financial agencies. Case studies can serve as models of good and best practices, while providing important lessons learned and pointing to challenges to be identified and overcome.

The template used for the Chile-Compra, The Gambia, and Nigeria case studies were developed by the International Trade Centre for its recent publication, [*Making Public Procurement Work for Women*](#) (November 2020), profiling them as models. These three case studies are presented, with permission of the International Trade Centre. (Case studies can be found in Chapter 3 of [*Making Public Procurement Work for Women*](#): Chile, pp. 28–29; The Gambia, pp. 30–31; Nigeria, pp. 32–34). Introductory statements and/or footnotes have been added for the case studies.

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What Do Laws And Policies Say?

The Gambia has taken steps to empower women, as a signatory to the Beijing Declaration and Platform for Action. Yet, these initiatives do not include measures aimed at gender-inclusive public procurement. The Gambia Public Procurement Act of 2014 is under review at the time of writing. It does not address gender-inclusive procurement or provide for preferential treatment of any disadvantaged group. The Gambian Public Procurement Authority is using this review to consider provisions for gender-inclusive procurement.

The country has implemented The Gambia Public Procurement Regulations, which prescribe how the procurement function has to be organized and executed. The Regulations provide for preferential treatment, limited to **granting a margin of preference** when evaluating offers from domestic contractors. The intention is to move this provision from the Regulations to the Act, as part of the review, and to extend it to include options for **preferential treatment of, among others, women-owned businesses.**

The Gambia acknowledges it is necessary to work with a **single unambiguous definition of “women-led businesses”** for use

by all relevant stakeholders. The country is considering establishing a target percentage of all purchasing for women-led businesses. A discussion is ongoing over whether the percentage should be included in the revised Public Procurement Act or in the revised Regulations. The advantage of including it in the Act is speed, as the Act is currently under revision. During consultations on the draft Gender-Responsive Public Procurement Policy, stakeholders agreed on defining target groups as *women-led businesses* and *women-led cooperatives*, aligning them with the International Organization of Standardization (ISO) International Workshop Agreement (IWA) 34 on “Women’s entrepreneurship—key terms and general criteria”.

Which Barriers Remain?

PROCURING ENTITIES

Women-owned businesses in The Gambia experience barriers when tendering for public contracts. They find tender documents and procedures to be complex and difficult to understand, and the offers often involve **large contracts for which they do not have a sufficient track record or capacity. Long-running contracts keep out competition.**

Women-owned businesses believe **requirements, especially financial, are often disproportionate.** They indicate that bid securities hold them back from competing. They consider government behavior to be a barrier in terms of **late payments**, although entrepreneurs and bank systems also play a role. Opening a bank account can be complicated. Lack of interaction between procuring entities and entrepreneurs is a barrier, as it leaves women-owned businesses uninformed as to why they are not awarded contracts.

WOMEN-OWNED BUSINESS

Reported barriers are lack of tendering skills, limited financial resources, little experience to fall back on, and an insufficient network of other businesses from which they can learn or with which they can collaborate.

What Steps Are Being Taken?

A **women's business advocacy group is spearheading work to influence policy** and decisions on public procurement, supported by The Gambia Chamber of Commerce and Industry, and sponsored by the United Nations Development Programme. This is expanding opportunities for Gambian women.

Since 2020, SheTrades in The Gambia, a member of the women's business advocacy group, has worked with stakeholders to **develop an action plan**.

Their priorities are to establish a specific procurement target, restrict use of single sourcing, and oblige procuring entities to invite women-owned businesses when using a closed tender procedure.

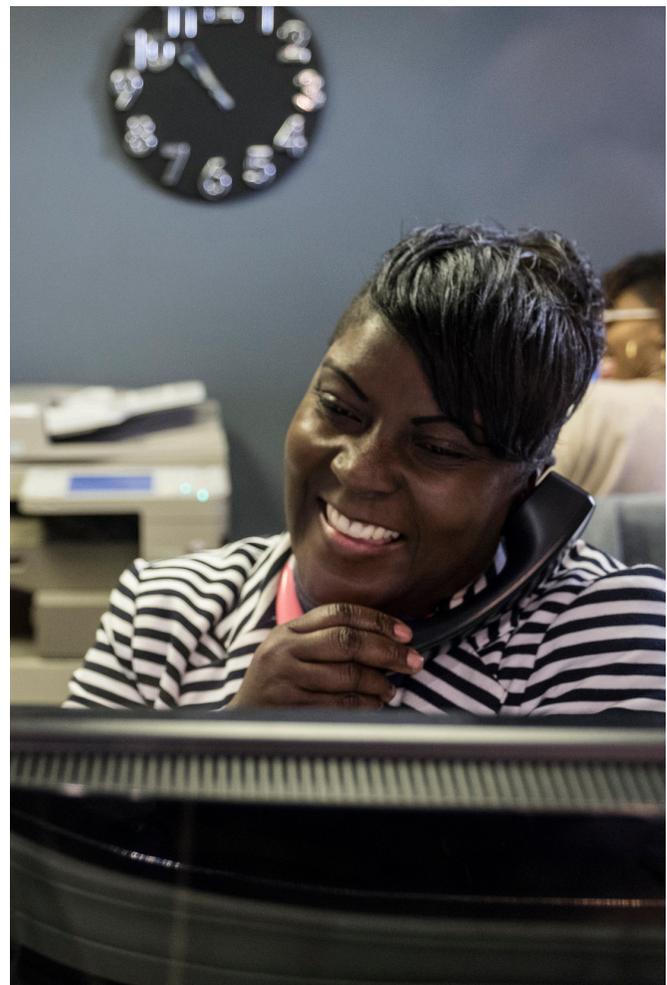
The Gambia intends to include an **ambitious target to buy from micro, small and medium enterprises** in the revised Public Procurement Act. It could develop this target further, **to include a specific percentage for women-owned businesses**.

Also important are ways to identify parts of large contracts that they can award separately, limiting duration of contracts and stimulating joint bidding.

Joint bidding has two advantages: women-owned businesses can learn from the bidding experience of other companies; and after winning contracts, women-owned businesses can strengthen their own track records.

Some provisions in the Procurement Act enable aspects of women-owned business-friendly procurement, but these need to be enforced – for example, **obliging procuring entities to provide feedback to bidders** after completing a tender procedure.

The TIME IS NOW for Women's Public Procurement. Read how the stage is set for action!



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