Open Data as a Tool to Fight Corruption

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Open Data as a Tool to Fight Corruption

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Keywords:
Corruption, Bureaucracy, Transparency, Accountability, Open Government Data

Abstract/ Executive Summary:
This report will suggest a non-exhaustive overview of how release and re-use of open data can help curb on a range of corruption forms in a number of sectors by (1) introducing different types of corruption in various sectors, (2) suggesting a list of relevant data that could (should) be released in a particular context and (3) demonstrating good practice examples of information and data re-use for the transparency benefit in these particular sectors. It will conclude with a number of recommendations to governments towards realizing potential of open government data as a tool to fight corruption and curb on bureaucracy.
1. Introduction: why open data in the context of corruption?

While economic impacts of releasing and re-using public sector information and open data have been on the forefront of arguments for opening government data, its potential to contribute to reduced levels of corruption cannot be overlooked. Little has been done to research and grasp how open data can contribute to the fight against corruption and discussions have been mainly held on a conceptual level.

It has been widely accepted, however, that access to public information and availability of open government data boost public transparency and potentially contribute to an increased levels of accountability and social control in a country. The bigger question, however, is how can one grasp and measure impacts of open data in terms of reducing corruption levels in a country and thus maximize the potential benefits releasing open data may bring.

There are many definitions of corruption. The global coalition leading the fight against corruption, Transparency International, defines corruption as the misuse of public power for private benefit. The definition encompasses a very wide range of abuse types - it is not easy to break it down into types or sectors that leaves out no sensitive corruption-related abuses or issues. Therefore, this report will focus on forms of corruption and affected sectors as dictated by leading anticorruption indices and surveys. In this way, while acknowledging that it is not intended to exhaustively cover corruption as a concept in its entirety, it will rather focus on sectors and corruption-related issues that are most pressing and evident.

This report will suggest a non-exhaustive overview of how release and re-use of open data can help curb on a range of corruption forms in a number of sectors by (1) introducing different types of corruption in various sectors, (2) suggesting a list of relevant data that could be released in a particular context and (3) demonstrating good practice examples of information and data re-use in these particular sectors. It will conclude with a number of recommendations to governments towards realizing potential that open government data brings to fight corruption and curb on bureaucracy.
2. Web development and existence of open data as part of enabling environment for (anti)corruption

17 countries leading the Corruption Perception Index can also be found in top 20 list of either Web Development Index or Open Data Index.

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Although, it cannot by any means be stated that the state of web development or amount of open data available singlehandedly determine levels of corruption in any country, it is clear that factors, such as the web development, extent to which public data is open and others do have an impact on corruption perception levels.

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Transparency International Corruption Perception Index tracks and measures perceived levels of public sector corruption in 177 countries and territories around the world.

The Web Index measures World Wide Web’s contribution to development and human rights globally. It covers 81 countries, incorporating indicators that assess the areas of universal access; freedom and openness; relevant content; and empowerment.

The 2013 Open Data Index is the global reference for the state of open data release by national governments. It provides an independent peer-reviewed assessment of openness in a range of key areas, reflecting the realities of public information release and practice in over 60 countries.
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This in any way is not surprising. Transparency, access to information and availability of public sector data have been accepted as means to fight corruption by many governments and anticorruption organizations. The more detailed links between economic and social developments and the web developments have already been explored in a previous EPSI topic report on open data impacts (http://www.epsiplatform.eu/content/understanding-impact-releasing-and-re-using-open-government-data).

3. General observation: Open data in the context of transparency, participation and accountability

Access to public information and availability of open government data can have preventive and positive effects towards levels of corruption. It has been universally accepted that release and re-use of public sector data improves good governance, effectiveness and citizen participation.

As the World Bank puts it, open government data is regarded as a catalyst of multiple public policy and development achievements. By shedding light on previously hidden aspects of governmental activities, decisions, and expenditures, open government data is expected to strengthen the ability of civil society to monitor the performance of governments, and lead to tangible social accountability outcomes. The major benefits expected from open government data are the following:

- **Promoting good governance and curbing corruption.** Data on governmental expenditures and performance is the core of OGD initiatives. The release of such data may allow civil society to expose governmental misconduct and help curb corruption;

- **Improving the effectiveness of public service provision.** Exposing information about malfunctioning service providers may help citizens make better-informed choices.
regarding the services they consume, and induce service providers to improve their performance.

• **Strengthening citizen participation.** While OGD initiatives usually do not provide direct channels for citizen engagement, they may create the grounds for more informed and effective citizen participation by other means.

The previous EPSI topic report on open data impacts explains in a better detail what social, economic and political impacts release and re-use of open data may have and how can we measure these impacts.

The goal of this report is to explore in a better detail how open data can affect corruption levels in particular sectors. We will use leading corruption indices and surveys and then try to grasp the potential that open data brings towards curbing corruption in these specific sectors.

### 4. Global Corruption Barometer

Transparency International’s Global Corruption Barometer (GCB) is a valid reference point to identify sectors of society that are perceived by the people to be most corrupt. It is the largest cross-country survey to collect the general public’s views on, and experiences of, corruption.

In 2013, Transparency International interviewed over 114,000 people in 107 countries for their views on corruption. We will use the GCB results as an indication as to which sectors of society deserve more attention in terms of corruption and will explore if open data has a role to play in fighting corruption in these particular sectors.

The GCB looks at a large number of sectors that, according to the survey respondents, are most likely to be affected by corruption. The sectors that this report chose to address are the following:

**1. Political parties** (almost every second country in the world perceives political parties to be among institutions mostly affected by corruption);
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(2) Parliament and legislature (7 countries worldwide perceive parliament to be among institutions most affected by corruption);

(3) Media (4 countries worldwide perceive media to be among institutions most affected by corruption);

(4) Business and private sector (3 countries worldwide perceive business to be among most corrupt sectors);

(5) Judiciary (every fifth country worldwide perceives judiciary to be corrupt)

(6) Public officials and civil servants (7 countries worldwide perceive public officials as corrupt);

In addition to the sectors covered by the Global Corruption Barometer, we also chose to explore additional sectors that are accepted to be corruption-sensitive, namely (7) lobbying and (8) public finance management.

This report will focus on each of these sectors and will explore them in a following structure:

1. Why is it important to explore a particular type of corruption or affected sector;
2. What related data does public sector normally possess that can contribute to curbing on bureaucracy and corruption in that particular sector and;
3. What are related data re-use examples that contribute to curbing on bureaucracy and corruption in that particular sector.

(1) POLITICAL PARTIES, CORRUPTION AND OPEN DATA

Money and politics are inextricably linked. The functioning of contemporary democracies necessitates political financing and the combination of private and public funding sources. However, there is a strong need to control unfair and illegal practices and to regulate political finance in light of the role political parties play in the democratic process. Transparency in political financing has been accepted as a key measure to fight political corruption. ³

Access to political party financing information plays a crucial role and open government data concerned can become an effective disinfectant to political corruption.

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Relevant public sector information that should be in a public domain

The most important data on political parties includes:

• Detailed budgetary and income information;
• Financial (income and expenditure) and activity reports;
• List of members and affiliations;
• List of donors and political contributors;
• Party members’ interest and asset declarations.

Often, part of this data is disclosed to the society by public election commissions. However, it is important to ensure that political parties do proactively disclose this type of data in open standards on their websites or any other channels of communication.

Example on re-use of open data about political party financing:
http://influenceexplorer.com/

A large number of parliamentary monitoring tools online have been focusing on re-using information on MPs and political parties. According to the PMO study\(^4\), more than 80% of parliamentary monitoring organizations re-use this type of information in one way or another. The role model example of a re-use of political party financing data is Sunlight Foundation’s Influence Explorer. It offers a user-friendly way to review and receive federal campaign finance data for candidates, PACs and outside spending groups in the United States. The Realtime FEC section takes official Federal Election Commission (FEC) data for the current election cycle and presents it in a more user-friendly format.

(2) PARLIAMENT / LEGISLATURE, CORRUPTION AND OPEN DATA

Transparency International UK outlines the most common corruption-sensitive issues when it comes to parliaments and legislature:

• The regime for parliamentary expenses;

• Lobbying of politicians by those who can apparently buy access that influences legislation, spending priorities or policy decisions;
• The revolving door between government and business;
• Political party funding; and
• Oversight regimes.

To illustrate, the UK Parliamentary expenses scandal in 2009 was a major political scandal triggered by the leak and subsequent publication by the Telegraph Group in 2009 of expense claims made by members of the United Kingdom Parliament over several years. Public outrage was caused by disclosure of widespread actual and alleged misuse of the permitted allowances and expenses claimed by Members of Parliament (MPs), following failed attempts by parliament to prevent disclosure under Freedom of Information legislation.

Releasing open data concerned can enable a wider set of stakeholders to monitor the activities or parliaments and thus increase their accountability.

**Relevant parliamentary data that should be in a public domain**

For a detailed list of parliamentary information that should be in a public domain, refer to the EPSI report on Parliamentary informatics$^5$ that suggest a detailed picture on what data parliaments posses and how should that data be disclosed to the public.

The key data that should be disclosed with regards to parliaments and legislature is:

1. **Parliamentary budget and administrative data**, such as the parliamentary budget (a wide range of documents concerned), parliament’s organization structure, public procurement calls and much more;

2. **Legislative data**, such as text of laws, bills and complementing documents, publication of the constitution of the committees and their agendas, plenary and committee attendance, voting in the plenary and committee, stenographic versions of plenaries etc.;

3. **Data on MPs and political parties**, such as educational and professional background information, personal information (marital status, age, children), contact information (email/telephone/mailing address), party affiliation, statistics on parliamentary performance, list of campaign contributors and sponsors, parliamentary positions

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(including previous posts), asset and interest declarations, links to other sources of information (blogs) etc;

Example of parliamentary data re-use: www.abgeordnetenwatch.de

One of the most successful examples, overseeing nearly 7,000 visitors a day and handling more than 80 % of MP/citizen questions in Germany, is www.abgeordnetenwatch.de which contains information on German Bundestag MPs and parties, and provides an easy avenue for communication with MPs.

It allows its visitors to question their members of parliament in a public environment, find out about the voting record of their members of parliament, follow up on promises made (all questions and answers are saved forever), learn all about the extra earnings of members of parliament.

You can find more information about parliamentary openness at www.openingparliament.org which is a forum intended to help connect the world’s civic organizations engaged in monitoring, supporting and opening up their countries’ parliaments and legislative institutions. It also serves as the home of the Declaration on Parliamentary Openness, a set of shared principles on the openness, transparency and accessibility of parliaments supported by more than 140 organizations from over 75 countries.

(3) MEDIA, CORRUPTION AND OPEN DATA

The media is often referred to as the fourth pillar in democracy and a free and independent press has a significant and important role in fighting corruption.

Many studies have shown a strong positive correlation between freedom of the press and control of corruption and emphasise the importance of media plurality, media freedom and competition in curbing corruption\(^6\). There is a broad consensus that a free press helps curbing corruption by improving citizens’ accessibility to information which in turn makes it more difficult for politicians and public servants to get away with corrupt behaviors. In particular, the media plays a key role in exposing corruption and raising general awareness of its detrimental effect upon society, as well as in promoting integrity and accountability norms,

\(^6\) A. M., Andersson E., Oscarsson H., Reexamining the Relationship Between Press Freedom and Corruption, University of Gothenburg, 2011
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values and practices in society.  

At the same time, transparency of the media sector itself is crucial if trying to understand who stands behind it. The transparency in media ownership is important to provide the public with stronger immunity from corrupt, one-sided or subjective media.

**Relevant data about media that should be in a public domain**

The key data that should be available in relation to corruption in media is the media ownership data. The public availability of accurate, comprehensive, and up-to-date data on media ownership is an essential component of a democratic media system. It is impossible to take steps to address excessive media concentrations and conflicts of interest without the tools to identify the owners. Public knowledge of owners’ identities helps to ensure that abuses of media power can be assessed, publicized, openly debated and even prevented. 

Access Info Europe has released ten recommendations on transparency of media ownership that encourages transparency of ownership of the media through disclosure to a national media authority and to the public of essential basic information, which should include at a minimum:

- Name and contact details of the media outlet owned;
- Constitutional documents (via a web link to uploaded scans if necessary);
- Size of shareholdings over a threshold of 5%;
- Name and contact details of direct owners with over 5% shareholding;
- Identity of those with indirect control or a significant interest, over a threshold of 5%;
- Citizenship/residence status of individuals with over 5% shareholding;
- Country of domicile of company with over 5% shareholding;
- Identity of beneficial owners where shares are held on behalf of another, e.g. via brokerage or silent ownership.

In addition, in order to identify potential sources of influence over media content, it is essential that media companies be required to publish financial accounts and audit reports prepared in accordance with the highest international standards, and in sufficient detail to

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7 U4, Overview of Corruption in the Media in Developing Countries, can be found at: file:///Users/karolis/Downloads/368%20(1).pdf
identify sources of funding.

**Example on re-use of data related to media transparency:** [www.stirna.info](http://www.stirna.info)

Transparency International Lithuania created [www.stirna.info](http://www.stirna.info) that allows Lithuanians to quickly and conveniently find out who owns the internet portals, newspapers, TV & radio stations and news agencies in Lithuania since 1996. Not only that – it also allows for accessing visualized networks of how media and business are interlinked in Lithuania.

**4) BUSINESS, CORRUPTION AND OPEN DATA**

As the World Bank puts it, billions in corrupt assets, complex money trails, shell companies and other spurious legal structures. These form the complex web of subterfuge in corruption cases, behind which hides the Puppet Master and beneficiary of it all.

Linking the beneficial owner to the proceeds of corruption is difficult. With sizable wealth and resources, the corrupt stay ahead of the game by exploiting transnational constructions that are hard to penetrate.

Indeed, nearly all cases of grand corruption have one thing in common. They rely on corporate vehicles – legal structures such as companies, foundations and trusts – to conceal ownership and control of tainted assets.  

**Relevant data about business that should be in a public domain**

The Open Data Index suggests that at least the following data should be in a public domain:

- Full name of the company;
- Unique identifier no;
- A list of company directors for each company;
- Statutory filings (e.g. Annual Reports) for each company;
- Significant shareholdings for each company.

**Example of re-use of open data about business:** [www.opencorporates.com](http://www.opencorporates.com)

OpenCorporates is a website which shares data on corporate entities as open data under the share-alike attribution Open Database Licence. It was launched in 2010 and it has the aim of

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creating a URL with such data for every corporate entity in the world, importing government
data related to companies and matching it to specific companies.

It also does visualizations to show corporate networks worldwide. It created a sample
visualization\(^{11}\) based on the data for the six biggest US banks, and in particular showing the
complexity of the networks by geographic region, and just how long the control chains are.

\section*{(5) JUDICIARY, CORRUPTION AND OPEN DATA}

It is difficult to overstate the negative impact of a corrupt judiciary: it erodes the ability of the
international community to tackle transnational crime and terrorism; it diminishes trade,
economic growth and human development; and, most importantly, it denies citizens impartial
settlement of disputes with neighbours or the authorities. When the latter occurs, corrupt
judiciaries fracture and divide communities by keeping alive the sense of injury created by
unjust treatment and mediation. Judicial systems debased by bribery undermine confidence in
governance by facilitating corruption across all sectors of government, starting at the helm of
power. In so doing they send a blunt message to the people: “in this country corruption is
tolerated”. Transparency and access to judicial information is a prerequisite to an increased
judicial accountability worldwide.\(^{12}\)

\textbf{Relevant data about judiciary that should be available in a public domain}

- Data about judges, such as name/surname, court affiliation, start/end dates of service,
judicial decision, biographical details, case history, basic statistical information, such as
average length of decision making, workload etc.

- Data about courts, such as name and contact details, composition, case schedules, court
decisions, basic statistical information, such as the workload etc.

\textbf{Example of re-use of judicial data: \url{www.otvorenesudy.sk}}

In 2013, the OpenCourts portal, \url{www.otvorenesudy.sk}, (available only in Slovak and the first
open data project dealing with the judiciary branch) was launched by Transparency
International Slovakia. Its main goal is to make the Slovakian system more transparent and

\footnote{\url{http://opencorporates.com/viz/financial/index.html#}}

\footnote{Transparency International Global Corruption Report on Judiciary, 2007: \url{http://www.transparency.org/research/gcr/gcr_judicial_systems}}
allow the public to control courts and judges in order to hold them accountable.

Since 2011, a lot of information on courts and judges has been made available through reforms aimed at opening up the judiciary in Slovakia. However, this data was scattered throughout several different government websites and was not easily searchable. For this reason, OpenCourts collects all information that is relevant and available and offers it to the public for free and in a user-friendly format.

(6) PUBLIC OFFICIALS, CIVIL SERVANTS, CORRUPTION AND OPEN DATA

Any kind of abuse of entrusted power for private benefit can conceptually be categorized as corruption act. In order to better understand what private interests do public officials may have and also detect possible unjust enrichment case, it is important to have access to both interests and asset declarations.

As the EU report on Corruption puts it, asset disclosure for officials in sensitive posts is a practice which contributes to consolidating the accountability of public officials, ensures enhanced transparency and facilitates detection of potential cases of illicit enrichment, conflicts of interests, incompatibilities, as well as the detection and investigation of potential corrupt practices. Approaches towards asset disclosure within the EU for elected officials range from requiring a considerable amount of information to be disclosed to more limited disclosure or non-disclosure policies.

For professional public officials in certain sectors asset disclosure could be a way forward to avoid issues of conflict of interests. In spite of these different approaches, a general trend can be noted towards stricter asset disclosure requirements for public officials. A few Member States that traditionally did not have asset disclosure regimes have recently introduced or announced the introduction of such systems.¹³

Relevant data that should be in a public domain

(1) Interest and (2) asset declarations, where possible, should be available to a public. Not many countries provide for disclosure requirement, but when they do, countries should make sure that this data is available for public scrutiny.

Example of re-use of asset declarations data: [www.rekvizitai.vz.lt/deklaracijos](http://www.rekvizitai.vz.lt/deklaracijos)

The website provides Lithuanians with an easy way to search for politicians and see their asset declarations visualized in a user-friendly manner. It also allows comparing politicians' income on a yearly basis and seeing a decrease or growth in their income. It also contains politician's family members' asset declarations and provides with a basis for insights for the public.

(7) LOBBYING, CORRUPTION AND OPEN DATA

In the complex world of public policy-making, it is desirable for public administrations to engage in a continuous dialogue with outside stakeholders. All interested parties should be able to have their say, but this should be done in a transparent way. As lobbying activities can raise risks of corruption and regulatory capture, it is desirable to have mechanisms in place to frame such activities, be it through legislation or a voluntary registration of lobbyists. The registry then should be open to the public to scrutiny.

Such mechanisms can help to create both clarity and transparency in the relationship between public authorities and outside stakeholders. As such, they can help to reduce the risk of corruption. So far, this area has been developed in relatively few Member States, though some other Member States have legislation or rules in the pipeline or are debating the possibility of introducing new mechanisms.

Relevant data that should be in a public domain

Sunlight Foundation's, Open Knowledge Foundation, Access Info Europe and other organizations are currently working on a lobbying disclosure guidelines that lists in great detail the lobbying-related data that should be in a public domain. It's clustered around (1) information about organizations that lobby, (2) personal or employment information of lobbyists, (3) lobbying objectives and clients, (4) information about lobbying contacts and (5) lobbying expenditures.

Example of re-use of lobbying-related data:


This database allows users to see lobby registrations in the US as they're submitted, to browse

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by issue, registrant and client, and to see the trends in issues and registrations over time. The
database is updated weekly based on Senate records and includes all registrations starting in
2009.

(8) PUBLIC PROCUREMENT, CORRUPTION AND OPEN DATA

Given the level of financial flows generated, and a number of other factors, public
procurement is an area prone to corrupt practices. According to 2008 research on public
procurement and corruption, the costs added to a contract as a result of corrupt practices
may amount to between 20 % and 25 %, and in some cases even 50 % of the total cost of the
contracts in the EU.

As pointed out by the OECD in its Principles for Integrity in Public Procurement, ‘weak
governance in public procurement hinders market competition and raises the price paid by
the administration for goods and services, direct impacting public expenditures and therefore
taxpayers’ resources. The financial interests at stake, and the close interaction between the
public and private sectors, make public procurement a major risk area. [...]’.

Transparency inside out public procurement processes is a prerequisite to fighting corruption
in public procurement.

Relevant data that should be in a public domain

Sunlight Foundation has created a set of detailed guidelines\textsuperscript{15} to help governments
understand what public procurement related data should be in a public domain. The
information is clustered around (1) the procurement process (procurement documents, bid
documents, texts of contracts etc) and (2) participants in the procurement process (contractor
performance, contract status, contract and entity identifiers etc.)

Example of re-use of public procurement data: http://tender.sme.sk

Transparency International Slovakia has created a role model project based on Slovak public
procurement data. Visitors are able to see aggregated data since 2009 from the e-
procurement publishing system. They can explore the information from the angle of buying
organization, supplying company, any level of procurement subject type or any other

\textsuperscript{15} http://sunlightfoundation.com/policy/lobbying/guidelines/
dimension. It is also possible to see all contracts within selected slice of data, as well as get them as raw data (CSV for details or aggregated data) for further processing. The contract dimensions can be fully searched, therefore one can find for example all procurements of Ministry of Defense in 2009.16

4. CONCLUDING REMARKS AND RECOMMENDATIONS

As demonstrated in this report, release and re-use of relevant public sector information and data can have a solid impact on increased transparency, public accountability and strengthened social control. Upon release of relevant information, prerequisites are created for reducing levels of corruption and curbing on bureaucracy. Thus it is important that open data policies are closely linked or even integrated with anticorruption policies in a given country.

In any information and data release conversation, open data has to be provided in accordance to globally accepted openness standards, namely, it has to be in open formats, it has to be openly licensed, it has to be provided free of charge (where possible), well-structured, complete and in a timely manner.

Governments often have to prioritize datasets to be released, as the amount of data and information held by the public sector is often too large in size to be opened instantly. Governments should prioritize these datasets that are claimed to have the highest impact upon release and re-use. Public accountability related data should be on the highest priority level.

As worldwide practice indicates, big part of the open data published is not a direct result of governmental regulation or data policies. Besides creating formal anticorruption and open data policies, governments should assume proactive role in providing relevant data as an integral part of their transparency and accountability culture.

Corruption-relevant open data can only have a tangible impact in terms of public accountability if it is properly re-used. Besides providing the data, governments should

16 http://blog.okfn.org/2010/10/19/open-public-procurements-portal-of-slovakia/#sthash.ryvkvITd.dpuf
demonstrate possible re-use options and educate external stakeholders on what certain datasets mean. This can be done by way of online guidelines, organizing data hackathons etc.
About the Author

Karolis Granickas is a Project Leader at Transparency International Lithuanian Chapter. His focus is on people engagement using ICT. He coordinates Chapter’s digital initiatives such as www.manoseimas.lt (parliamentary monitoring tool) and www.parasykjiems.lt (freedom of information tool), among others. He also actively promotes open government data in Lithuania and has overseen a solid growth of open data community in Lithuania. Karolis has LLB degree in International Law from Westminster University, London, and LLM degree in EU Law from Maastricht University, the Netherlands.

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