

UNVEILING THE POTENTIAL: OPEN DATA IN PUBLIC PROCUREMENT IN BOSNIA AND HERZEGOVINA FOR ENHANCED COMPETITION, PARTICIPATION, AND REFORM

Summary

As a member of the Open Government Partnership Global Initiative since 2014, Bosnia and Herzegovina has expressed its readiness to support and promote the principles of transparency, combating corruption, empowering citizens and taking advantage of new technologies. Bosnia and Herzegovina's obligation under the Action Plan of the Council of Ministers of Bosnia and Herzegovina for the implementation of the Open Government Partnership Initiative for the period 2022-2024¹ included the implementation of the measure "Open Data on Public Procurement in BiH." According to this measure, publicly available data on public procurement in BiH collected through the national public procurement portal (www.ejn.gov.ba) was to be made additionally available in other formats, not just in a read-only format. The deadline was the end of 2023, and the Public Procurement Agency partially fulfilled this obligation in December 2023 by creating a new interface (see <https://next.ejn.gov.ba/en/open-data>). However, there are still no reports or studies that would provide a new insights on such available data than those already visible in the official reports.

While Bosnia and Herzegovina's public procurement sector showcases substantial financial figures, it is crucial to critically assess certain aspects of its functioning. The total annual procurement value exceeding 2.25 billion Euros, while significant, prompts questions about the efficiency and effectiveness of the procurement processes. The average share of public procurement value in the GDP (10.65%)² and budgetary expenditures (23.49%) raises concerns about the allocation and utilization of public funds, calling for a closer examination of the economic impact and value for money. Examining the breakdown of procurement value across goods, services, and works provides insights into the diversity of economic activities within the country. Goods account for 39.47% of the total procurement value, services contribute 36.00%, and works represent 24.54%. This distribution reflects a balanced engagement across various sectors, showcasing the multifaceted nature of public procurement in Bosnia and Herzegovina. The average number of bids per tender is 1.93, indicating that competition is low although open procedures dominate the procurement landscape, constituting 71.42% of the total procurement value. Negotiated procedures and other procurement methods contribute 11.44% and 17.13%, respectively.

It is possible to conclude that some data, such as the trend of decreasing use of negotiated procedures without prior publication of a contract notice, the trend of increasing registered contracting authorities, and the trend of the share of public procurement in GDP, indicate an improvement in the public procurement system in Bosnia and Herzegovina, but insufficiently so, as on the other hand, there is a decrease in the average number of bids and the share of foreign bidders. The average number of bids has been decreasing almost every year since 2016, when it was 2.54, to 1.93 in 2022. Similarly, in 2016, the share of procedures with only one bid was 41.66%, while in 2022 it was 51.37%. Despite the elimination of preferential treatment for domestic suppliers and the decrease in the share of negotiated procedures without prior publication of a contract notice, there is a noticeable decrease in the level of competition and the share of foreign bidders. The level of competition in the field

¹ https://www.opengovpartnership.org/wp-content/uploads/2023/01/Bosnia-Herzegovina_Action-Plan_2022-2024_December_EN.pdf

² Data for 2022

of public procurement in Bosnia and Herzegovina is low, making the system uneconomical and inefficient and increasing the possibility of abuse and collusion among bidders.

It should be noted that open data initiatives remain largely unimplemented in Bosnia and Herzegovina, representing a missed opportunity in the ongoing battle against corruption or better utilization of public funds. Despite their potential to enhance transparency and accountability, such initiatives have yet to gain traction within the country's governance framework. The absence of open data leaves a significant gap in public access to information regarding government activities, expenditure, and decision-making processes. However, the latest updates to the public procurement portal have introduced the ability to use open data in the analysis of conducting public procurement procedures in Bosnia and Herzegovina. These new functionalities will undoubtedly contribute to the enhancement of transparency and open up opportunities for greater competition in public procurement processes.

Introduction

In recent years, the concept of open data has emerged as a powerful tool for enhancing transparency, accountability, and efficiency across various sectors, including public procurement. Open data refers to the idea that certain data should be freely available to everyone to use and republish as they wish, without restrictions from copyright, patents, or other mechanisms of control. In the realm of public procurement, which involves the purchasing of goods, services, and works by governments and other public sector entities, the utilization of open data has the potential to revolutionize the way procurement processes are conducted. By making procurement-related data openly accessible and understandable, governments can foster greater competition, reduce corruption, and ultimately achieve better value for taxpayers' money.

The project titled "Utilizing Open Data as a tool for greater Competition, Participation, and Reforms in the Public Procurements in the WB6 countries" addresses a critical component of the economic frameworks of the Western Balkans (WB6) - the public procurement system. In 2022, the total value of public procurement in all WB countries, for the first time, exceeded the threshold of 10 billion EUR and accounted for 11.6 billion EUR.¹ An alarming trend observed across these countries is the overwhelming preference for the lowest offered price in procurement decisions, which occurs in more than 90% of cases. This practice deviates from the "best value for money" principle and significantly restricts market competition and efficiency. Moreover, the regional market is almost entirely closed to foreign bidders, indicating a missed opportunity for enhancing market dynamism through external competition.

Traditionally, public procurement processes in Bosnia and Herzegovina have been shrouded in opacity, with limited access to information for stakeholders outside the immediate circle of government officials and contracted suppliers. This lack of transparency not only undermines public trust but also hinders the effectiveness of procurement activities. However, the launch of open data initiatives can transform this landscape by advocating for

¹ Comparative evaluation report on public procurement in the Western Balkans 2023, Balkantenderwatch, December 2023

the proactive release of procurement data in standardized, machine-readable formats. Such data include information about tender notices, contract awards, spending patterns, supplier performance, and more.

Leveraging the capabilities of open data is essential for transforming the landscape of public procurement, particularly in enhancing accessibility, collaboration, transparency, and participation in regional tenders. The strategic utilization and comprehensive analysis of open data are pivotal in developing innovative solutions that are crucial for boosting market engagement and enhancing competitiveness. It is fundamentally necessary to focus on elevating participation, transparency, and competitive dynamics through the introduction of mechanisms that facilitate regional market access. This is of crucial importance for the Western Balkan countries and supporting existing initiatives in creating a regional market on the path to the European Union.

Focusing on open data in public procurement across the Western Balkans, the aim is to address key issues and generate recommendations for enhancing the utilization of open data concepts and transparency. By doing so, the project "Utilizing Open Data as a tool for greater Competition, Participation, and Reforms in the Public Procurements in the WB6 countries" strives to improve competition and efficiency in the procurement process, ultimately fostering a more transparent and accountable environment. Through analysis and recommendations, it is necessary to facilitate the effective implementation of open data practices, thereby enhancing access to information, promoting fair competition, and driving overall improvement in public procurement practices across the Western Balkans, including Bosnia and Herzegovina.

Public procurement in Bosnia and Herzegovina

Bosnia and Herzegovina 2023 Report¹ has stated that "Bosnia and Herzegovina has some level of preparation in the area of public procurement. There was limited progress.... public procurement remains prone to irregularities and vulnerable to corruption. Selective and non-transparent judicial follow-up in cases of corruption in public procurement is a cause of significant concern. The country needs to ensure continued equal treatment of domestic and EU bidders in awarding public contracts in line with SAA provisions." The EU report does not refer to the obligation of introducing and using open data even once, but it emphasizes the need to introduce a comprehensive and effective system for electronic public procurement to enhance transparency and mitigate the misuse of public resources.

The regulatory framework for public procurement in Bosnia and Herzegovina (BiH) is centralized and falls under the jurisdiction of the state level. The unified public procurement system in BiH has been under construction since 2004, with the adoption of the first state Law on Public Procurement. The current law was adopted in 2014 and entered into force in November 2014. The legal framework was designed in line with the 2004 EU Directives on Public Procurement, 2007 Directives on Legal Remedies in Public Procurement and 2009 Directive on Procurement in the Defence and Security Sector. In 2018, the Public Procurement Agency (PPA) drafted amendments to the law to address several shortcomings

¹ Bosnia and Herzegovina 2023 Report, Brussels, 8.11.2023 SWD(2023) 691 final

and further align it with the EU acquis, in particular the 2014 EU Directives on Public Procurement. The law amendments were adopted in August 2022. The law is largely aligned with the EU acquis, except for few minor differences in contract award criteria, types of procurement procedures (innovation partnerships), in-house procurements, and in respect to amendments and changes to bids and changes to contracts. In addition to the Law, the regulatory framework for public procurement in BiH includes a series of sublegal acts adopted by the Council of Ministers of BiH or the Public Procurement Agency (PPA)¹. Apart from the formal alignment process with EU regulations, the public procurement system is subject to the Public Administration Reform process in BiH, addressing issues related to public procurement in the context of improving fiscal transparency and accountability. This was precisely the reason why public procurements were included in the Action Plan of the Council of Ministers of Bosnia and Herzegovina for the implementation of the Open Government Partnership Initiative for the period 2022-2024 as an obligation to be implemented. Also, it should be noted that although the Procurement Development Strategy was initially scheduled for the period 2023-2027, challenges emerged during its preparation and adoption. However, despite these obstacles, the document was ultimately adopted in April 2023 after wide consultations.

A specific problem that has been recurring for over a decade relates to the capacities of institutions in the field of public procurement. As of May 2023, the Public Procurement Agency (PPA) of Bosnia and Herzegovina employs 21 individuals out of a total of 32 positions in its organizational structure. Among these, 13 officials are specifically engaged in public procurement activities according to their job descriptions. The Procurement Review Body (PRB) has a total of 35 employees with 55 job positions systematized.

At the principle level, the Law regulates public procurement matters based on principles of nondiscrimination, transparency, equal treatment, and open competition. It can be said that the Law and sublegal acts reasonably regulate public procurement matters by establishing minimum transparency in procurement planning and contract award processes, adequate advertising, equal quality and availability of information for interested bidders, prohibition of discrimination, adequate online access, minimum criteria for evaluating bids and awarding contracts, public opening of bids, etc. Although reasonably solid, the regulatory framework also has shortcomings, primarily related to the lack of transparency in the contract implementation phase. Additionally, issues related to concessions and public-private partnerships are not regulated by this law but are governed by separate laws adopted by different administrative levels in BiH.

The EC progress report for 2023 highlights that Bosnia and Herzegovina needs to introduce a comprehensive and effective system for electronic public procurement to enhance transparency and mitigate the misuse of public resources.

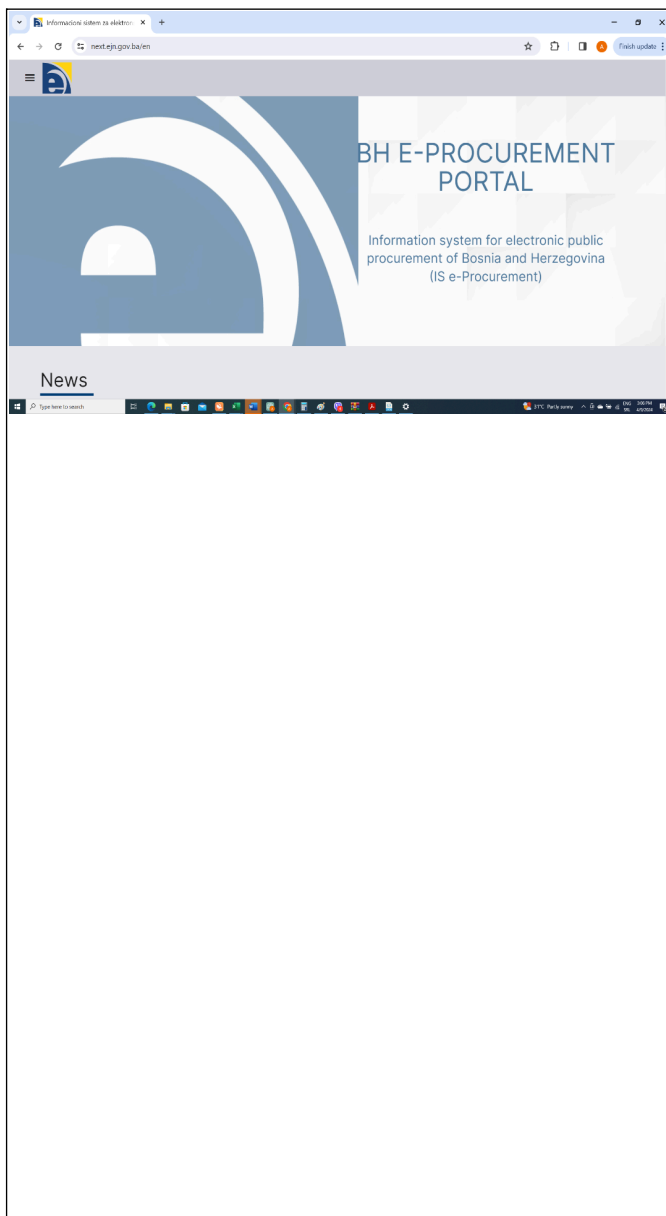
¹ The legal framework consists of the Public Procurement Law from 2014 and 20 sublegal acts. The Law has seen only one amendment in nine years, in 2022, which contributes to the stability of the system. The presence of 20 sublegal acts, however, makes the system complex.

The PPL specifies the use of electronic public procurement in multiple instances. It defines the use of the Public Procurement Portal, the possible use of dynamic purchasing systems, and electronic auctions. Contracting authorities are required by law to publish all notifications in electronic form. Subsidiary legislation mandates that all tender documentation must be available on the Public Procurement Portal, exclusively downloadable from the Portal, clarifications regarding tender documentation are conducted through the Portal, and bidders are informed of received complaints through the Portal. The electronic public procurement system "e-Procurement" was launched into production at the beginning of the implementation of the new PPL in 2014. The e-Procurement system integrated three existing systems: the register of contracting authorities and bidders, the system for submitting reports on conducted public procurement procedures, and the system for publishing notifications in public procurement procedures, which include registration, notification publication, submission, and publication of reports in public procurement procedures.

The Public Procurement Agency worked on upgrading the information system with modules for electronic submission of bids by bidders, electronic bid opening, electronic bid evaluation, and electronic generation and publication of procurement procedure completion decisions. However, due to technical and legal issues related to electronic signatures, no subsidiary regulation was issued to enable the deployment of the aforementioned modules into production, and as a result, they have not been launched into production. Additionally, there is no capability for electronic verification of personal qualifications (e-Dossier module) from other institutional databases (e.g., data on paid direct and indirect taxes, absence of a final conviction for a criminal offense, etc.). An analysis has already shown that most authorities have some form of electronic records, which is the first prerequisite for interoperability. However, there is a lack of computerization of all registers used in public procurement. Currently, the IT group within PPA, consisting of four officials, is responsible for the computerization of public procurement procedures and the development of tools. The recent implementation of an improved public interface in the e-Procurement system signifies a notable progression in enhancing accessibility to public procurement data in Bosnia and Herzegovina.

Bosnia and Herzegovina's obligation under the Action Plan of the Council of Ministers of Bosnia and Herzegovina for the implementation of the "Partnership for Open Government" initiative for the period 2022-2024 envisaged the implementation of the measure "Open Data on Public Procurement in BiH." According to this measure, it was envisaged that publicly available data on public procurement in Bosnia and Herzegovina, collected through the national portal for public procurement (www.ejn.gov.ba), would be made available in additional formats, not just in a read-only format. On December 29, 2023, the Public Procurement Agency of Bosnia and Herzegovina established a new and enhanced public section of the e-Procurement system, enabling the disclosure of public procurement data (OData standard), which are published on the public part of the e-Procurement system. However, the provided data, which are public, contain only a part of the envisaged data that the PPA was obliged to publish, including:

1. Data from the register of contracting authorities;
2. Data from the register of suppliers (domestic and foreign);
3. Data on published notices;
4. Data on awards (Chapters I and V);
5. Data on awards from annual notices (Annex II Part B, Framework Agreements);
6. Data on exceptions to the application of the Public Procurement Law;
7. Data on auctions.



An analysis of the new features introduced in the updated e-Procurement system reveals several noteworthy enhancements. Foremost among these is the introduction of a user-friendly graphical user interface (GUI) for the public-facing section, aimed at improving user experience and facilitating intuitive navigation. Additionally, the implementation of advanced search functionalities and streamlined data retrieval processes signifies a concerted effort to empower users with comprehensive access to procurement data.

Furthermore, the utilization of cutting-edge technologies, including Microsoft .NET 7 and Google Angular 17, underscores a commitment to leveraging the latest tools for web application development. By harnessing the capabilities of these platforms, the e-Procurement system can deliver optimal performance, security, and responsiveness, thereby enhancing the overall user experience.

The further development of the E-procurement system is defined by the Public Procurement Development Strategy 2024 – 2028 itself. This is outlined through several planned measures within the strategic goal related to further digitalization and the introduction of modern tools:

- Development of a module for electronic submission and opening of bids.
- Development of a module for electronic evaluation of bids, generation, and publication of decisions.
- Development of a module for DSK and e-Catalog.
- Development of a module for electronic creation of tender documentation.
- Creation of an e-Dossier module.
- Development of a module for investigative bodies.
- Database for certificates of proper contract execution.
- Creation of a module for contract publication.
- Ensuring complete and accurate data about SMEs in public procurement procedures with an upgrade of the Public Procurement Portal.

Open data in Bosnia and Herzegovina

Recent report on the state of open data¹ indicate that all Western Balkan countries, except Bosnia and Herzegovina, have adopted an open data policy along with an action plan to promote the publication and use of open data. The same report has noted that all WB countries, with the exception of Bosnia and Herzegovina, state that public bodies in their country have launched, or are already performing, activities to map which and how datasets are reused.

In Bosnia and Herzegovina (BiH), the landscape of open data governance is as complex and layered as its administrative structure. The country is segmented into various levels of government, including the state level, two entities (the Federation of Bosnia and Herzegovina and Republika Srpska), and the Brčko District, each with its own governmental and administrative apparatus. This multi-tiered structure inherently complicates the centralization of responsibility for open data initiatives, leading to a distributed approach where numerous agencies within these levels may share pieces of the open data puzzle.

Bosnia and Herzegovina has not established a single national body solely tasked with overseeing open data initiatives throughout the country. Instead, several key agencies and government bodies are instrumental in the promotion, development, and implementation of open data policies and practices. Among these, the Public Administration Reform Coordinator's Office (PARCO) stands out for its efforts in spearheading various reform initiatives aimed at enhancing the efficiency and transparency of public administration. Its role potentially encompasses coordinating efforts related to open data across different governmental tiers.

¹ Open data maturity report 2022, Directorate-General for Communications Networks, Content and Technology, December 2022

Moreover, the Agency for Statistics of Bosnia and Herzegovina (BHAS), along with its counterparts at the entity level, plays a pivotal role in the collection, processing, and dissemination of statistical data. This function is crucial, as it lays the foundation for a significant portion of the data that could be made openly available to the public. Similarly, the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption (APIK) emphasizes the importance of open data in promoting transparency and combating corruption, especially regarding data related to anti-corruption efforts. Ministries of Communications and Transport at both the state and entity levels are vital for providing the necessary digital infrastructure to host and distribute open data. Their responsibilities may extend to ensuring that the technological backbone of the country is capable of supporting the dissemination of open data. Likewise, various IT and e-Government agencies responsible for IT infrastructure, e-government services, and digital transformation efforts play a significant role in the technical implementation and management of open data platforms.

Despite the presence of varied institutions playing roles in the advancement of open data, a significant challenge persists in the practical application of these initiatives. The open data readiness survey¹ in BiH has highlighted several issues, such as a very early stage of readiness to implement open data initiatives, lack of prioritization of open data at a high level, limited awareness and understanding of the benefits of open data, unavailability of IT staff, and lack of systematic record-keeping and basic information management practices across all institutions.

The survey also revealed that while there was strategic level readiness indicated by the adoption of the Information Security Management Policy for 2017-2022, the familiarity of civil servants with this policy and its actual implementation was not at a satisfactory level. Additionally, the absence of specific documents on data management and protection, combined with the challenges of interoperability highlighted by the BiH Interoperability Framework adopted in 2018, underscores the hurdles in establishing a cohesive and effective open data management framework.

This situation underscores the need for a more concerted effort to address these challenges. Enhancing the capacity of relevant institutions, improving coordination among different levels of government, and developing comprehensive strategies and policies focused on advancing the open data ecosystem in BiH are essential steps. Only through such coordinated efforts can Bosnia and Herzegovina hope to overcome the existing barriers to effective open data governance and harness the full potential of open data for transparency, efficiency, and public engagement.

Without transparent access to data, citizens and civil society organizations lack the tools needed to effectively scrutinize government actions and hold public officials accountable. This lack of accountability contributes to an environment where corrupt practices can flourish unchecked.

¹ Open Data Readiness Assessment in Bosnia and Herzegovina, Strengthening of Public Institutions (SPI) in BiH programme, Study prepared by GIZ, 2020

Moreover, the failure to implement open data initiatives hinders the detection of irregularities and patterns of corruption within public institutions. Civil society remains disempowered, unable to conduct independent investigations or advocate for meaningful policy reforms. Citizen participation in governance processes is limited by the lack of accessible information and interactive platforms. In Bosnia and Herzegovina, the urgent need for the adoption and implementation of open data initiatives cannot be overstated. Such measures are essential in promoting transparency, accountability, and citizen engagement, thereby strengthening democratic governance and combating corruption within public institutions.

Positive advancements regarding open data and public procurement

Bosnia and Herzegovina still has no national open data policy in place. This is main conclusion that was part of the EU Progress report in 2023.¹ However, recent development² regarding the establishment of a new and enhanced public-facing section within the e-Procurement system marks a significant advancement in the realm of public procurement data accessibility in Bosnia and Herzegovina. This initiative, spearheaded by the Public Procurement Agency in collaboration with the designated development team, reflects a proactive approach towards modernizing procurement practices and fostering greater transparency within the sector.

The integration of open data principles into the e-Procurement system signifies a pivotal shift towards aligning Bosnia and Herzegovina's procurement framework with global best practices. By adopting internationally recognized standards, such as the OData standard, the country demonstrates a commitment to enhancing data interoperability and facilitating ease of access for stakeholders.

Of particular significance is the introduction of open data services, which enable real-time access to procurement data as it becomes available. Leveraging Microsoft technologies, the implementation of open data services represents a pioneering effort in Bosnia and Herzegovina's procurement landscape, facilitating seamless data exchange and promoting transparency. Looking ahead, the transition to the new public-facing section of the e-Procurement system is poised to usher in a new era of efficiency and accountability in public procurement. As the Public Procurement Agency prepares for the full rollout of the updated system, stakeholders are encouraged to familiarize themselves with the new features and functionalities in anticipation of its official launch.

Open Data is being implemented on the e-Portal in Bosnia and Herzegovina and it makes data accessible to the general public for use and further processing. This pioneering implementation allows for real-time data retrieval as soon as it is published, with data delivered in a streaming format. Real-time data transmission occurs from the central system to the new public portal via a "Webhook" mechanism. It's important to note that only new or modified data are transmitted at the time of entry to ensure optimal transfer without burdening the central system. Monitoring and redundancy mechanisms have been

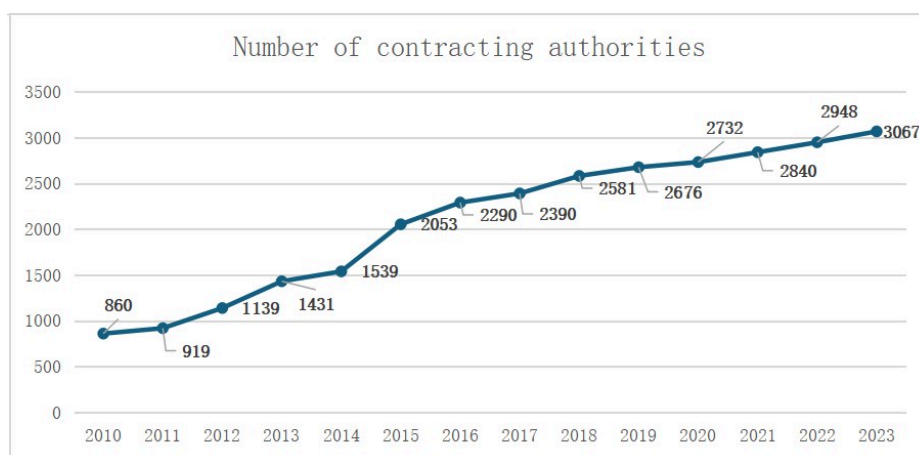
¹ Bosnia and Herzegovina 2023 Report, Brussels, 8.11.2023 SWD(2023) 691 final (page 98)

² December 2023

put in place, allowing for the repetition of data transmissions as needed. Additionally, RESTful services based on the Open API specification and Microsoft OData libraries have been utilized for implementation. Automatic documentation, generated and updated using the Swagger library, is readily available on the new public portal. Open Data services on the e-Portal return data in various formats, including application/atom+xml, application/json, application/xml, text/plain, and text/xml.

The establishment of the new public-facing section within the e-Procurement system represents a significant milestone in Bosnia and Herzegovina's journey towards modernizing its procurement infrastructure. By embracing open data principles and leveraging advanced technologies, the country is poised to enhance transparency, promote accountability, and foster greater trust in the public procurement process.

As of March 31, 2024, out of the total number of contracting authorities in Bosnia and Herzegovina obligated to apply the Law on Public Procurement, 3,067 contracting authorities are registered for reporting in public procurement procedures in the "E-procurement" information system. A graphical overview of the total number of registered contracting authorities for the period 2010-2023 reveals a noticeable trend of growth in the number of contracting authorities. This suggests that the majority of contracting authorities are already registered, although new registrations are still being received. These may include newly established or smaller contracting authorities that have not previously conducted procedures, with their procedures being conducted by their founders or the relevant ministry.



In public procurement, there are over 21,000 registered economic operators on the E-procurement portal, as well as over 41,000 unregistered ones, primarily engaging in direct agreements.

In 2023, the total number of contracts awarded in the procurement system amounted to 171,081. The analysis of procurement methods within the current framework indicates a predominant use of direct agreements, accounting for 77.01% of total procedures. In contrast, open procedures represent 15.19%, and competitive requests are at 7.03%. The data suggest a notable discrepancy in the adoption of competitive procurement practices.

	Number	Percentage
Direct agreements	131743	77.01%
Open procedure	25991	15.19%
Restricted procedure	70	0.04%
Competitive request	12022	7.03%
Competitive dialogue	1	0.00%
Negotiated procedure without procurement notice	1123	0.66%
Negotiated procedure with procurement notice	131	0.08%
Total	171081	100.00%

Implementing an open data approach could play a critical role in improving competitiveness, even in the context of direct agreements. Open data can provide insights into pricing and supplier performance, allowing for better benchmarking of direct agreements. Competitors can use this information to offer more competitive rates, and procurers can ensure they're receiving fair market value. Also, making data on direct agreements available enhances public trust in procurement processes by demonstrating accountability. It also allows citizens and watchdog organizations to engage in monitoring and reporting, which can pressure institutions to pursue more competitive practices.

Key findings and recommendations

The policy brief synthesizes the current state and projected reforms in Bosnia and Herzegovina's public procurement system, emphasizing the imperative of integrating open data into its practices. While Bosnia and Herzegovina's membership in the Open Government Partnership since 2014 underlines its commitment to transparency and anti-corruption, actual progress, particularly in public procurement, has been moderate. The recent implementation of open data accessibility via the national procurement portal (www.ejn.gov.ba) marks a significant advancement, albeit with room for improvement in data utilization for in-depth analysis.

Key Findings:

- Bosnia and Herzegovina's public procurement is a significant economic activity, with an annual value exceeding 2.25 billion Euros. This underscores the need for efficient and transparent procurement processes.
- The procurement system is witnessing a positive trend with a decrease in the use of negotiated procedures without prior publication of a contract notice and an increase in registered contracting authorities.
- Despite these positive trends, the system is marred by a decrease in the average number

of bids and the share of foreign bidders, indicating low competition levels.

- Direct agreements dominate the procurement methods, accounting for 77.01% of procedures, which might lead to non-competitive practices.
- The average number of bids per tender is low, with open procedures, despite being the most transparent method, contributing to only 15.19% of the total procurement value.
- The introduction of open data into the analysis of public procurement is still in its infancy, as a new interface on the E-procurement portal has recently been created.
- In the domain of public procurement, there's a need for additional initiatives to effectively leverage open data, necessitating expertise, understanding, and IT infrastructure.

Recommendations:

- **Strengthening Open Data Practices:** To leverage the full potential of open data, it is recommended that more comprehensive and detailed data be made available. This should not be limited to just the existing formats but should also include all machine-readable and analyzable formats that facilitate third-party analysis.
- **Improving Competition:** Enhancing competition within the public procurement system can be achieved by reducing reliance on direct agreements in favor of open procedures. This would involve the systematic publication of tender opportunities to a broader market.
- **Capacity Building:** There is an evident need for training and capacity building among representatives of contracting authorities and economic operators, particularly regarding the utilization and benefits of open data. Additionally, ensuring sufficient IT support and resources is crucial for the sustained development and management of open data systems.
- **Awareness raising campaigns -** Raising awareness among stakeholders encourages fair competition by advocating for open data access. This transparency empowers businesses to compete on an equal footing, driving innovation and efficiency in procurement. Civil society and media involvement reinforces the importance of transparency, fostering healthy competition and discouraging monopolistic behavior.
- **Encouraging International Participation:** Policies should be crafted to attract more foreign bidders, thereby ensuring a wider pool of applicants and fostering a more competitive procurement environment.
- **Monitoring and Evaluation:** Implementing a robust monitoring and evaluation framework to continually assess the efficacy of the public procurement system, ensuring transparency and accountability.