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**Implementation of relevant Conference resolutions:
thematic discussions on good practices and
initiatives in the prevention of corruption –
Prevention of corruption in procurement at various
levels of government and the effective use of
information and communications technologies to
prevent, detect, deter and counter corruption in
procurement**

Prevention of corruption in procurement at various levels of government and the effective use of information and communications technologies to prevent, detect, deter and counter corruption in procurement

Background paper by the Secretariat

I. Introduction

1. The Conference of the States Parties to the United Nations Convention against Corruption, in its resolution 10/9, entitled “Promoting transparency and integrity in public procurement in support of the 2030 Agenda for Sustainable Development”, adopted at its tenth session, held in Atlanta, United States of America, in December 2023, requested the Open-ended Intergovernmental Working Group on the Prevention of Corruption to include, as topics for discussion at its fifteenth and sixteenth meetings, the prevention of corruption in procurement at various government levels, including good practices, lessons learned and challenges, and the effective use of information and communications technologies to prevent, detect, deter and counter corruption in procurement.

2. At its second meeting, held in Vienna from 22 to 24 August 2011, the Working Group recommended that in advance of each future meeting of the Working Group, States parties should be invited to share their experiences of implementing the provisions under consideration, preferably by using the self-assessment checklist and including, where possible, successes, challenges, technical assistance needs and lessons learned in implementation. The Working Group also requested the secretariat to prepare background papers synthesizing that information and decided that panel

* [CAC/COSP/WG.4/2024/1](#).



discussions should be held during its meetings, involving experts from countries who had provided written responses on the priority themes under consideration.

3. In accordance with the above-mentioned request of the Conference, the present paper has been prepared on the basis of information relating to the prevention of corruption in procurement at various levels of government and the effective use of information and communications technologies to prevent, detect, deter and counter corruption in procurement provided by Governments in response to a note verbale dated 13 May 2024.

4. As at 28 June 2024, submissions had been received from 32 States parties. The submissions from the following 30 countries contained information relating to the topic of integrity in public procurement and the effective use of information and communications technologies: Angola, Armenia, Australia, Botswana, Cambodia, Canada, China, Colombia, Côte d'Ivoire, Egypt, France, Guatemala, Kenya, Kuwait, Lithuania, Myanmar, Oman, Paraguay, Philippines, Republic of Moldova, Romania, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Thailand, Türkiye, Ukraine and United States.

5. With the agreement of the countries concerned, the full text of the submissions has been made available on the page of the United Nations Office on Drugs and Crime website devoted to the meeting¹ and will also be incorporated into the thematic website of the Working Group developed by the secretariat.²

6. The present note does not purport to be comprehensive, but rather endeavours to provide a summary of the information submitted by States parties.

II. Analysis of submissions of States parties

A. Thematic background

7. Government procurement is a key area of concern for the integrity of the public administration. Public procurement is estimated to account for 12 to 30 per cent of the gross domestic product of many countries and is thus a main element of government spending. It is the size of this market, as well as the fact that procurement requires close interaction between the public and private sectors, that makes it inherently vulnerable to corruption, putting government programmes and services at risk. Corruption in procurement undermines competition and has the potential to slow down development. The distortion of the market caused by corruption may lead to lower quality and inflated prices. Establishing a fair, transparent and impartial public finance management and procurement system is a prerequisite for efficient government spending and for achieving the effective provision of public services.

8. The importance of integrity in procurement is underlined in article 9 of the Convention against Corruption. Under paragraph 1 of this provision, a State party must, in accordance with the fundamental principles of its legal system, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption. This paragraph stresses the importance of public access to information, the establishment of clear selection and award criteria and tendering rules, the use of objective and predetermined criteria, an effective system of review of the decisions made, and measures to regulate personnel-related matters, such as declarations of conflicts of interest.

9. In considering the implementation of article 9 by States parties, reference can also be made to other internationally recognized standards or regional instruments that address in more detail the measures that States can take to enhance the integrity of procurement and management of public finances. One such tool is the United

¹ www.unodc.org/corruption/en/cosp/WGP/session15.html.

² www.unodc.org/unodc/en/corruption/WG-Prevention/thematic-compilation-prevention.html.

Nations Commission on International Trade Law Model Law on Public Procurement,³ which contains procedures and principles aimed at achieving value for money and avoiding abuses in the procurement process. The Model Law promotes transparency, objectivity, fairness, participation, competition and integrity.

B. Integrity in public procurement processes

Basing the national procurement system on principles of transparency, competition and objective criteria in decision-making and establishing in advance the conditions for participation, including selection and award criteria and tendering rules

10. The submissions reveal a global commitment to incorporating principles of transparency, competition and objectivity into national procurement systems. Many countries have adopted comprehensive procurement laws and systems that align with international standards and best practices.

11. All the States that provided submissions related to the topic under discussion reported that the principles of transparency, competition and objectivity in decision-making had been made a part of the national legal system and were enforced by relevant national procurement bodies and offices. According to the submissions, these principles are implicitly followed in all procurement systems of the States parties.

12. Cambodia provided information indicating that the new law on public procurement set out rules, methods, procedures and infrastructure for managing and implementing all public procurement projects with transparency, accountability, integrity, competitiveness, fairness, effectiveness, efficiency, equity, quality and economy. All procurement units had to prepare an annual procurement plan with all necessary steps to carry out the procurement process.

13. Myanmar reported that its procurement system was aimed at ensuring fair competition and transparency in procurement by setting clear guidelines for activities related to construction, purchasing, the procurement of services, leasing and sales conducted by government departments and organizations.

14. France, Lithuania, Oman, Paraguay, the Philippines, Romania, Serbia, Slovenia, Türkiye and the United States noted that conditions for participation, including selection and award criteria and tendering rules, were to be established in advance.

15. Lithuania, Romania, Serbia and Slovenia noted that their public procurement systems took into account the directives of the European Union on procurement,⁴ which had been integrated into national law.

16. Oman reported that public tenders, limited tenders and practices had to adhere to the principles of transparency, equal opportunity and free competition. Bids were required to comply with the conditions and instructions specified in the tender announcements and documents. The evaluation of bids was based on predefined technical and financial criteria.

17. Paraguay reported that the new 2022 legislation was aimed at modernizing the public procurement system and making it more efficient and transparent. All stages of the procurement process, from planning to evaluation, followed predefined rules

³ Available at www.uncitral.org/uncitral/en/uncitral_texts/procurement_infrastructure/2011Model.html.

⁴ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, available at <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32014L0024>; and Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, available at <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32014L0025>.

to ensure fairness and transparency. All suppliers had to register in the Public Procurement Registry before submitting bids unless explicitly exempted.

18. The Philippines provided information indicating that the new procurement legislation emphasized the principles of transparency, competitiveness, efficiency, proportionality and accountability to ensure fair and transparent procurement processes. The legislation introduced open data contracting that allowed the public to access procurement data, participate in procurement or actively involve stakeholders in various procurement stages. A beneficial ownership register was established for suppliers, contractors and consultants to disclose the individuals who had control and would benefit from procurement contracts.

19. Romania reported that its public procurement emphasized the principles of non-discrimination, equal treatment, mutual recognition, transparency, proportionality and responsibility. The use of the European Single Procurement Document, which included self-declarations by economic operators as preliminary evidence, was mandatory. All exclusion grounds and selection criteria were clearly stated in the tender notices published on the procurement electronic platform and in Tenders Electronic Daily and the Official Journal of the European Union.

20. Serbia provided information indicating that it had taken measures to prevent corruption in the procurement process, from planning to contract implementation, that included early detection, mitigating the effects of corruption and sanctioning the perpetrators. The legislation required that any prior involvement of a tenderer or candidate in the procurement preparation did not distort competition. The contracting authority was required to disclose relevant information to other bidders and set appropriate deadlines to maintain fairness.

21. Slovenia reported that its legislation was based on the principles of free movement of goods, freedom of establishment and freedom to provide services. The legislation mandated that procurement procedures, including those with a value below the European Union threshold, had to be published on the national public procurement portal. All contracts with a value exceeding 10,000 euros contained an anti-corruption clause, and declarations of interest and beneficial ownership were mandatory.

22. Türkiye reported that its national procurement system was based on transparency, competition, equal treatment, reliability, confidentiality, public supervision, appropriate and prompt fulfilment of needs, and efficient use of resources in procurement processes.

23. The United States reported that the Federal Acquisition Regulations established uniform policies and procedures for acquisition. The Federal Acquisition Regulations, which can be accessed and downloaded online, provided a comprehensive framework for maintaining the integrity of the federal procurement process. Procurement notices included information on the procurement procedure, conditions of participation, qualification criteria, type of tender and contract, validity period of tenders and tender securities. The Competition in Contracting Act of 1984 further enforced the use of competitive procedures for selecting products and services.

Sufficient time to prepare and submit tenders and using by default an open tender procedure

24. Ensuring that all participants in the tender procedure have sufficient (and similar) time to prepare and submit the tender documents is a key requirement to ensure fair competition in the procurement process. Unreasonably short deadlines make proper preparation for the tender difficult and increase the risk that some of the participants in the procedure might attempt to acquire inside information and thus obtain an illegal advantage.

25. Similarly, using the open tender procedure by default reduces the risks to integrity associated with artificially restricted competition and ensures that the goods or services are procured at a fair market price. The free competition of many

participants in the tender process makes bid rigging and collusion less likely and easier to detect.

26. All the States reported that their procurement systems allowed for a specific period to prepare and submit tenders, which in some countries depended on the complexity of the project. However, the time allocated for that phase of the procurement process differed across countries, based on the legal and administrative traditions of the States parties.

27. Botswana reported that it required procuring entities to use standardized bidding packages developed by the Public Procurement Regulatory Authority, which included clear instructions, requirements, evaluation criteria and the basis for the award. Minimum bidding periods for different procurement methods were established, with provisions for extending those periods if necessary.

28. Cambodia provided information indicating that bidders were given 45 days for international competitive bidding, 30 days for domestic competitive bidding and 15 days for other competitive bidding. All bids submitted had to be opened publicly.

29. Kenya and Ukraine reported that their procurement systems provided broad access to information. Sufficient time for tender preparation and submission was a key requirement. Open tender procedures were used by default.

30. Kuwait reported that its legislation specified that sufficient time must be provided for bidders to prepare and submit their tenders. The Central Agency for Public Tenders ensured that tender announcements provided clear timelines and that they were adhered to.

31. Lithuania provided information indicating that the minimum time for the submission of tenders for different procedures (e.g. open, restricted, negotiated, competitive dialogue and innovation partnership) was set by law. Contracting authorities were required to use open or restricted procedures by default, with other procedures available only in specific cases.

32. Oman reported that the legislation mandated the publication of tender announcements in widely circulated newspapers, in both Arabic and English, well before the submission deadline to allow sufficient time for preparation. A minimum period of 40 days for submitting bids from the date of the first announcement was stipulated, with specific provisions allowing for shorter periods under certain conditions.

33. Paraguay and Serbia reported that they ensured adequate lead times and mandated the use of open tenders as the default practice.

34. The Philippines indicated that the legislation provided sufficient time for preparing and submitting tenders. The Government Procurement Reform Act and its amendments specified minimum time limits for the submission of bids, tailored to the complexity and scope of the procurement. The legislation mandated the use of open tender procedures by default.

35. Romania noted that its legislation provided for sufficient time to prepare and submit tenders. The period between the transmission of the notice of participation for publication in the Official Journal of the European Union and the deadline for submitting offers was at least 35 days, which could be reduced to 15 days if justified. The open tender was the default procedure for awarding public procurement contracts.

36. Slovakia reported that it emphasized open tender procedures to maintain transparency. All notices were publicly accessible on the central register of contracts, providing sufficient time for bidders to prepare and submit tenders. This register allowed for public scrutiny of procurement decisions and helped maintain a transparent procurement process.

37. Slovenia reported that it provided sufficient time for potential tenderers to prepare and submit their bids, using open tender procedures by default. E-notices, including invitations to tender, were published on the national public procurement

portal, ensuring all necessary information was available to the public without charge or registration.

38. Türkiye reported that all tenderers were given sufficient time to prepare their bids. The law specified the minimum number of days in advance for the publication of procurement notices for different procurement procedures, considering the estimated cost and threshold values. This ensured adequate time for tender preparation and submission, using the open tender procedure by default.

39. The United States reported that all tenderers were given sufficient time to prepare their tenders. The Federal Acquisition Regulations and the Competition in Contracting Act of 1984 mandated the use of open tender procedures, such as sealed bidding and competitive negotiation, which required public advertisement and allowed sufficient time for tender preparation and submission.

Transparent publishing of procurement decisions, including invitations to tender

40. All countries reported that they had put in place requirements for transparency for different elements of the procurement process, including, as a minimum, the publication of the invitation to tender. This is a clear development, compared with 2015, when that trend was only just beginning.

41. While the established practice in many countries in the past had been that this was done primarily through publication in newspapers or official journals, the electronic tools and portals were widely reported as being utilized for this purpose now.

42. China and Colombia reported that invitations to tender and procurement decisions were published on the Public Procurement platforms (the China Government Procurement Network and the electronic system of public procurement of Colombia (SECOP)). Both platforms were fully integrated solutions, allowing for transparency and accessibility of procurement processes.

43. Cambodia provided information that procurement units of the procuring entities were required to publish essential information such as the type and quantity of goods, works or services to be procured, contact information, procurement method, qualification requirements for bidders, and bid submission and opening dates.

44. Botswana, France, Kenya and Ukraine reported that they used electronic tools and portals to publish all procurement documents.

45. Kuwait and the Republic of Moldova provided information indicating that all procurement decisions, including invitations to tender, had to be published transparently through electronic portals and official publications.

46. Lithuania reported that contract notices, prior information notices and contract award notices of procurement procedures with a value above the European Union threshold were published by the Publications Office of the European Union. Information on procurement procedures with a value below the European Union threshold was published in the Central Public Procurement Information System.

47. Oman reported that it required the publication of tender announcements and of the bid opening results immediately after the opening of bids.

48. Paraguay provided information indicating that its legislation mandated the transparent publishing of procurement decisions, including invitations to tender. All relevant procurement information, such as tender notices, contract awards and related documentation, had to be published on the official public procurement electronic platform.

49. Romania reported that its legislation mandated the transparent publishing of procurement decisions, including invitations to tender. Contract notices, award notices and extracts from the annual programme of public procurement were published on its electronic public procurement system (SEAP) and in the Official

Journal of the European Union, ensuring transparency at all stages of the procurement cycle.

50. Slovakia reported that the Central Register of Contracts ensured transparency in procurement decisions. Notices and contracts involving public funds had to be published in that register, which allowed for detailed searches using various criteria. This enabled public access to information on all significant contracts.

51. Slovenia noted that all procurement decisions, including invitations to tender, award decisions and contracts, were published on the national public procurement portal. For procurements with a value above the European Union threshold, e-notices were also published in the Tenders Electronic Daily. The portal allowed for detailed searches and included all relevant information about the procurement process, ensuring the transparent publishing of procurement decisions.

52. Thailand reported that its legislation provided sufficient time for preparing and submitting tenders, using an open tender procedure by default. Adequate time for tender submission, depending on the purchase value and technical complexity, was required by law. All steps in the procurement process were published through the electronic procurement (e-GP) system, ensuring that invitations to tender, procurement planning, tender submissions, award announcements and other relevant information were publicly accessible.

53. Türkiye reported that it provided for the transparent publishing of procurement decisions, including invitations to tender. All procurement notices and results were published in the Public Procurement Bulletin on the Electronic Public Procurement Platform (EKAP). The procurement notices, published in the Public Procurement Bulletin on the Electronic Public Procurement Platform, included detailed information such as the place of work, commencement and completion dates, type of procurement procedure, participation conditions, qualification criteria, validity period of tenders, required securities and other relevant details. Information was provided also on costs, procedures, payment conditions and dispute resolution.

54. The United States reported that its legislation provided for the transparent publishing of procurement decisions, including invitations to tender. Procurement notices and results were published on public websites such as the System for Award Management (SAM.gov) and USAspending.gov. These platforms provided detailed information on procurement, including contract opportunities, contractor performance and award data.

Procedures, rules and regulations for review of the procurement process, including a system of appeal

55. Establishing a clear system of procedures, rules and regulations for review of the procurement process allows authorities to address complaints, appeals and potential irregularities and is indispensable for the integrity of the procurement system.

56. Such a system may rely on administrative review, judicial review or a mix of the two, depending on the specificities of the legal system of the States parties. The Convention requires that an effective system of review also include an effective system of appeal, allowing for the decision of the review body of first instance to be subject to a formal appeal.

57. Botswana, Paraguay, Romania, Senegal, Slovenia and Thailand stated that they had established special review or oversight bodies to deal with the administrative review of procurement decisions in order to ensure that they were carried out in line with the principles of transparency, competition and objectivity in decision-making.

58. Other States, such as France, Kenya, Kuwait, Lithuania, Oman, Türkiye and the United States, reported relying on existing systems of administrative and judicial review.

59. China reported that the Ministry of Finance supervised and managed government procurement, handled procurement complaints and reports, investigated illegal procurement practices, published typical cases to act as a deterrent and maintained records of serious violations.
60. Botswana reported that the independent Public Procurement Tribunal had been set up to handle general appeals within the procurement space.
61. Cambodia noted that procedures were in place for lodging complaints at all stages of procurement, including complaints to the procuring entities, the Ministry of Economy and Finance and the court.
62. Kuwait reported that the Public Tenders Law includes provisions for complaints and appeals. Interested parties can lodge complaints against procurement procedures and decisions, and there is a dedicated judicial department for handling such grievances, ensuring an effective review and appeal system.
63. Lithuania reported that it establishes procedures, rules and regulations for reviewing the procurement process, including a system of appeal. Bidders have the legal standing to challenge contract awards, and these challenges are handled by the contracting authority and can be appealed to higher courts.
64. Myanmar reported that if there were any complaints, the Tender Committee would investigate if a bidder complained about a grievance stemming from the tender selection process with sufficient evidence. If the bidder was not satisfied with the decision of the Tender Committee, the Ministry of Planning and Finance would establish a complaint resolution team with the permission of the Government, comprising at least three representatives from the ministries.
65. Oman reported that the Tender Law outlined procedures for reviewing procurement processes and handling appeals. The law specified that decisions to exclude bids had to be justified and listed the grounds for bid exclusion. In addition, there were provisions for appealing procurement decisions, ensuring that all parties had the opportunity to challenge and review procurement decisions.
66. Paraguay reported that there were established procedures for reviewing the procurement process and handling appeals. The central procurement body was handling complaints, conducting preliminary investigations and carrying out legal proceedings related to procurement issues.
67. Romania reported that the National Agency for Public Procurement oversaw the procurement process to ensure it adhered to the principles of transparency, competition and fairness. Complaints and appeals were initially reviewed by the contracting authority. Complainants could escalate the appeal to the National Council for Solving Complaints (CNSC), which was an independent administrative body specialized in resolving public procurement disputes. The Council had the authority to review procurement decisions, issue rulings and recommend corrective actions. Decisions made by the Council could be further appealed in court.
68. Senegal reported that the initial review of complaint was conducted by the contracting authority. If the issue was not resolved satisfactorily, the complaint could be escalated to the Public Procurement Regulatory Authority (ARMP). The Authority was responsible for overseeing the procurement process and ensuring compliance with established rules and regulations. It had the authority to investigate complaints, conduct hearings and issue binding decisions to rectify any identified issues.
69. Serbia reported that the law included comprehensive provisions for reviewing procurement decisions. It required the rejection of tenders if there was valid evidence of corruption. The appeal system allowed for electronic submissions through the Public Procurement Portal, with fines for contracting authorities that failed to comply.
70. Slovakia reported that mechanisms for the review and appeal of procurement processes were in place. The Procurement Office ensured compliance with procurement laws and could request cooperation from law enforcement agencies. The

Anti-Corruption Policy approved by the Government further supported these efforts by establishing departmental anti-corruption programmes.

71. Slovenia provided information indicating that the legislation provided a robust system for reviewing and appealing procurement processes. The National Review Commission, an independent and autonomous body that decides on the legality of the awarding of public contracts at all stages of the public procurement procedure, handled appeals and ensured fast, quality decision-making. The e-Revision portal facilitated electronic communication and document exchange for appeals.

72. Thailand reported that it had established procedures, rules and regulations for reviewing the procurement process, including a system of appeal. Bidders could submit appeals within seven working days of the date of the announcement of the procurement result. The procuring entity initially considered the appeal, and, if unresolved, it was referred to the Appeals Committee. The decision of the Appeals Committee was final, though bidders could seek compensation through the courts if dissatisfied.

73. Türkiye reported that the bidders could submit complaint applications to the contracting authority and further appeal to the Public Procurement Authority. These administrative applications had to be exhausted before filing a lawsuit. Administrative lawsuits were subject to expedited procedures. Dispute settlements during contract execution were under the jurisdiction of the courts or submitted for arbitration.

74. Ukraine provided information indicating that procurement decisions could be appealed to the Commission for Review of Complaints on Violation of Legislation in the Field of Public Procurement with the Anti-Monopoly Committee and subsequently in court.

75. The United States noted that the Federal Acquisition Regulations contained provisions for applications and the review of procurement procedures, including a system of appeal. Bidders could submit complaint applications to the contracting authority, and appeals could be made to the Public Procurement Authority and, subsequently, through legal proceedings in the courts.

Selection of personnel and establishing a conflict-of-interest management system

76. The establishment of a sound and merit-based system for the selection of personnel is an important prerequisite to ensuring the integrity of the procurement system. Such a system should take into account the provisions of article 8 of the Convention, with due regard to the specificity of the positions involved in procurement.

77. Depending on the national legal traditions, the personnel exercising procurement functions may be centralized in a single agency in charge of procurement procedures in the whole public administration or may be placed in a decentralized procurement system.

78. In both centralized and decentralized procurement systems, the Convention requires States parties to undertake special measures to promote ethical conduct and to effectively avoid and manage conflicts of interest in order to ensure the integrity of the procurement processes.

79. An important new trend is the universal establishment of clear conflict-of-interest rules, procedures and systems, which range from the requirement to disclose interest to the introduction of modern electronic systems that can identify conflicts of interest and raise red flags.

80. Botswana reported that it had established a system to manage procurement personnel, including with regard to accreditation and registration. A conflict-of-interest management system was put in place, including declarations of interest by all involved in procurement.

81. Cambodia reported that heads, vice-heads and all members of procurement committees, bidders and other relevant officials had to abide by a Code of Ethics, which included norms related to conflicts of interest, corrupt practices, undue advantages, competitiveness, fairness, auditing, and responsibilities and sanctions for violations.
82. Kenya highlighted the importance of ethical conduct and effective conflict-of-interest management in procurement processes. This included declarations of interest and measures to resolve conflicts.
83. Kuwait underlined the importance of conflict-of-interest management and the need for transparency in the selection of personnel involved in procurement. Objective and fair criteria for personnel selection and avoidance of conflicts of interest were supported by established guidelines and oversight mechanisms.
84. Lithuania and Ukraine reported that they had established selection processes for personnel responsible for procurement and put in place a conflict-of-interest management system. In Lithuania, procurement committee members were required to submit declarations of private interests and make confidentiality pledges.
85. Myanmar noted that the national, regional and state departments and organizations would notify the Government if companies that won the tender had a family, social, business or project-related relationship with the competent authority.
86. Oman reported that special rules were in place for the selection of personnel involved in procurement. The law prohibited employees of procurement entities and their close relatives from submitting bids or being involved in procurement activities. Members of the procurement committee were required to declare any direct or indirect interest in a tender and to abstain from participating in the decision-making process if a conflict existed.
87. Paraguay reported that clear rules to avoid conflicts of interest were introduced, requiring declarations from involved officials and setting restrictions on their participation if conflicts were identified.
88. The Philippines reported that its law included comprehensive provisions for the selection of procurement personnel and conflict-of-interest management. This included mandatory declarations of interest and specific measures to manage and resolve any conflicts to maintain the integrity of the procurement process.
89. Romania noted that its legislation included provisions for the selection of procurement personnel and conflict-of-interest management. The PREVENT system was established to automatically detect – on the basis of the information entered in the integrity form – the presumptive relationships that could exist between persons from the contracting authority and persons from the economic operators who were bidders in procurement procedures. The system issued an integrity warning in the case of persons labelled as having “decision-making positions within the contracting authority” or who were labelled as “assessment committee members” and who were therefore under the obligation to submit asset and interest disclosures, or it issued a notification in cases concerning persons that were not deponents of asset or interest disclosures. In the event of a conflict of interest, an integrity warning was issued by the system, which was sent electronically within a maximum of three working days by the integrity inspectors to the designated person. The designated person was obliged to immediately inform the person who had a conflict of interest, as well as the head of the contracting authority or entity, so that they could take all measures to remove the conflict of interest. Managing conflicts of interest did not block the procurement procedure process.
90. Côte d’Ivoire and Senegal provided information indicating that all personnel were required to declare potential conflicts of interest. If a conflict was identified, the individual had to recuse themselves from the relevant process. In Senegal, a code of conduct outlined ethical standards, including on handling conflicts and corrupt practices. Continuous training was provided.

91. Serbia reported that recent amendments to the law required procurement officers to be certified, ensuring they had the necessary qualifications and training. Conflict-of-interest provisions in articles 90 and 112 prevented conflicts by excluding bidders involved in procurement preparation if their participation distorted competition. Contracting authorities had to document and communicate these measures to maintain transparency and fairness throughout the procurement process.

92. Slovakia noted that it had introduced measures to manage conflicts of interest, including the prohibition of contracts with entities linked to public officials. Registers of economic entities and entities prohibited from participating in public procurement were maintained. Employees were required to report conflicts of interest, and the TRANSPAREX system was used to verify personal and business relationships.

93. Slovenia reported that the legislation established strict conflict-of-interest management rules. This included mandatory anti-corruption clauses in contracts and the requirement for public officials to declare their assets. The Ministry of Public Administration, in cooperation with Transparency International Slovenia, developed the Integrity in Public Procurement Handbook to guide procurement personnel in managing corruption risks. In addition, the Civil Servants Act ensured equal treatment in the employment of officials.

94. Thailand reported that personnel involved in procurement must not be in a situation of conflict of interest. If a conflict of interest was discovered and it compromised the integrity of the procurement process, the process would be stopped.

95. Türkiye reported that contracting officers and others involved in the procurement process could not participate in procurement procedures if they had personal or familial interests in the transactions. In addition, the law contained provisions on criminal liability for officers and rules to be followed by contracting authorities to prevent conflicts of interest.

96. The United States reported that there were provisions for the selection of personnel and the establishment of a conflict-of-interest management system. The Standards of Ethical Conduct for Employees of the Executive Branch, issued by the United States Office of Government Ethics, required that employees involved in public procurement avoid any conflicts of interest. Employees had to recuse themselves from participating in contracts where they had personal or financial interests. The law also prohibited discussions of employment between contractors and procurement officials during procurement and restricted the solicitation or disclosure of proprietary information.

Other administrative practices promoting integrity in procurement

97. While establishing a strong and effective legal and institutional framework is an important prerequisite for the integrity of the procurement system, it is equally important to promote specific administrative practices that would limit the risk of corruption in procurement.

98. It is important for the enabling legal framework to be complemented by various additional strategies implemented at the administrative level, which have been found to be effective in certain environments in reducing corruption in procurement. These may include measures to strengthen the integrity of the business sector and bidder employees; measures to exclude unethical participants from the procurement process (debarment); measures promoting collective action (integrity pacts); and measures to promote effective monitoring and auditing.

99. A number of countries, including Angola, Botswana, Kenya, Lithuania, Oman, Paraguay, the Republic of Moldova, Senegal and Thailand, have implemented debarment procedures to safeguard the integrity of their procurement processes. This practice is essential for excluding unethical participants, ensuring that only entities that uphold the highest standards of integrity are allowed to engage in procurement activities. This measure significantly enhances accountability within the procurement process.

100. Angola, Botswana, Lithuania, the Republic of Moldova, Romania and Senegal employed personnel rotation strategies to mitigate risks associated with collusion and undue familiarity between procurement officials and contractors. This strategy was often paired with continuous monitoring and evaluation practices to ensure integrity in procurement.

101. Angola, Cambodia, France, Kuwait, Oman, Paraguay, Romania, Senegal and Serbia emphasized regular audits and reviews.

102. Enhancing the professional skills and ethical standards of procurement personnel through dedicated training and capacity-building initiatives is a trend observed in Australia, Serbia, Slovakia, Slovenia, Thailand and Türkiye. Training programmes that address legal requirements, ethical conduct and procurement-specific skills, crucial for equipping officials with the necessary tools to effectively identify and combat corruption in procurement processes, are in place.

103. Botswana reported that it had adopted the Code of Conduct for Contractors and the Code of Ethics for Procurement Professionals. It had also established evaluation and debriefing committees on an ad hoc basis.

104. Cambodia noted that the Law on Public Procurement of 2023 included disciplinary sanctions for public officials who violated the procurement legislation, without prejudice to possible penal proceedings.

105. Kenya reported the use of debarment, the rotation of personnel and the inclusion of integrity clauses in contracts.

106. Myanmar provided information indicating that the opening of tenders was to be photographed and recorded on video for tenders where the purchase amount was higher than 1 billion kyats.

107. Paraguay reported that it rotated procurement personnel to reduce familiarity and prevent corruption; used debarment procedures for suppliers involved in corrupt activities; and continuously monitored and evaluated procurement activities.

108. Romania reported that it had introduced integrity questionnaires in procurement documentation and aimed to involve civil society in the monitoring of public procurement integrity.

109. Senegal reported that training and capacity-building programmes had been put in place to enhance the skills and knowledge of procurement personnel, keeping them updated on best practices, legal requirements and ethical standards.

110. Serbia provided information indicating that the Public Procurement Office organized various training sessions and workshops to educate contracting authorities and bidders on the latest procurement practices and legal requirements. Those training courses covered topics such as environmental criteria, social aspects of procurement and the use of ICT tools. Regular monitoring, supported by data from the Public Procurement Portal and a system of red flags, helped detect and address irregularities.

111. Slovakia reported that it had engaged in the regular training of employees, the assessment of corruption risks, the maintaining of donation records and the performance of internal audits, as well as engaging the services of an anti-corruption coordinator. The public procurement office also developed directives and anti-corruption programmes and maintained an anti-corruption management system certified under International Organization for Standardization (ISO) 37001:2019. Additional anti-corruption measures included cooperation with international organizations to strengthen procurement integrity.

112. Slovenia reported that it conducted regular training and had started the Public Procurement Academy to enhance the professionalization of procurement staff. It also offered extensive consultation services and developed various electronic tools to assist in the procurement process. Continuous monitoring and statistical reporting were mandatory.

113. Thailand reported that it had implemented training programmes to develop officials' knowledge and expertise in public procurement, as well as supplier debarment procedures. Thailand had introduced integrity pacts involving government agencies, bidders and observers to monitor compliance and report suspicious activities.

114. Türkiye noted that it had implemented training programmes to develop the expertise of both the private and public sectors in procurement, including through the EKAP Academy online training platforms. The violation of procurement procedures entailed criminal liability.

115. The United States reported that the Office of Federal Procurement Policy Act Amendments of 1988 imposed substantial civil and criminal penalties for specified prohibited practices, such as offering or giving money, gratuities or anything of value to a procurement official. It also included provisions to avoid government transactions tainted by corruption, ensuring the integrity of the procurement process.

C. Effective use of information and communications technologies to prevent, detect, deter and counter corruption in procurement

116. The use of information and communications technologies in the fight against corruption is an important trend that was first highlighted at the sixth meeting of the Working Group, held in 2015. The drive for innovation in anti-corruption efforts, fuelled by the rapid development of technology, has led to innovative solutions that may be used to reinforce transparency, build trust in government and increase the participation of society. The trend towards using Internet tools to ensure transparency in the procurement process and to simplify the administrative procedures for participating in bidding that had been identified during the sixth meeting of the Working Group has been confirmed and reinforced by the submissions received.

117. At the sixth meeting of the Working Group, a number of countries, including Argentina, Armenia, Belarus, Belgium, Bosnia and Herzegovina, Brazil, China, Ecuador, Germany, Israel, Japan, Malaysia, Mexico, Morocco, Nigeria, Peru, Portugal, Rwanda, Serbia and Uruguay, highlighted that they had employed new information and communications technology solutions to strengthen the integrity of the procurement process and to increase transparency. The reported practices ranged from the publication of procurement notices on government websites to the establishment of Internet procurement portals, which allowed interested future participants to download templates of documents, and fully integrated electronic solutions allowing for paperless electronic procurement.

118. That trend has been reinforced by information received in 2016, with Algeria, Armenia, Austria, Bosnia and Herzegovina, Greece, Jamaica, Mauritius, Panama, Paraguay, the Russian Federation, Türkiye and the United States underlining the importance of information and communications technologies in public procurement systems. In addition, several States reported that they had moved from systems that only passively provide information to systems that allow for full interaction with users and clients.

119. The use of information and communications technologies for the implementation of the Convention against Corruption was again a topic of discussion of the Working Group at its thirteenth meeting, held in 2022.

120. The submissions from the States that form the basis of the present report confirmed this trend. Almost all States reported that procurement portals and fully-fledged procurement solutions for electronic procurement were in place. Integrated electronic systems are increasingly being used for the detection of fraud and corruption in procurement. The transition to electronic procurement systems has markedly increased transparency and streamlined processes. By allowing real-time tracking and providing access to procurement data, these systems reduce opportunities for corruption and enhance public trust in government procurement.

Moreover, the integration of advanced features like real-time updates and electronic bidding further supports the implementation of article 9 of the Convention, contributing to more competitive and transparent procurement.

121. Angola reported that it had established the National Electronic Public Procurement System to prevent, detect, deter and counter corruption. Contracting entities were obliged to publish all information and report on procurement procedures using the Public Procurement Portal. A platform for beneficial ownership registration and fraud detection had also been developed.

122. Botswana reported that the Integrated Procurement Management System for contractor registration and e-bidding had been introduced. This system covered all aspects of the procurement process, from the advertising of tenders to contract management and the handling of complaints.

123. China reported that the China Government Procurement Network published procurement information, including budgets, announcements, documents, results, contracts and complaint outcomes. It followed the 2015 regulations for a unified electronic transaction platform. The platform managed full-process electronic transactions, from notices to bid submissions and evaluations.

124. Côte d'Ivoire noted that the Integrated System for the Management of Public Procurement Operations (SIGOMAP) had been launched on 25 July 2023. The system reduced fraud and corruption risks by ensuring data integrity, traceability and confidentiality during the procurement process. It also facilitated the publication of notices and the submission and evaluation of bids. Additional platforms and hotlines were also available for reporting irregularities.

125. Colombia, Guatemala and Kenya reported the establishment of e-procurement portals and electronic systems for public procurement. In collaboration with civil society, Guatemala introduced open contracting data standards in its e-procurement system, allowing for data analysis and reuse.

126. France reported that all public procurement procedures for contracts exceeding a certain value were digitalized. Buyer profiles were used to strengthen transparency and traceability in procurement processes. Public authorities published essential contract data on data.gouv.fr to monitor procurement activities.

127. Kuwait reported that the Central Agency for Public Tenders employed electronic means to publish tender documents, track procurement activities and facilitate public access to procurement information.

128. Lithuania reported that public procurements were carried out through a system that enabled electronic submission, management and the archiving of procurement documents. That system also supported transparency and traceability of procurement data. A more advanced e-procurement system named "SAULE IS" was to be introduced.

129. Oman reported that it had implemented several electronic systems to enhance transparency and integrity in public procurement. The Esnad system managed all government tenders and procurement activities, from the announcement to the award of contracts. The system required all local companies to register and submit their bids electronically. The Amana system collected data on ongoing contracts and purchase orders, while the Ada system linked the General Secretariat of the Tender Board with other government entities to monitor project progress electronically.

130. Paraguay reported that it utilized an advanced technological platform that managed all procurement activities electronically. That platform supported the electronic submission and evaluation of bids, real-time updates and document tracking. All procurement-related information was made publicly accessible through the platform, reducing direct contact between suppliers and contracting authorities and providing comprehensive data analytics and reporting tools to ensure compliance with procurement regulations. The platform was integrated with other government systems to allow for the exchange of information.

131. The Philippines reported that the Government Electronic Procurement System (PhilGEPS) serves as the primary portal for all procurement activities. The system posts invitations to bid, requests for quotations, proposals and award notices. A newer version of the system, mPhilGEPS, has introduced electronic bidding, real-time updates, comprehensive reporting and integration with other government systems to enhance oversight. The mandatory use of these systems applies to all government agencies. Stakeholder engagement is facilitated through the Observer Portal for civil society organizations. In addition, the Enhanced Online Blacklisting Portal, along with the Observer Portal and the Procurement Dashboard, assists procuring entities in managing procurement by providing real-time data on procurement processes, bid statistics, supplier participation and risk management.

132. Romania reported that it used technology to enhance procurement integrity through the Electronic Public Procurement System. Ninety-nine per cent of the public procurement procedures were thus conducted electronically. The system enabled public authorities to publish procurement notices and contract documents and award notices digitally. It also supported electronic submission and evaluation of bids, allowing for real-time updates and communication between contracting authorities and bidders. In addition, it was integrated with the national financial management systems to ensure the tracking of procurement expenditures. The system provided comprehensive reporting and analytics features, allowing for the detailed monitoring and evaluation of procurement activities. Furthermore, it included functionalities for managing the procurement cycle, from planning and tendering to contract management and auditing, thereby streamlining the entire procurement process and ensuring compliance with national and European Union procurement regulations. The PREVENT system was an administrative tool that provided comprehensive oversight of all ongoing procurement procedures and contracts, ensuring continuous monitoring for potential conflicts of interest. Unlike other systems that relied on random or sample checks, it offered real-time analysis and intervention. Since its implementation, the National Integrity Agency had utilized the system to enhance transparency and integrity in public procurement. The system's results were disseminated quarterly, and the Agency provided ongoing support and clarifications to stakeholders on using the system and filling out integrity forms correctly. The National Anti-corruption Directorate leveraged various databases, including the Electronic System of Public Procurement, to support investigations and prosecutions of corruption cases involving public procurement.

133. Saudi Arabia reported that the electronic procurement platform had consolidated and facilitated the government procurement process for all sectors within the country, providing a digital gateway for posting government tenders, receiving bids and managing procurement activities. The platform offered access to current and upcoming tenders and purchasing tender documents. It also enabled the submission of bids and the viewing of tender awards.

134. Serbia reported that the Public Procurement Portal supported the comprehensive digital management of procurement processes, including e-submission of bids, e-auctions and dynamic purchasing systems. The portal had been updated 18 times since its launch, introducing functionalities such as mobile compatibility, multi-language support and smart lot options.

135. Slovakia provided information on the national project on increasing efficiency in the field of public procurement, which introduced innovative processes for identifying conflicts of interest using information and communications technology tools. A step-by-step manual and a database system were developed for detecting connections and visualizing red flags. The central register of contracts and access to various databases, such as OverSi, enhanced the transparency and efficiency of public procurement. Workshops were organized and strategies developed to combat conflicts of interest.

136. Slovenia reported that its public procurement procedures were fully digitalized. The e-JN information system facilitated the electronic submission of bids, the

automatic opening and recording of bids and the managing of all communications electronically. The system supported e-auctions and dynamic purchasing systems, and it enabled electronic verification of exclusion grounds in official records. The national public procurement portal served as a central hub for all procurement-related information, including e-notices, procurement documentation, contract awards and modifications. The Statist application enabled detailed monitoring and analysis of public procurement data. Statist provided real-time data on public procurement activities, allowed users to analyse data based on various criteria and was freely accessible to the public without registration. The application was linked to individual procurement dossiers on the national public procurement portal, offering comprehensive access to related information and enhancing transparency. Since 1 January 2021, the e-Revision portal was enabling the electronic submission of appeals and ensuring secure communication and document exchange. The use of technology tools significantly improved the detection of fraud and corruption through automated data analysis, real-time monitoring, transparent records and secure communication channels.

137. Thailand established the electronic Government Procurement (e-GP) system. This central online platform managed procurement planning, invitation notices, tender submissions, award announcements and the publication of procurement laws and regulations, as well as the procurement debarment list. The e-GP system ensured that all procurement activities were accessible to the public and enabled electronic submission of bids. It supported the electronic opening and recording of bids, generating publicly accessible records. The system also facilitated electronic communication throughout the procurement process, maintaining a clear and auditable trail of interactions. Furthermore, the system supported the electronic verification of exclusion grounds, reducing the risk of fraudulent participation. Thailand planned to further develop the system to include features such as red flags for identifying suspicious activities, framework agreements and electronic appeals.

138. Türkiye reported that over 99 per cent of procurements were conducted through the Electronic Public Procurement Platform. The Platform handled all administrative procedures, from procurement planning, document preparation and notice publication to procurement execution and contract management. The Platform allowed access to procurement notices through the Public Procurement Bulletin and to procurement documents. It also made it possible to submit bids or appeals electronically. The Platform's call centre provided information to stakeholders. Result notices of procurements and detailed contract information were also published on the Platform. The Platform also included features for the electronic verification of exclusion grounds, and using it made it possible to maintain an auditable trail of all procurement activities.

139. Ukraine noted that an electronic procurement system allowed for the electronic submission and public viewing of all procurement information, including tender invitations, participant proposals and contract awards. The procurement process included an auction stage that was activated if multiple suppliers participated, with automatic scheduling and public access to auction details. Complaints were submitted electronically. The system included automatic risk indicators and monitoring by the State Audit Service, with publicly available audit results.

140. The United States reported that the Integrated Award Environment, managed by the General Services Administration, facilitated federal awards processes through multiple online systems, including SAM.gov. This platform allowed entities to register, update, renew and check the status of their registration, and it provided users with access to registrations and exclusions, as well as other public information. The platform had been modernized to provide a user-friendly portal for accessing award data. The United States Treasury Department managed USAspending.gov, which provided comprehensive spending data for the Government. The website allowed the public to track federal spending from Congressional appropriations to local communities, businesses and other organizations. The financial data on USAspending.gov were uploaded directly from federal agencies' financial systems.

The Office of Management and Budget established a centralized data management policy for acquisition data. That policy required agencies to share acquisition data in a centralized environment, enabling more granular analysis to detect and deter corruption. Federal agencies leveraged emerging technologies such as artificial intelligence, machine learning, natural language processing and robotic process automation to modernize procurement operations. Robotic process automation was used to assist contracting officers by scraping data from websites, including SAM.gov, and the Federal Awardee Performance and Integrity Information System and compiling it into reports for decision-making.

III. Conclusions and recommendations

141. The information contained in the present report highlights the breadth of the legislative and administrative measures that have been taken by responding States to strengthen integrity in procurement in accordance with article 9 of the Convention against Corruption. Some measures that have emerged from the submissions include those to strengthen transparency and promote integrity in the bidding process, including through the exclusion of non-compliant participants from tenders; effective oversight and enforcement; and the use of debarment.

142. A further theme that emerged is the use of technology. Countries have highlighted their efforts to use electronic platforms to reduce the risk of corruption, facilitate and simplify procurement procedures and provide access to information.

143. As part of its discussions, the Working Group may wish to consider how States can continue to strengthen procurement systems and the use of technology to prevent corruption.

144. As the global landscape evolves, the integration of sophisticated information and communications technologies in procurement processes has become crucial. These technologies not only foster transparency but also enable Governments to keep pace with the rapid changes in digital governance. The Working Group may wish to invite States parties to share the challenges faced in the use of such technologies in procurement and identify technical assistance needs.

145. The Working Group may further wish to recommend to States parties that they strengthen the exchange of information on enhancing transparency, integrity and objective decision-making in the areas of procurement and to promote the exchange of good practices in the area of using information and communications technologies to promote integrity and anti-corruption efforts.

146. The Working Group may wish to request the secretariat to continue its efforts to gather information on good practices related to integrity in procurement and in the use of information and communications technologies in this regard.