



Contracting 5 Draft Declaration

Declaration

The governments of Colombia, France, Mexico, United Kingdom and Ukraine, have agreed to come together on the occasion of the Open Government Partnership Summit in Paris, France in December 2016 to found the Contracting 5, a group of governments¹ working to foster openness, innovation, integrity and better business and civic engagement in government contracting and procurement.

Procurement and contracting are critical to effective and responsive government; the use of a common reference framework at an international level guarantees the interoperability of data, encourages their re-use and allows government to benefit from a single structure for information on public procurement and have a better visibility on the public procurement policy in order to improve government efficiency; they are the main vehicle through which government spends its money. Our citizens deserve the best possible outcomes from the huge sums - over US\$1 trillion - that we collectively spend every year.

We want to move global policy and practice beyond simply thinking about electronic procurement (e-procurement), to a concept of open procurement (o-procurement), where open-by-default, accessible timely, comprehensive and interoperable data can unlock innovation and entrepreneurship across our societies to:

1. Support us to perform smarter data analytics on our contracting, detecting red flags or assessing value for money;
2. Help our businesses to better evaluate prior contracts and identify opportunities;

¹ The General Secretary for Public Action Modernization of France, Crown Commercial Services of the United Kingdom, Compra Eficiente of Colombia, Ministry of Public Administration and Finance of Mexico and Ministry of Economic Development in Ukraine.

3. Automate publication of open data on planning, procurement and implementation of contracts, to make it easier for our markets to consume, analyse and innovate around it;
4. Boost integrity and improve value for money in our contracting and foster an open, fair, level playing field for business - especially smaller businesses - trying to win government contracts;
5. Allow citizens to stay informed, monitor decisions, and engage and participate at strategic moments to make sure we deliver better, smarter services to our citizens that meet their needs; and
6. Create global goods and knowledge around these issues to share with our partners and allies worldwide.

Mindful of commitments made at the [May 2016 London Anti-Corruption Summit](#) and at the December 2016 [Paris Open Government Partnership Summit](#) to make the public contracting process open by default and publishing contracts and contracting information according to open data standards, and in line with the [Open Contracting Principles](#), we have agreed to work together to:

- 1) **Open Standards** - Implement the [Open Contracting Data Standard](#) to the fullest extent possible to create a timely, accessible public record for government, business and citizens on how public money is spent across the entire cycle of our public contracting from planning to tender to award to implementation of contracts.
- 2) **Open Source** - Foster innovation through supporting an ecosystem of open source, re-useable and shareable tools to improve communication, analysis, data quality and automation of public contracting information.
- 3) **Use cases** - Contribute to the further development and use of the Standard through case studies and analysis of user needs, encouraging extensions and joined up data including with corporate registries, joining and encouraging its user community and contributing to its further adoption.
- 4) **Document & Measure** - Document the lessons learned, and measure the real-world benefits for government, business, and citizens from our adoption and implementation of open contracting for sharing, learning, and improvement.
- 5) **User needs & capacities** - Focus collectively on the key user needs & capacities for government contracting information - such as improving value to money, creating a fair & level playing field for businesses, tracking and improving service delivery and upholding public integrity and deterring fraud and corruption - to shape, share and adopt a common methodology for building capacities and measuring impacts from our interventions to refine and share such methodologies globally.

- 6) **Best practices** - Consider, refine and adopt best practices to engage business and civic organisations at appropriate points along the entire chain of procurement and to share our approaches, strategies and lessons from our efforts to make public contracting more engaging and responsive.
- 7) **Build a worldwide alliance** - Engage other countries on our objectives, including through the Open Data Charter, Open Government Partnership, the OECD, the G20, our multilateral development banks and other relevant international or sector specific initiatives such as the the Construction Sector Transparency Initiative, the Extractive Industry Transparency Initiative and encourage them to embrace and implement open contracting principles.
- 8) **Engage our international development partners and institutions** in furthering these objectives nationally and internationally including in priority sectors such as infrastructure and healthcare.

We recognise that we are all learning what works best and in the spirit of celebrating that innovation and learning, the C5 will be a safe space to share failures, challenges and lessons as well as our successes.

Our charter itself will iterate and evolve as part of this work and we will regularly update our workplan and priorities to that end.

Meetings rules and occurrences

We will meet yearly with a rolling host nation who will chair the meeting. We will be hosted initially by Mexico, and we will establish a joint working group to agree on a more detailed workplan, discuss and agree a future chair & host nations, and themes for future conferences as well as the principles and arrangements for expanding the circle of countries involved.

The host nation will organise a meeting to review progress, refresh our work plan and to celebrate and share innovations and lessons learned and to share these internationally in conjunction with the Open Contracting Partnership, OGP, World Bank, EBRD and/or the OECD.

Accession rules

The group will be open to include additional countries that meet the aspirations in this charter upon consensus by our members. The Chair may also invite other countries to join us in meetings and specific initiatives as appropriate.

Each of our countries will designate a lead institution or institutions to participate in this collaboration of specific initiatives therefrom and reach out to

an additional appropriate civic representative. We will decide on a case by case basis how any joint initiatives will be funded and resourced.

Our Charter is not legally binding but based on a voluntary collaboration between innovators in our governments. It comes into effect on the date of the signature by a Ministerial or other high-level representative and will continue to have effect for a period of five (5) years unless terminated by a signatory government, giving three (3) months written notice to the current Chair.

We recognize the role of the Open Contracting Partnership, Open Data Charter, Open Government Partnership, the World Bank and the OECD as leaders in these global policy and practice areas and invite them to join us as ex-officio members and supporters to make sure our lessons and insights are available to assist their members with their own learning and open government aspirations.