

U4 Expert Answer



The benefits of open contracting

Query

Please provide an overview of the benefits of open contracting (e.g. financial, reduced corruption, increased service delivery, etc.), highlighting the evidence base and research gaps in this area? Could you also provide an overview of open contracting current approaches and lessons learnt with a special focus on our three priority sectors (extractive industry, infrastructure and forestry) including gaps and shortcomings?

Purpose

To serve as input to planning for an international practitioners' meeting dealing with transparency issues related to contracts and their monitoring in extractives, forestry, as well as construction.

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Summary

The concept of open contracting is emerging as a strategy to increase contract transparency and monitoring, with major expected benefits in terms of quality of governance, better value for money, reduced corruption, increased service delivery and better development outcomes.

Global norms and standards are starting to emerge in this area, with Freedoms of Information Laws providing

the legal basis for contract transparency. The level and extent of disclosure greatly varies across countries, however. Implementation of Freedom of Information laws is also lagging in most countries, and there are still uncertainties in terms of what information should be disclosed to whom, and how, and more generally, about the appropriate level of transparency to balance the costs of transparency.

Emerging good practice in this area involves mandated or non-mandated pro-active disclosure of contract information in user-friendly formats, from the awarding process to the monitoring and evaluation of contract implementation, with open access to the public, ideally through online platforms.

However, more consultation with key stakeholders is needed to ensure maximum levels of transparency while making sure that information is not disclosed in a way that can harm the competitive positions of the companies or divulge other confidential information.

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U4 is a web-based resource centre for development practitioners who wish to effectively address corruption challenges in their work. Expert Answers are produced by the U4 Helpdesk – operated by Transparency International – as quick responses to operational and policy questions from U4 Partner Agency staff.

1 The benefits of open contracting

Governments rely on contractual arrangements to provide public goods and achieve development goals. Although contracting is commonly associated with public procurement for purchasing goods and services, the concept also covers other forms of contractual arrangements such as concession arrangements, which are typically used for the management of natural resources, or public-private partnerships which consist of long term cooperative institutional arrangements between public and private actors to provide public services/manage large infrastructure projects for the provision of public services (Khanon, N., 2010). Such contractual arrangements face similar challenges of governance and transparency at all stages of the contract management process, from the awarding process to the negotiation of the terms of the contract and the monitoring and evaluation of contract implementation.

This means that citizens frequently fail to get full value for these deals, due to lack of knowledge, capacity and technical expertise, poor access to information or corrupt individuals operating in their own rather than in the public interest within weak public and institutional environments (Chêne, 2008). Against this backdrop, contract transparency is expected to result in better value for money, reduced corruption, increased service delivery and better development outcomes through its impact on the quality of governance. But while this is an emerging area, there are still relatively few studies specifically focussing on the impact of contract transparency on reducing corruption.

What is open contracting?

Open contracting broadly refers to the **publication of government contracts** from the awarding process to the monitoring and evaluation of contract implementation. Yet, while it is increasingly being used by a wide range of stakeholders, there is no common definition of the concept of open contracting and of the nature and extent of disclosure requirements this may entail, including which contract and project information should be disclosed to whom and how as well as the validation/verification process of released information.

According to an unpublished WBI review of disclosure approaches in seven countries (the UK, South Africa, Chile, Peru and India, Australia and Brazil), the extent of disclosed information greatly varies across countries

(WBI, 2012). While some countries disclose information reactively when requested by the public, some countries such as Chile and Peru have taken critical steps towards full proactive disclosure of contract information with regular publication of contract and implementation details.

Within the framework of this query, open contracting refers to pro-active disclosure of contract information with open access to the public free-of-charge.

Benefits of open contracting

Public interest in accessing contracting data

There is a clear public interest in publishing contract information, as such information relates to the use of taxpayers' money and how it is being allocated and distributed. The distorting effect of lack of transparency and corruption in contracting processes occurs to the detriment of the tax payer who ends up paying more for less (Evenett, S., 2003).

Contracts specify what is to be delivered when, how, by whom and at which price and, as such, contain critical information that can be compared to the original bidding documents, implementation data and final outputs, allowing third parties to monitor the contracting process for maximisation of resource use (Kenny, C., 2010). Greater transparency in contracts should increase accountability by enabling taxpayer control over use of public resources.

Economic benefits

There is anecdotal and micro-evidence of the economic benefits of procurement transparency and oversight mechanisms on corruption, but overall, research on this topic remains relatively scant.

Opaque bidding processes tend to discourage bidders from participating in tender processes, leaving government dependant on bids from a small group of firms, with higher contract prices, lower quality of goods and services and common delays and cost overruns (Evenett, S., 2003)

In contrast, improved transparency tends to divert government expenditure away from goods that could involve bribery, while increasing the number of suppliers involved in the bidding process (Evenett, Si. J. & Hoekman, B. M., 2004). As a result, open contracting can lead to **more efficient allocation of resources** for

governments who can purchase goods and services of better quality and at lower prices through increased competition and higher quality procurement. For example, the Guatemala Ministry of Health reports saving 43% in purchasing medicines through more transparent procurement procedures while the Columbian Ministry of Defence generated 47% in the procurement of military goods (OECD, 2003).

For companies, transparent contracting **lowers investment risks** and reduces costs of accessing relevant information, allowing them to make an informed decision on whether to bid or not. In building companies' confidence in participating in procurement processes and yielding stronger competition, transparent procurement also help enhance the **efficiency of suppliers**, foster more innovative approaches to production and promote wider access to more dynamic local markets (OECD, 2003).

Some further research suggests that greater domestic competition on procurement markets and greater transparency is likely to improve **economic welfare** (Evenett, Si. J. & Hoekman, B. M., 2004).

Linkages between contract transparency and corruption

However, evidence from Japan indicates that improved transparency reduced procurement costs by (only) a maximum of 3% and that the existence of corruption and market collusion is likely to weaken the effect transparent practices may have on government expenditures (Ohashi, H., 2006). Yet, there is a broad consensus that stringent disclosure requirements are potentially a powerful remedy to governance and corruption issues (Kaufmann, D., 2005).

In theory, transparency can make corruption more difficult in procurement processes, as knowledge of the needs of the purchaser fosters participation and raises accountability for the procurer. A cross-country analysis tends to confirm this hypothesis and finds an inverse relationship between the level of transparency in public procurement (as calculated by the share of tender advertised publicly) and perceived levels of corruption in a country, as measured by Transparency International's Corruption Perceptions Index¹ (Coppier

and Piga, 2007). However, the study also nuances these findings by arguing that, as transparency is costly to implement, this may not be enough to bring corruption levels to those of inherently less corrupt societies.

While the benefit of transparency on procurement has been established by various studies, especially in terms of cost savings, its specific impact on corruption is less clearly established. In the procurement of medical supplies for example, making price information widely available has been used with encouraging results in an anti-corruption crackdown in Argentina. (Savedoff, W.D., 2008). In 1996, the City of Buenos Aires started collecting information about prices paid for a wide range of medical supplies across its network of 33 hospitals. This allowed hospital procurement officers to compare the prices they paid for medical supplies with other hospitals and revealed wide dispersion of price paid for similar products across the city's hospitals. Both the dispersion of prices and the average prices paid decreased dramatically in the first months of the experiment, suggesting that price information dissemination has an impact on containing procurement costs and could presumably play a role in discouraging public officials from indulging in corrupt practices.

A recent systematic review of micro-level anti-corruption strategies implemented in developing countries also reports the findings of a study investigating the effect of two types of open procurement auctions on corruption (Hanna & al, 2011). Examining the change in corruption associated with a policy shift from closed/restricted to open procurement auctions for related government contracts, the study found that open best-price auctions had the greatest impact on reducing corruption, even though restricted auctions appeared to choose more efficient firms. Open best-value auctions were found to be more transparent than restricted auctions but had overall a limited impact on corruption, which actually increased when officials had some discretion and could select solicited vendors.

Improved service delivery

There is considerable evidence that transparency and oversight can reduce the development impact of corruption (Kenny, C., 2010). However, there is little research specifically looking at the relationship between transparency *in contracting process* and the quality and quantity of public services. Research in this area tends to focus more broadly on the effect of corruption or transparency on the quality and quantity of public services.

¹ However, the reverse may not hold true as least corrupt countries tend to choose a less transparent way of handling their tenders.

For example, data from World Bank financed road contracts in 28 countries suggests that countries that perform above average in voice and accountability pay \$30 per square meter for the rehabilitation of a two lane highway, compared to \$37 in countries with low voice and accountability. Similarly, average cost overrun in World Bank road financed projects in 24 countries amount 46% in countries performing below world average in terms of voice and accountability compared to only 18% in countries with above average voice and accountability (Kenny, C., 2011).

Based on this evidence, one could reasonably assume that a proportion of these extra-costs could be attributed to corrupt practices, but more targeted research would be needed to validate this assumption.

Limits and costs of transparency

Transparency alone is not enough

Transparency refers to information disclosure and access to information as a prerequisite for public accountability. But transparency alone is not enough without concrete mechanisms to effectively hold the state accountable.

There is micro-evidence that direct community oversight can play an important role in this regard, as local stakeholders can directly and easily spot problems and contract implementation failures (Kenny, C., 2010). However, this involves empowering citizens to use the information and monitor all stages of the contracting process from the awarding to the monitoring and evaluation of contract implementation through making information publicly accessible in user-friendly formats and through building the capacity of civil society to use the information.

While promising, transparency and oversight alone cannot be considered as silver bullets against corruption in contracting processes. The impact of citizen monitoring approaches is conditioned by a few factors that should be taken into account (Hanna R. & al, 2011). In particular, community-level oversight and more broadly monitoring interventions can only be effective when they are combined with adequate sanctions ensuring that corrupt officials face punishment for being corrupt and have sufficient incentives to refrain from corruption. In addition, there also need to be an enabling environment for such approaches, as their effectiveness may be limited in countries where illiteracy is high, where access to

information is limited and where the press is controlled (Kenny, C., 2010).

The costs of transparency

Further potential challenges to open contracting relates to the cost of transparency, both in terms of the operational costs of making the information available and of the potential competitive harm of disclosing "commercially sensitive" information for private companies involved in bidding process. In some sectors such as the extractive sector, confidentiality clauses attached to such contracts sometimes even commit stakeholders to stringent provisions of non-disclosure, based on the perception that transparency and publication of contracts would weaken companies' commercial advantages or the government's position in future negotiations (Chêne, 2008).

A 2007 paper argues that the direct costs of disclosing information on contract terms and performance evaluation appear to be rather small in general (Lossa and al, 2007). According to this analysis, disclosure costs in terms of potential competitive harm for the private-sector party should be rather small when disclosure regards contractual and output-related performance measures, but much larger when disclosure refers to investment choices and other input-related variables that may convey sensitive information about production processes and strategic choices. However, other authors argue that it is difficult to see the public interest in restricting information beyond those involving patentable (but unpatented) technology (Kenny, C., 2011).

The above mentioned study mentions further potential cost of disclosure for information sensitive to the public interest, when it relates for example to national defence or when it could potentially weaken the bargaining position of the public sector in future procurements.

2 Current approaches and tools in open contracting

Current approaches

Country practices

According to WBI (2012) most contract information can be released either pro-actively or upon request. However, in practice, The World Bank found that the extent of disclosure greatly varies across the seven countries reviewed:

- *Disclosure of financial information:* Almost all countries disclose useful financial information related to the project company (shareholding structure, shareholders, equity proportion, etc.);
- *Disclosure of payments under PPP projects:* disclosure on payments to private providers greatly varies across countries;
- *Guidance:* Some countries have detailed guidance on redactions while others have more predictable clauses in their access to information laws;
- *Validation of proactive disclosures:* There is little attention given to ensuring the accuracy of proactive disclosures. Only one country had a legislatively mandated independent system of certification of information through audit and disclosure to parliament prior to proactive disclosure; and
- *Information on performance:* The level of information on performance in report and project databases is usually basic, not easily accessible with little or irregular disclosure of data on performance. Audit reports are disclosed in a few countries.

Towards good practices in open contracting

Generally, contract transparency is gaining momentum through a number of multilateral initiatives such as the Construction Sector Transparency Initiative (COST) and the Extractive Industry Transparency Initiative (EITI) (see below), which aim at promoting transparency and accountability at country or sector levels. As a multi-stakeholder coalition of governments, civil society and private sector actors working to advance open government around the world, the recently launched Open Government Partnership (OGP) could also support transparency efforts in various areas of government activities, including contracting. It aims at securing concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. 51 governments to date have endorsed the initiative. The Global Initiative on Fiscal Transparency (GIFT) launched by the Open Budget Partnership in 2011 as a multi-stakeholder

initiative to ensure that public money is used efficiently, effectively, and equitably also illustrates the global trend towards more transparency.

To support this initiative, the Transparency and Accountability Initiative (TAI) has developed a guide to best practice in transparency, accountability and civic engagement across the public sector (Transparency and Accountability Initiative, 2011). Generally, best practices for open government data would include: 1) a commitment by governments to provide proactive disclosure of existing digital data on the web as an initial step; 2) making available all government data other than exempt information in a form that ensures ease of use and re-use; and 3) translating the publishing of open government data into better data via input from the public.

Within this framework, applying these broad principles more specifically to procurement and contracting processes would involve (TAI, 2011):

- Full implementation into domestic law and regulation of procurement transparency, access to information, asset disclosure and conflict of interest provisions based on the UNCAC, APEC Procurement Transparency Standards and other multilateral accords as an initial step;
- Creation of a single, countrywide, public, online database providing information about government procurement, including notice of planned procurement, procurement method, value of procurement, contracts awarded, names of contractors (and subcontractors for major contracts), number of procurement challenges, appeals and decisions on procurement challenges and debarred contractors; and
- Participation of civil society in monitoring government procurement.

The above mentioned WBI (2012) review also points to emerging good practices in pro-active disclosure of contract information (which are still open to debate and discussion with regard to their status as “best” practices). As an underlying principle, a good approach to disclosure should ensure that the public is fully informed about the range of services included in the contract, the performance levels agreed upon and the performance levels achieved and the use of

government grants, guarantees and other financial support. However, the competitive position of the company delivering services should also be sufficiently protected. According to the review and based on these principles, good disclosure practice could include:

- Placing contracts in the public domain with limited redaction on commercially sensitive information, including updated contracts with changes made after the contract was originally signed;
- Release of detailed summaries of projects and the contracts underlying them;
- Information on studies that provide the rationale for the project and its adoption;
- Reporting on the performance of projects under implementation; and
- A process by which information is authenticated/validated.

More consultation may be needed to determine more specifically possible areas of disclosure and level of details to ensure both maximum transparency and ensure at the same time that information is not disclosed in a manner that can harm the competitive positions of the companies or divulge other confidential information.

Tools

Freedom of Information Laws

Freedom of Information (FOI) laws theoretically allow citizens to access contract information and provide a legal basis for disclosure. Some countries, like New South Wales in Australia, have separate provisions requiring proactive disclosure of summaries of contracts and full documents for contracts beyond a certain value (WBI, 2012). In Victoria, exceptions are made for information in contracts which would unreasonably disadvantage the contractor or which are against the public interest. Other FOIs such as in India or South Africa do not specifically deal with contract information or specify which information should be proactively disclosed. Presumption is for disclosure of all information other than exempt information.

However, in practice, in many countries, FOI requests are time-consuming and not always free of charge. In other countries, such laws are either non-existent or weakly enforced and implemented.

While FOIs allows reactive access to contract information, a better model would be to proactively publish such information (Kenny, C., 2010). In addition to demonstrating government's commitment on transparency issues, it could potentially reduce the backlog of FOI requests, enable immediate access at any time, reduces the cost of accessing information for the public and potentially for the government to provide information (WBI, 2012).

For more information of FOIs and their effectiveness, the Transparency and Accountability Initiative has compiled a report reviewing the state of evidence of such approaches (Calland, R., 2010).

E-procurement

Some countries such as Chile, Mexico and the Republic of Korea have already taken steps towards full and proactive disclosure of contract information through their e-procurement platforms (Ware, G. & al, 2007). E-procurement generally refers to the procurement of goods, works and services through internet-based IT solutions with the view to promote integrity, transparency and accountability and strengthen competition in procurement processes. There are also potential gains in terms of simplicity, speed, promoting equal opportunities, minimising error and reducing the overall cost of information.

For example, Indonesia routinely publishes considerable information for some projects, including (Kenny, C., 2011):

- Contract price, start and finish dates and contractors' name and addresses;
- Contracts and contract variations;
- Reports on project performance;
- Audit reports;
- Fund disbursements; and
- Invoice and invoicing information.

Colombia has also taken steps to promote contracting transparency. Colombia's e-procurement website provides online access to a wide range of project documents, including (Kenny, C., 2010):

- Draft terms of reference;
- Definitive Terms of reference;
- Clarifications during the selection process;
- Act from the awarding meeting;
- Contract;
- Contract extensions and other modifications; and
- Evaluation report.

This approach seems to yield positive outcomes: by 2008, there were close to 100,000 transactions recorded and an average of 450,000 visitors per month.

Civil society monitoring of contracting processes

Transparency International's experience with **integrity pacts** illustrate the potential benefits of transparency and civil society's oversight of contracting processes. Integrity pacts consist of a formal agreement between a government and all bidders for a public sector contract that neither the government nor the contractor shall pay, offer, demand, accept a bribe or collude with competitors to obtain the contract. Bidders are also required to disclose all commissions paid to anybody in connection with the contract. This approach supposes promoting maximum *transparency* at every phase of the contracting process leading to the award of the contract and the project's implementation. Public hearings and the internet have been used to provide public access to all the relevant information including: needs assessment, design, bidding documents, pre-qualification of contractors, bidding procedures, bid evaluation reports, contract terms and conditions, contract implementation and supervision reports.

Such an approach was adopted in the Greater Karachi Water Supply Scheme in Pakistan, with the implementation of an integrity pact. The agreement led to intensified competition and the awarding of contracts at an average of 16% below the estimated costs to the public. (O'Leary, D., 2006).

Another example of civil society's potential role in monitoring procurement processes is the Open Procurement Portal maintained by Transparency International's chapter in Slovakia. This online platform discloses information on public procurement procedures since 2005, gathering data on more than 30,000 contracts worth more than 22 billion euros. The website provides detailed and aggregated information in user-friendly formats, sorted according to procurers, suppliers, sectors and regions. The objective of this initiative is to provide information to analyse the competitiveness of public procurement or identify elements of market concentration. The website is called "Open Public Procurement". Please see: <http://tender.sme.sk/sk/report/all?cut=date:2012,03>

3 Sector specific examples

The extractive sector

Traditionally a very opaque sector, companies and governments are facing growing pressures by civil society or multi-stakeholder initiatives such as the Extractive Industries Transparency Initiative to become more transparent and participatory in the management of natural resources. The 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act also promotes revenue transparency in the extractive industries by requiring public disclosure of payments made to the U.S. and foreign governments relating to the commercial development of oil, natural gas, and minerals.

There is a wide consensus that the publication of contracts is considered best practices in the extractive industry sector.

For example, the IMF has a robust policy on contract transparency. The IMF's Guide to Resource Revenue Transparency has, since 2005, recommended that oil, gas and mineral producing countries disclose their contracts (i.e., PSAs, Mining Conventions, bids, and license agreements) as a part of sound fiscal policy (Rosenblum, P. and Maple, S., 2009).

On its side, the IFC has a more limited approach, requiring the transparency of major contract terms, though not disclosure of full contracts. In addition, this policy only applies to "significant" and "new" projects, which is a major gap.

Revenue Watch Institute (RWI) also considers contract transparency to be essential to promote the

responsible management of natural resources for growth and economic development (Rosenblum, P. and Maple, S., 2009). Contract transparency allows governments to negotiate better deals, resulting in more stable and durable contracts, as the information asymmetry between governments and companies closes and government officials have stronger incentives to negotiate "good" deals. The organisation therefore calls governments and companies to publish all essential information for monitoring mining projects, including concession agreements, including contracts, permits or licenses, laws and regulations, project-specific assessments and reports, including environmental impact assessments (EIAs), work programs, social impact assessments and local development plans as well as on-going data on implementation and monitoring, including production figures, tax and royalty payments, and inspection reports (Smith, E., and Rosenblum P., 2011).

In terms of what information can/should be disclosed, a 2009 Revenue Watch Institute report argues that the arguments used to justify contract secrecy (e.g. trade secrets or commercially sensitive information) are largely overstated (Rosenblum, P. and Maple, S., 2009). The report quotes Denmark's Model License of 2005 for Exploration & Production of Hydrocarbons, which states:

[Information can be disclosed if] no legitimate interest of the Licensee requires the information to be kept confidential; essential public interests outweigh Licensee's interest in maintaining confidentiality; information of a general nature is furnished in connection with issuance of public statements [...]"

The above mentioned **TAI guide** of good practice also recommends as an initial step to establish openness in granting access to natural resources and the fiscal returns for the state. More specifically with regards to contract transparency, the guide recommends to make public the terms of each concession, disclosing the fullest information possible relating to: 1) the granting of each concession; 2) contracts and other agreements signed with extractive companies, including the identity of beneficial owners; and 3) regular and timely publication of reports on oversight and implementation of contracts (TAI, 2011).

The **Extractive Industries Source** also provides guidance on good practices in contract transparency:

http://www.eisourcebook.org/625_4TransparencyandAccountability.html.²

In spite of a major move towards contract transparency, implementation is largely lagging. According to a 2008 joint Global Witness/Bank Information Center Report, *"The disclosure of contracts is not addressed by nearly 80% of IMF operations and 90% of World Bank operations in resource-rich countries. The IMF does not make contract disclosure a program benchmark or progress indicator in 12% of countries with IMF lending programs. The Bank never designates it as a program benchmark, and only one IFC EI project investment has required contract disclosure since June 2003."*

The forestry sector

Similar transparency requirements should be applied to the forestry sector. As for the extractive industry sector, the TAI best practice guide on open government recommends as an initial step that government *"embraces transparency and participation through access to information and decision-making; by developing and implementing systems for information management and dissemination"*. This includes making concession contracts publicly available, possibly as an add-on function of EITI (TAI, 2011).

According to the UN's Food and Agriculture Organization (FAO), the lack of transparency in the forestry sector primarily affects the awarding and monitoring of concession contracts, decisions on procurement contracts, staff responsibilities and calculation and collection of fines for illegal activities. Consequently, contracting transparency is a key area to improve through policy reforms targeting the granting and monitoring of concessions and subsidies (FAO, 2005). Best practice in this regard includes ensuring full and mandatory disclosure of documents of public interest concerning the forest sector and making public, among other, the following information:

- All forest-related legislation;
- A forest inventory;

² The **Extractive Industries Source Book** is a interactive resource resulting from a partnership between the World Bank Group, a global consortium of universities led by the University of Dundee, and non-governmental organizations.

- Concession and investment agreements, showing the social and environmental responsibilities of the title holders, and including the explicit right of forest control agents and independent forest monitors to inspect the forest/sawmill at any time;
- Details of ownership of concession holders, permits for cutting, transportation licences, collection, export of forest products etc.;
- A registry of business interests and familial links to the logging industry for all government officials; and
- Lists of companies that have been found to operate illegally, including an explicit ban on participating in subsequent auctions or concession allocation processes.
- Project specification, purpose, location, intended beneficiaries, and feasibility studies;
- Project funding including financial agreement;
- Tender process details including evaluation reports;
- Award details;
- Contract execution details including significant changes to contract affecting the contract price or duration and reasons for these changes; and
- Post-completion details.

Ideally, these documents should be made available online.

In line with these recommendations, a U4 paper on forest concessions and corruption recommends that the concession system should be open to public scrutiny, including the criteria that are used to award concessions. This can include maintaining databases making information about tender participants, prices, royalties, conditions, concession period and area, etc., publicly available, as a pre-requisite for independent monitoring (Soreide, T., 2007).

An assurance process adds value to the disclosure by verifying the information and highlighting issues in plain language so that citizens and oversight agencies can understand and react when appropriate. The initiative has been piloted in eight countries between 2008 and 2011, including Tanzania, Zambia, Malawi, Vietnam, the Philippines, Ethiopia, the UK and Guatemala. For more information on COST; please see: <http://www.constructiontransparency.org/>

The construction sector: the Construction Sector Transparency Initiative (COST)

In the construction sector, the Construction Sector Transparency Initiative (COST) is a multi-stakeholder initiative that seeks to achieve transparency through the public disclosure of information at various stages of the construction and requires the publication of contracting, payment and oversight information, with a multi-stakeholder group overseeing the process of information release and validation in each country.

Disclosure covers a wide range of information such as the purpose and value of the project, the project scope and cost, the agencies and firms involved, the award of contracts, and variations in the cost, scope, and delivery time during construction. More specifically, it is designed to regularise the publication of (Kenny, C., 2011):

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