

# Strengthening and sustaining the fight against HIV and AIDS through public e-procurement - The case study of Ukraine

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*Compiled by Tin Geber for HIVOS. London, March 2018*



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## Introduction

In the last decade, the world of international development has been abuzz with excitement about the potential of technology to improve well-being, increase public service efficiency and responsiveness, raise transparency, and strengthen accountability of governments. Public procurement is a target area that could benefit massively from actualising the potential of technology — and the Ukrainian e-procurement reform is widely recognized<sup>1</sup> as a prime example. However, is improved transparency through technology a result *per se*, or should we be measuring in which specific ways improved transparency is conducive to improved well-being and a more just society?

In post-Maidan Ukraine, it seems that a story can be told of such specificity of purpose: **it is the story of how the public e-procurement system ProZorro improved HIV and AIDS advocacy nationally and locally, by providing local advocates and activists both with evidence to support their claims, and with a mechanism for civil society to actively engage in improving service delivery. It is also a story of how national and international advocacy — and the strength of networked representation — can be threaded with grassroots activities for the betterment of both, in a win-win collaboration where all actors receive more than what they invest.**

This case study has **two areas of focus**: public e-procurement, and HIV and AIDS advocacy. We analyse the former through its ability to support the latter: **how can a well-done public e-procurement system support, improve, and strengthen the long term sustainability of the response against HIV and AIDS?** To give some answers to this question, we first need to understand what a well-done public e-procurement system looks like. This is why we dedicate time in this document to understand what makes ProZorro a successful system: we try to define its building blocks, and understand which factors have been crucial for its success. Then, we look into how ProZorro has been employed by civil society as a resource for advocacy and to address the concerns about the financial sustainability of the response against HIV and AIDS in Ukraine: how did grassroots organisations leverage the legal mechanisms, the availability of data through ProZorro, and public pressure to obtain concrete, measurable successes? Based on those examples, we try to define strategies and initial recommendations that can be replicated in other geographic areas.

The goal of the case study is to present the information collected through interviews and desk research in a coherent argument: a story that surfaces patterns between actors and events, analyses internal and external factors, and asks whether they are sufficient, necessary, or relevant. Throughout this document, we will try to stress factors for replicability — trying to understand whether this example is simply a result of “right people, right place, right time”, or if the underlying pattern holds lessons and guiding lights for other groups, in other countries with similar problems, to use in their advocacy.

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### Who is behind this document

*This case study is initiated by HIVOS<sup>2</sup>, in partnership with All-Ukrainian Network of People Living With HIV and AIDS<sup>3</sup> (from now on: Network 100%). It is a result of cross-sectoral conversations between practitioners working in ICT4D and HIV and AIDS sectors of*

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<sup>1</sup> For a list of studies and analyses on the subject, please visit Annex II

<sup>2</sup> <https://www.hivos.org/>

<sup>3</sup> <https://network.org.ua/>

*international development, as well as activists and advocates on the ground. The lead research and writing was conducted by Tin Geber<sup>4</sup> (<https://tin.fyi>), with substantial support from Jaroslav Zelinsky (Network 100%), Christopher Wilson<sup>5</sup> (University of Oslo), and Tomás A. Chang Pico (HIVOS), and thanks to the oversight of Daniel Dietrich (HIVOS) and Julia Hoffman (HIVOS).*

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<sup>4</sup> <https://tin.fyi>

<sup>5</sup> <https://methodicalsark.org>

## Executive Summary

### Public e-procurement in Ukraine is a success. Is it replicable?

The short answer is yes. The success of the public e-procurement reform is clearly linked to non-replicable external factors, most importantly the Euromaidan, which is not a controllable or easily replicable factor. However, the Euromaidan wasn't a necessary condition: it was instead a catalyst that a small group of people recognised as a strong window of opportunity, and persevered through the subsequent disillusionment of the post-Maidan calming of waters where many other big reforms failed to take hold. Euromaidan by itself, represented an outburst for change, but without enough momentum to see long-term reform implemented and solidly integrated in many areas.

For ProZorro's success, the more important factor was public awareness and campaigning. Exposing examples of corruption, and making it very clear to the public that ProZorro *could be a solution if only it were implemented*, made for stronger, more sustained public pressure that provided the ProZorro founders with enough time to work through the hoops of bureaucracy, advocacy, and fundraising until the project was safely incorporated in the public procurement system.

The most complicated factor to replicate is the human element. The team working on public e-procurement reform in Ukraine, both outside and within the government, was made of very skilled people believing in the importance of the reform, with no guarantee of success or return of investment on their time. The combined skill-set covered business savviness, technical excellence, political acumen, public relations and marketing, proposal writing and donor relationships, and ample amounts of patience. For a successful replication, learning from the individuals' experience is far more valuable than the ability to reuse the technological solutions, or replicating the methodology.

### Can we replicate successful HIV and AIDS advocacy through public e-procurement in other contexts?

As for application of e-procurement reform results for HIV advocacy, the answer is more complicated. In simple terms, if a platform like ProZorro exists, there is strong indication that it is possible to replicate the strategies used by local activists and Key Populations groups, as well as advocacy and policy work done by the central hub of Network 100%. However, if there is no e-procurement system — or if the e-procurement system doesn't satisfy the quality and usefulness parameters that define a ProZorro-like system — the problem isn't "which strategies would work", but rather "what can we do to create an enabling environment for a fully transparent e-procurement system to be implemented". Arguably, the potential of a procurement reform to be impactfully used in HIV and AIDS advocacy on the ground is directly related to the success of that reform: the better it is implemented, the more solid evidence and tools it provides to activists.

### How is this document structured?

**Topic Overview** gives more detail about the two topics we cover in this document: public e-procurement, and HIV and AIDS advocacy. The chapter explains why we decided to investigate them together, and which benefits we see in a strategic implementation of public e-procurement for a more sustainable long-term HIV and AIDS advocacy program development.

**The Ukrainian Context** sets a brief historical and political picture of Ukraine in the 2013-2017 period (the "Euromaidan" and "post-Maidan" periods) and posit arguments for which the peculiarity of this context should be considered one of the defining factors of the case study. We then present the development of the e-procurement system ProZorro in that time frame, by linking it to the post-Maidan window of opportunity and the fluid relationships between

government and civil society<sup>6</sup>. In closing, we address how governmental procurement systems relate to procurement of HIV and AIDS products and services, and the main differences between international and regional procurement.

In **Examples of Local Impact**, we present a series of examples from local Ukrainian actors, linked to Network 100%, on how they integrated ProZorro (and its business intelligence dashboard, as well as its civil society monitoring counterpart Dozorro) in campaigns aimed at reducing corruption and inefficiencies in procurement of HIV and AIDS products and services. Through their examples, we analyse the impact of procurement transparency on the local level; the rise of the figure of **community monitors**; and the capacity building required to work with evidence-based procurement information.

In **Factors of Success**, we define the building blocks of ProZorro's success that we consider most important for this case study, based on learnings from interviews and desk research. These factors are divided into external (outside of stakeholders' control) and replicable (controllable by stakeholders). We then shift the focus on HIV advocacy and on Network 100%, and analyse the factors contributing to the fruitful collaboration between them and ProZorro. We believe that the factors described herein should be considered crucial for defining an enabling environment for evidence-based grassroots advocacy for people living with HIV and AIDS.

**Implementation strategies** tries to encapsulate some of our learnings from the Ukrainian example into possible replicable strategies for other geopolitical contexts. We approach strategies from two contextual angles: how to use e-procurement data for HIV advocacy, and what to do if e-procurement data isn't available.

**Annex I** details the methodological approach of this case study; **Annex II** is a list of resources that the HIVOS team analysed for this case study. **Annex III** is a high-level bullet-point description of the ideal persona for kickstarting e-procurement reform, based on description and experiences collected through interviews.

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<sup>6</sup> The overview of ProZorro will be kept brief and concise, since there are numerous papers, case studies and reports on it already in circulation (see Lit Review)

## Topic Overview

### What is a public e-procurement system - and why does it matter?

E-procurement is a broad term for utilising digital tools and methods to exchange goods and services between buyers and suppliers. The Open Data Contracting Standard codified the e-procurement cycle into **five phases**<sup>7</sup>: planning, tendering, awarding, contract, and implementation. The argument for e-procurement in the business sector is improved efficiency — it helps with keeping track of price and quality of purchased services, history of purchase, and it broadens the pool of suppliers — thereby improving the chances of finding the most profitable buyer-supplier match — by providing online informing and tendering tools.

In the public sector, in addition to improved efficiency, e-procurement can improve transparency and reduce corruption. A public e-procurement system minimises the chances of corrupt practices such as bloated contracts, shady dealings, and single-supplier monopolies, by enforcing a transparently auditable and accessible system. The potential of public e-procurement to improve transparency is, for example, recognised by the European Commission, currently in the process of rolling out e-procurement directives<sup>8</sup> for member countries (to be completed by 2018).

### Open Contracting

Improving governmental openness in procurement transparency is one of the most active political battlefields for transparency and accountability advocates. **A measure of success for governmental transparency is data quality**: how to make sure that information about contracts and tenders is being shared with enough detail to successfully track and analyse for inefficiency and corruption? For this reason, many transparency groups are focusing on providing clear, usable methods for capturing data around public procurements.

The Open Contracting Partnership<sup>9</sup>, one of the most prominent entities advocating for fiscal transparency across the globe, developed and maintains the **Open Contracting Data Standard**<sup>10</sup>, and is actively supporting governments and other entities (NGOs, INGOs etc) to utilise the same standard when developing their e-procurement systems. ProZorro, the focus of our case study, has the Open Contracting Data Standard at its core.

Open Contracting covers more than just the technical aspects: it describes a process that involves planning, implementation, monitoring and, most importantly, strategies for open and transparent collaboration between the government, the private sector, and civil society across the e-procurement cycle.

### Why HIV and AIDS advocacy?

We chose to analyse Ukraine's e-procurement system through the lens of its impact on the health sector, and more specifically delivery of HIV and AIDS products and services (antiretroviral therapy, social services, prevention and testing kits, medical equipment, among others), because of its immediate impact on the well-being of a large number of individuals. Improved transparency and reduced corruption in delivery of products and services to HIV-positive patients translates to higher availability of life-saving treatments: **if it is possible to show that a successful implementation of an e-procurement system is directly linked to improvements in civil society's ability to effectively advocate for improved efficiency and transparency of HIV and AIDS service delivery, it would mean that there is tangible proof that the aforementioned specificity of purpose exists, and**

<sup>7</sup> [http://standard.open-contracting.org/latest/en/getting\\_started/contracting\\_process/](http://standard.open-contracting.org/latest/en/getting_started/contracting_process/)

<sup>8</sup> [https://ec.europa.eu/growth/single-market/public-procurement/e-procurement\\_en](https://ec.europa.eu/growth/single-market/public-procurement/e-procurement_en)

<sup>9</sup> <https://www.open-contracting.org>

<sup>10</sup> <http://standard.open-contracting.org/latest/en/>



**that improvements in procurement transparency have an effect on improved well-being of citizens.**

HIVOS is also particularly interested in learning more about the Ukrainian success because of the potential to replicate strategies and tactics in other geographic areas. The intersection of appropriate implementation and use of e-procurement for advocacy — which sits within HIVOS' Open Contracting stream of work — and HIV advocacy which belongs to HIV and Human Rights focus area, is particularly interesting from a program design perspective, if there is reason to believe strategies could be implemented to strengthen both and create longer-lasting cross-stream programs.

### Finding long-term sustainable strategies for HIV and AIDS advocacy

Recognizing replicable strategies from successful country cases is of utmost importance in this moment in time, because the global fight against HIV and AIDS is undergoing a paradigm shift. While the global drive to eradicate HIV and AIDS hasn't lost political momentum (and is in fact strengthened by the 2030 Fast Track resolution<sup>11</sup> and the Sustainable Development Goals), financial support is increasingly shifting from international donor cohorts<sup>12</sup> to national governments. This process has been always difficult, and in some cases damaging, like the examples of Serbia and Montenegro where donor-supported programs simply closed<sup>13</sup> without a nationally funded alternative.

This funding shift also means that international donor agencies won't be around anymore to act as oversight mechanisms. This might cause a disruption of the current system of checks and balances, and is therefore important to provide strategies and tools for local and national civil society to effectively participate in, and monitor, delivery of services to cope with the HIV and AIDS epidemic. Additionally, true decision-making participation of the groups most at risk — commonly known as Key Populations<sup>14</sup> — of not receiving timely and comprehensive treatment due to stigma, discrimination, criminalisation, and other socioeconomic barriers, has been systematically ignored (or more precisely, widely recommended but not implemented in practice).

The strategies from the Ukrainian example might help improve both issues. Public e-procurement systems can act as more effective and targeted monitoring and oversight mechanisms for both the government and civil society. Furthermore, if the public e-procurement system is implemented transparently for all citizens, this means that the same groups at risk described above have the opportunity to directly monitor for corruption, and advocate for increased transparency.

This case study collects practical examples of such monitoring from local grassroots organisations: support from Network 100% — a network of grassroots HIV and AIDS activists — gave us the opportunity to collect first-hand accounts of how ProZorro is being used on the ground. This means we were able to complement existing analyses of the Ukrainian e-procurement success<sup>15</sup> with experience of people using it in their daily lives.

<sup>11</sup> <http://www.refworld.org/docid/577a04324.html>

<sup>12</sup> such as the World Health Organisation (WHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM)

<sup>13</sup> [http://www.aidsplan.org/gfo\\_article/civil-society-urges-responsible-transition-towards-domestic-funding-hiv-and-tb-eeeca](http://www.aidsplan.org/gfo_article/civil-society-urges-responsible-transition-towards-domestic-funding-hiv-and-tb-eeeca)

<sup>14</sup> These are social groups which are both highly vulnerable to HIV and lack adequate access to public health care services, such as: gay men and other men who have sex with men, sex workers, transgender people and people who uses drugs, among others. <http://www.unaids.org/en/topic/key-populations>

<sup>15</sup> A good starting point for analysis are the following reports: *Implementation Assessment of the Ukrainian Public Procurement Legislation*, Institute of Development of Freedom of Information with support from Open Society Foundations, 2017; *Impact of ProZorro*, Center of Excellence in

## *The Ukrainian Context*

*This chapter is a very brief overview of the geopolitical situation in Ukraine that influenced both the creation of ProZorro, and the start of evidence-based grassroots HIV advocacy.*

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### Post-Maidan “window of opportunity”

Between autumn 2013 and spring 2014, the people of Ukraine underwent a major political upheaval — commonly referred to as the EuroMaidan — resulting in massive civil unrest and protests, and culminating with the ousting of then-president Yanukovich and the resignation

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Procurement and Kyiv School of Economics, 2017; Marín José María, *Co-Creation of ProZorro*, Transparency International and Kyiv School of Economics, 2016. For a complete overview, please visit the Lit Review chapter.

of the Azarov Government. Following such a massive change in the political status quo and the resulting open-ended scenarios, civil society activists and advocates recognised that there is a **window of opportunity** fueled by a tangibly higher level of people's support and active involvement in political decisions, as well as the opportunity to apply the momentum of change towards transparency to various branches and sections of Ukraine's governmental apparatus.

## Transparency in international procurements

Another example of improved transparency and accountability comes from the health sector: prior to 2014, the Ukrainian Ministry of Health consistently overspent<sup>16</sup> on international procurement of medicines and equipment, due to non-transparent procurement processes, operating through shell companies, etc. In 2016, after a series of civil society advocacy campaigns and political dialogue, the government adopted a special law on international procurements, by transferring procurement mechanisms to international agencies UNICEF, UNDP, and the Crown Agents. It is calculated that this escrow system to third parties resulted in \$1,3M of savings on antiretroviral medicines.

## E-procurement and local product/service delivery

The window of opportunity and its momentum didn't always translate into tangible change with regards to governing and processes — but in one specific example, it proved to have been a deciding factor in raising transparency. ProZorro, the country's national and local e-procurement system, has been widely recognised as a successful transition from a purposefully obscure, clientelist procurement process, to an open and transparent system that includes support from government, the civil and commercial sectors.

The third piece of the puzzle is how ProZorro enabled advocacy for better healthcare services on a local level. The sole existence of an e-procurement system doesn't guarantee, or automatically correlate with, an improvement of the quality of — and access to — service delivery, particularly at the point of service. It is important to understand whether it is possible to create the connection between:

- A system's ability to deliver or support change,
- Its effective use as a driver for good, and
- An impact that is either strengthened by the system's existence, or that would have been unfeasible or impossible without it

Grassroots support to people living with HIV and other Key Populations in Ukraine is currently supported for the most part by international donors, such as the Global Fund to fight AIDS, Malaria and TB, and USAID/PEPFAR<sup>17</sup>. However, Network 100% are aware that relying on international aid is not a long-term sustainable strategy; they wished to see Ukraine secure long-term government-backed HIV service delivery (including financing and procurement) models with high involvement/participation of local civil society and communities. For this reason, Network 100% decided to support the development of ProZorro: their belief was that, by implementing appropriate transparency and accountability mechanisms, both legal (policies, regulations, recourse mechanisms) and functional (e-procurement systems, implementation of the Open Contracting Data Standard<sup>18</sup>), healthcare for people living with HIV would become more efficient and cost-effective, thereby reducing the financial impact on the public budget.

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<sup>16</sup>

<sup>17</sup> <https://www.theglobalfund.org/en/>

<sup>18</sup> <https://www.open-contracting.org/>

Furthermore, because the topic of corruption in healthcare is something regular citizens can resonate with, fiscal transparency in this area enables activists to build evidence-driven campaigns and ignite public pressure to support their advocacy. Once ProZorro became mandatory, Network 100% and their community members were able to open positive dialogues with national and regional authorities, supporting their uptake of the new system and rules through training of civil servants on technical use and legal requirements, thereby ensuring compliance while strengthening relationships between the government and civil society.

As we will see in Examples of Local Impact, this bet is paying off for Network 100% and their members: the transparency and accountability brought upon by ProZorro, both technically (using the platform) and legally (recourse mechanisms to flag and fine cases of corruption), is proving to be an invaluable tool in grassroots advocacy for improved products and services for people living with HIV.

## Examples of Local Impact

*It is a commonly established opinion among civic technology practitioners that ProZorro can be considered a successful case of implementing a public e-procurement process and platform. However, it wouldn't do us any favours to follow the "if you build it they will come" mentality and implicitly accept that, if an e-procurement system exists, it will also be successfully used to increase transparency, reduce corruption, and improve citizen engagement. How did the use of ProZorro and its peer platforms (DoZorro and the business intelligence platform) practically impact work on the ground?*

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### Kyrovohrad Province Affiliate of the Network 100% Life

- **The issue:** slow adoption of ProZorro
- **The strategy:**
  - Dialogue
  - Awareness raising campaigns
  - Training of staff to both use, and train others in the use of, ProZorro
  - Establishment of procurement monitoring teams
- **The results:**
  - Conducted more than 25 public regional events on the use of ProZorro and transparency in procurements;
  - Conducted ProZorro trainings on more than 40 procurement specialists from regional healthcare facilities;
  - Regular, ongoing monitoring of 88 health care facilities in the Kyrovohrad province;
  - Submitting more than 50 official letters of procurement violation, discovered thanks to regular monitoring;
  - Active expansion of activities (to date, 625 institutions from four regions: Kyrovohrads'ka, Cherkas'ka, Khersons'ka, Odes'ka)

In 2016, Kyrovohrad provincial authorities were reluctant to switch to ProZorro even if, by that time, it was required by the Law on Public Procurements. The Kyrovohrad Province Affiliate of Network 100% believed that the procurement practices used by provincial authorities won't change anytime soon, with the consequent risk of continued inefficiency and lack of transparency, without external support.

For this reason, the Kyrovohrad Province Affiliate decided to actively engage in the process of advocating for widespread use of ProZorro system in the region, especially in the healthcare sector. They planned to both steer decision makers towards adoption of ProZorro as the new *de facto* norm in the procurement process, and support government implementers (procurement specialists) in their use of ProZorro.

To start, Kyrovohrad Province Affiliate organised in-depth skills acquisition for three staff members on the latest procurement laws and procedures, as well as the use of the ProZorro platform and its Business Intelligence dashboard.

During the second half of 2016, the Kyrovohrad Province Affiliate ran a region-wide awareness raising campaign to draw citizens' attention to the fact that public services weren't

using the e-procurement platform effectively, with consequent risks for transparency and quality of public service delivery.

In connection with the campaign, the Affiliate also conducted a series of meetings with medical institutions and authorities aimed at convincing them to switch to the ProZorro system and conduct public procurement transparently. This, in turn, permitted the newly trained Affiliate monitors to conduct systematic procurement monitoring of select healthcare facilities, resulting in the filing the first official letters of violation. At the same time, representatives of the Affiliate approached regional decision makers with propositions to help train procurement specialists of the healthcare facilities in using ProZorro to minimize the risks of inefficient and corrupt tenders.

## Rivne Province Affiliate of the Network 100% Life

- **The issue:**
  - Life-saving drugs procured through suppliers with unfavourably high prices, resulting in less available drugs for patients
- **The strategy:**
  - Awareness raising campaigns through “loud” cases of corruption
- **The results:**
  - Significantly lowering the procurement threshold for mandatory use of ProZorro — from UAH200,000 to UAH50,000 (i.e. from ≈US\$ 7,000 to ≈US\$ 1,800).
  - Establishing a constructive dialogue between patients’ organization and the authorities on provincial level.
  - Monitors of the Affiliate organized and conducted series of trainings for procurement specialists of provincial healthcare facilities.
  - Monitors also provide routine consultative support to several healthcare facilities.
  - In the first 9 months of 2017, medical facilities of the Rivne Province reported savings of 18,000,000 UAH (≈US\$ 670,000) by conducting more than 2300 tenders in the ProZorro system.

While Rivne Affiliate has been actively monitoring health care procurement for years, the process has always been slow and time-consuming. The lack of transparency, paper-based documentation, and lack of any concrete tools to timely intervene and stop inefficient or corrupt tenders, meant that the process was far from being effective. Rivne Affiliate felt weakened in their impact by the lack of appropriate instruments for healthcare procurement monitoring. Rivne public services were using ProZorro for some transactions, but they were slow and unwilling to adopt it more widely.

In order to spur the regional healthcare decision makers into action, Rivne Affiliate decided to utilise a particularly obvious example of inefficient healthcare spending as their main campaign vehicle to raise the public’s attentions and pressure decision makers into implementing efficient e-procurement processes more widely.

Rivne Province Affiliate monitors revealed a case of potential corruption in morphine procurement by the Central Hospital of Rivne. Morphine was being purchased from two different vendors: the vendor found through the ProZorro system was selling it at UAH93 (≈US\$ 3.50) per pack; the vendor outside of ProZorro provided morphine at a higher price of UAH132 (≈US\$ 5) per pack. Taking into account that morphine is needed for patients with extreme pain, the difference in procurement prices resulted in less overall available morphine for those in need of pain management.

The media campaign (one of the publications was also published on DoZorro, <http://media.dozorro.org/rivne>) was accompanied by official letters to authorities describing the price difference and potential negative impacts on patients, as well as conducting trainings for procurement specialists from the healthcare facilities to help them work with the ProZorro system and new legislation.

## Lviv Province Affiliate of the Network 100% Life

- **The issue:** Insufficient public funding for social services for people living with HIV, Key Populations, and other vulnerable groups
- **The strategy:** partnering with provincial authorities to establish the first ProZorro implementation in the region, in order to procure social services
- **The results:**
  - Successful creation of the first case of the ProZorro system being used on the provincial level to procure specific social services for people living with HIV (competition was announced, the winner was selected and contracted to provide services and report to the regional government).
  - Provincial budget spending on social services for people living with HIV increased from UAH136,800 (≈US\$5,100) in 2016, to UAH554,200 (≈US\$20,500)
  - Establishing a productive relationship between patients' organization and regional authorities
  - First case of gradual transition from donor to domestic financing of services for vulnerable population in the region.

In 2016, only 1,400 out of 3,600 registered people living with HIV in the Lviv Province were receiving social services. Furthermore, these social services were solely donor-funded (thanks to the financial support of the Global Fund to fight AIDS, TB and malaria). The Lviv provincial authorities weren't providing any financial support, due to their belief that the Global Fund would eventually cover the missing part as well.

Lviv Province Affiliate decided to advocate for a social services program that is not only fully funded, but also completely government-backed, and independent of donor funding. Their plan was to create a case of successful financing of social services for people living with HIV from the provincial budget through the use of the ProZorro system and new legislation on public procurements.

Representatives of the Lviv Affiliate approached the provincial decision makers with a proposition to jointly develop detailed unit cost calculations and procedures on how to use ProZorro system to announce a tender for social services for people living with HIV. They were providing a couple of arguments for which this would be beneficial to regional authorities:

- Lviv provincial authorities had no sustainability plan or strategy for social services support once international donor funding runs out.
- Using ProZorro would demonstrate the willingness of provincial authorities to fulfill their obligations to provide social support for vulnerable populations.
- This partnership would demonstrate in practice how government and civil society could work together to solve problems of vulnerable populations.
- The provincial authorities have never used ProZorro, so this program would let them update their procurement processes in line with new laws and regulation, and with support from practitioners from Lviv Affiliate.



After a series of strategic and technical negotiations, provincial authorities agreed to and gave the green light to the process of development and announcement of tender to procure social services for people living with HIV and those affected by the epidemic through the ProZorro system. Additionally, the fact that Lviv province allocated four times more financial resources than before indicates that an improved e-procurement process spurred improved planning and budget allocation — more capable of identifying, and justifying, the correct amount of resources needed.

### Poltava Province - Institute for Analysis and Advocacy

- **The issue:** lack of qualified specialists to conduct procurements and monitor tenders in the new system.
- **The strategy:** capacity building and growing the DoZorro monitoring community
- **The results:**
  - Establishing a team of well-trained community monitors, regularly tracking over 70 hospitals in Ukraine

During the launch of the ProZorro system (and its business intelligence dashboard), one of the main problems was the lack of qualified specialists to conduct procurements (for both buyers and suppliers) and monitor the tenders in the new system. The acquisition of skills in using the system was needed by NGOs, who wished to create strong monitoring teams to oversee spending of public funds. Additionally, potential bidders were interested in learning how to use the system and participate in the government contracting.

The NGO “Institute for Analysis and Advocacy” (Poltava, Poltava province) implemented several projects aimed at increasing capacity (knowledge and practical skills) and experience of civil society monitors from provincial affiliates of Network 100%, as well as other partner organizations. Their aim was to both improve internal analysis skills, and grow the monitoring community of Dozorro<sup>19</sup>. An integral part of this process was combined work with government contractors and business representatives, in order to foster collaboration and invite businesses to participate in the contracting process through the ProZorro system.

While the Institute for Analysis and Advocacy aims to establish high-quality monitoring of all institutions that use the ProZorro mechanism, they decided to prioritise the healthcare sector (hospitals, health administrations etc) because of its importance and potential impact. Their strategy was to actively support establishment of healthcare monitoring teams tasked with reviewing purchases for potential violations, as well as advocate with the authorities for the elimination of wrongful procurements whenever possible.

As a result of the Institute’s activities, Ukraine now has a team of well-prepared civil society monitors, covering over 70 hospitals in Ukraine. Without the ProZorro and Dozorro systems civil society would not have had the opportunity to effectively monitor public procurement, and the community of monitors was unlikely to appear, due to the technical, legal, and logistic complexity of pre-ProZorro solutions.

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<sup>19</sup> <http://dozorro.org>

## Factors of Success

*In order to understand whether the impact of ProZorro for grassroots HIV advocacy can be replicated in other contexts, we needed to define a series of building blocks — basic components, or factors, that contributed to successful implementation and use of ProZorro.*

*The following factors are a breakdown of insights learned from interviews and desk research. They have all been mentioned, in some capacity, throughout the interviews, and have been referred to in the literature. Recognising and naming the building blocks of this enabling environment also helps us propose **implementation strategies**: how to adapt tactics, if possible, in case one or more of these factors isn't present?*

### Factors of Success: an overview

#### **External factors:**

- The post-Maidan “window of opportunity”
- Champion individuals driving change

#### **Factors for a successful implementation of e-procurement reform:**

- Technical quality of the ProZorro platform
- Support and experience from external experts on ProZorro development
- DoZorro and the business intelligence dashboard
- PR, communications and branding

#### **Factors for a successful uptake of e-procurement by HIV advocacy groups:**

- The granularity of Network 100%
- Proactive support and positive dialogue

## External factors (there's no place like Ukraine)

*Each country or region has its own contextual peculiarities that need to be taken into account whenever we try to replicate a process in another context. Ukraine, in particular, has undergone a number of fundamental geopolitical shifts since the fall of the Soviet Union (USSR), where the most recent — the EuroMaidan — was perhaps the most significant.*

*This means that we need to carefully underline and define the factors that might have made this case study a one-off, a possibility only in case of major paradigm shifts. The importance of these external factors is that they cannot be planned for — this means that, if an external factor is deemed vital for the success of ProZorro or for its impact on grassroots activists, any successful replication of the process will have to depend on the same external factor(s) being in place.*

*While there are surely other external factors playing a role in ProZorro's success, we believe that the following ones are the most relevant to this case study.*

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### The “post-Maidan window of opportunity”

The concept of the “window of opportunity” has been a leitmotif in virtually all the interviews — there is, in our opinion, a general recognition of the fact that this type and amount of governmental openness towards change in procurement transparency (both regional e-procurement and international procurement) is causally connected to the very specific conditions that the EuroMaidan revolutions brought about. It is also important to note that there is a general feeling of the window of opportunity closing — i.e. that these times are the final instances of a political situation in flux, and that the stabilisation period is almost over. This of course signals a causal connection between the subject of this case study and the timeline of the window of opportunity.

For **government uptake**, one of the key pressure points that ignited EuroMaidan was rampant corruption in the government. Post-Maidan, the only way for civil servants to preserve their position was to embrace the winds of change, and dedicate themselves, at least in intention, to a transparency overhaul. For **ProZorro development**, the post-Maidan window of opportunity enabled actors to have a broader, more long-term, more ambitious transparency goals for Ukraine, which in turn helped big, complex visions such as the ProZorro system become reality. For **civil society**, the post-Maidan window of opportunity was an incredibly powerful political moment — the reshuffling of power and openness towards new legislation and rules enabled the policy arm of Network 100% to seize the opportunity and dedicate themselves to support and influence major policy changes in HIV and AIDS service delivery, and tackle the lack of transparency and accountability from the government.

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### Champion individuals driving change

Our interviews indicate that the ProZorro reform owes much of its success to particularly capable champion individuals advocating, and pushing forward for ProZorro uptake and improvements. We consider this an external factor because, while it's possible to design a successful process, it is not possible to plan for individual capacity. As with any project implementation, issues and roadblocks will arise that throw a wrench in the planned development where people involved need to be able to nimbly and smartly adapt, pivot, and make hard choices on short notice and with little planning.

A lot of the work introducing and implementing ProZorro within the government was done thanks to a very limited number of internal and external champion individuals. Some of them, like ex-eco/trade minister **Abromavičius**, prior to resigning managed to kickstart very visible transparency projects like ProZorro that, after his resignation, couldn't have been stopped by

gov without causing a reputational dent on the national and global stage. Other figures of note are **Maxim Nefyodov**<sup>20</sup>, Abromavicius' deputy who led the ProZorro reform from the government side and **Alexandr Starodubtsev**, who kickstarted ProZorro in a volunteer-led coalition and later brought the entire ProZorro team inside the government once Ukraine decided to enact the reform, in order to continue their work on transparency and accountability.

Starodubtsev and Nefyodov came from successful careers in the business sector, and brought their product and brand delivery know-how into civil society. The particular mix of skills that was obvious in the ProZorro development like technical savviness, shrewd business decisions, branding and PR, have brought benefits to ProZorro's success that can't be easily replicable without individuals with similarly wide skillsets.

It is interesting to note that literature on ProZorro tends to avoid mentioning individual champions behind its success — which is a reasonable choice, since its strength today lies in the fact that it is a formally institutionalised system that should be measured by its merits and impacts — but this light omittance risks to present a skewed origin story to other countries who would like to replicate it, because it downplays the importance of highly skilled and ambitious individuals able to leverage windows of opportunity.

Last but not least, **Transparency International (TI) Ukraine** backed ProZorro institutionally from the beginning: it also served as funding proxy and administrative backbone. The particular staff capacity that the organization has internally, their standing with international donors, and the strong positive reputation it has with the Ukrainian people enabled ProZorro to weather the storms of the startup phase, and survive until the government was ready to institutionally absorb it.

## Factors for a successful implementation of e-procurement reform

*We believe these are the most important **internal** factors that enabled a successful procurement reform. By internal, we mean factors that are within control of the stakeholders behind the e-procurement platform. We believe these factors should be at the basis of a successful replication of a ProZorro-like system.*

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### Technical Quality of the ProZorro platform

ProZorro has been lauded — with merit — for its smart development choices<sup>21</sup>. Born out of a networked group of volunteers who invested ample time and resources into preparation and initial prototyping, the development then found strong backing from the most prominent anti-corruption civil society organisations (CSOs) in Ukraine, led by TI Ukraine. The process then worked hard to both iterate slowly and securely on its successes, while at the same time ensuring buy-in from the governmental, as well as commercial sectors. It strove to be financially independent from the beginning (with mixed success), and artfully combined the three dimensions (civil society, government, and commerce) by providing incentives for all three to work together positively and constructively.

The result of this process is a platform that puts users first, by recognising that the three main user groups are the ones mentioned above, and ensuring that all three have an equally incentivised and hassle-light user experience.

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<sup>20</sup> <http://www.atlanticcouncil.org/blogs/ukrainealert/meet-nefyodov-how-ukrainian-geeks-tackled-corruption-in-public-procurement>

<sup>21</sup> By “development” we mean technical, structural, infrastructural, and conceptual development

The technical solutions for the platform are industry-standard, robust, and scalable (division of a back end and communication via open APIs<sup>22</sup> with front-end solutions integrated into commercial platforms, CSO solutions, and business intelligence modules). The platform also uses standardised data storage for compatibility.

**The end result of this complex development process is, to put it simply, a usable system.** User experience, or UX, many times is a live-or-die paradigm for online platforms. If administering the back end required massive induction and training overhead for the government, public officials would be both hard pressed to justify the costs and reluctant to position themselves politically in favor of such a system; CSOs would be confronted with data that is open but unusable without high levels of skills in data retrieval and analysis, which would have a chilling effect on actual usage; and the commercial sector would simply not incorporate it into their processes unless they were legally forced to.

Usability is subjective — we know from the numbers that ProZorro is being used, but site visit analytics don't tell a story of usability, only usage. It might be possible that this version is “as good as it gets”, but it is highly probable it is not so. We, the writers, also have an expertise bias towards usability that might bring us to give more importance to the hammer we know.

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### Support and experience from external experts on ProZorro development

In the initial stages of ProZorro development, a fortuitous encounter with e-procurement experts from Georgia turned into a milestone moment for the ProZorro concept. Features like the *three-stage blind auction*<sup>23</sup> and *post-qualification procedure*<sup>24</sup> were heavily influenced by the Georgian example, and Georgian experts contributed extensively throughout the ideation and implementation phase.

In any procurement system there is a chance of corruption, whether through preliminary agreement on price points, tailoring tender qualifications so that only the pre-selected company can win, or other techniques. An automated e-procurement system like ProZorro is a double-edged sword: if implemented badly, such systems can effectively increase the risk of corruption. Without the experience of experts who already implemented a successful system in another country<sup>25</sup>, ProZorro creators might have inadvertently fail to implement some crucial transparency measures.

We can't know if ProZorro creators would have come to the same conclusions and implementation techniques without the support from Georgian experts — we also cannot know whether they might have implemented a system that is effectively *better* if they worked from a blank slate.

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<sup>22</sup> [Application Programming Interface](#): in a nutshell, APIs are well-defined sets of instructions that a software program offers, so that developers working on other applications know how they should write their apps to be able to communicate (request and send data) with our software.

<sup>23</sup> Each bidder participating in the auction can reduce his proposed price for every stage, and the lowest bid in third stage wins the auction. All the price proposals are disclosed in real time. This form of auction prevents the discrimination of bidders before the auction begins. For more information, see Marin, *Co-Creation of ProZorro*, Transparency International and Kyiv School of Economics, 2016.

<sup>24</sup> Document verification of the winning bid is performed after the auction, therefore decreasing the risk of corruption through claims that submitted documents are inadequate. For more information, see Marin, *Co-Creation of ProZorro*, Transparency International and Kyiv School of Economics, 2016.

<sup>25</sup> It is important to point out that Georgia and Ukraine also share similarities in structure, culture and history, which raises doubts on whether similar cross-country collaboration would be as useful between two countries with radically different geopolitical and cultural backgrounds.

## DoZorro and the business intelligence dashboard

ProZorro is built to provide its data through an open API (see note above) that effectively lets anyone build their own online platforms for visualising ProZorro data. The platform itself provides a business intelligence dashboard<sup>26</sup> built with the Qlik business analytics engine<sup>27</sup>. Furthermore, TI Ukraine runs Dozorro<sup>28</sup>, a transparency monitoring platform targeted specifically to CSOs, as a place to analyse, monitor, and flag irregularities. Dozorro is the CSO side of the ProZorro coin, and it serves as the main entry point for many activists, especially on the micro-level, to gather evidence and create advocacy instruments.

It is safe to assume that ProZorro itself already provides (especially through its business analytics dashboard) monitoring and usage data that CSOs can use for their evidence-driven advocacy. However, the existence of a platform tailored specifically to CSOs, that takes into consideration their needs and their capacities, makes the e-procurement system a much more viable tool for transparency and accountability (T/A) advocacy. Furthermore, the existence of Dozorro means that public procurement officials know there is an open, transparent platform specifically designed to monitor inefficiencies and corruption in their work. The existence itself of such a platform acts as a balancing force; the fact it is being actively used with success<sup>29</sup> raises the overall perception of Dozorro as a platform with teeth.

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## Public relations, communications and branding

Since the project's beginning, the ProZorro team dedicated ample time and attention to communications, public relations (PR) and branding. They realised that, in order to maintain momentum against the window of opportunity closing and bureaucratic inertia pushing back, they needed to keep the public pressure constantly on. They utilised catchy and shareable media formats like infographics, interviews and talk show clips.

ProZorro also made smart story choices in finding cases of corruption that the public could relate to, as well as producing memorable anti-hero personas such as the “Haberman” (Bribe Man, a particularly smooth civil servant whose corruption )<sup>30</sup> to keep the media willing to publish their stories which in turn kept the public opinion constantly engaged. In the end, this sustained public pressure helped ProZorro survive the post-Maidan closing window of opportunity and contributed to the creation of the supportive environment for ProZorro reform. ProZorro media strategies also served as a successful blueprint for other activists, like the examples below, in finding egregious examples of corruption on a local level that the public can rally around.

## Factors for a successful uptake of ProZorro by HIV advocacy groups

*Now that we covered the factors that created the enabling environment for ProZorro's successful adoption, we will focus on analysing how and why Network 100% was capable of both influencing the ProZorro reform, and facilitating uptake from grassroots activists.*

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<sup>26</sup> <http://bi.prozorro.org/sense/app/fba3f2f2-cf55-40a0-a79f-b74f5ce947c2/sheet/HbXjQep/state/analysis>

<sup>27</sup> <https://www.qlik.com/us/>

<sup>28</sup> <https://dozorro.org/>

<sup>29</sup> See chapter on Local Examples

<sup>30</sup> <http://www.bbc.com/ukrainian/features-38647575> <http://mmr.ua/show/prozorro-marketing>  
<https://www.facebook.com/haberman>

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## The granularity of Network 100%

*Network 100% is Ukrainian's biggest network of advocates, lawyers, community organisers and activists fighting for the human rights of people living with HIV and AIDS. It was founded in 2001 to stand for the rights of people living with HIV in Ukraine, particularly for the right to adequate HIV treatment and care. Currently, Network 100% counts 16,000 members, providing services for up to 75,000 clients (through the support of 86 sub-grants on national and regional levels). Significant efforts of the organization are devoted to the provision of quality care services for HIV-positive adults and children, as well as to the medication cost-reduction activities, advocacy for increase in domestic funding for HIV, tuberculosis, hepatitis C and MAT treatment and enhancing the role of CSOs in national response. Since 2007, Network 100% is one of the main recipients of the Global Fund to Fight AIDS, Tuberculosis and Malaria in Ukraine and co-executor of the National HIV and AIDS Programme in Ukraine. Within the Global Fund program the Network provides antiretroviral medicines for treatment to more than 24,500 HIV-infected persons in Ukraine.*

Network 100% has a decentralised presence in 25 regions in Ukraine, and is organised around an autonomous, network-centric model with a central hub that both supports local organisations through funding and legal assistance, and conducts policy advocacy on the national level. This double-ended field of operations (both locally and nationally) means that Network 100% has a direct line into needs on the ground, and is capable of transforming those needs into political action.

Network 100% recognised the potential of ProZorro while it was still in development: they decided to take the risk of funding ProZorro's growth (providing funding for ProZorro's software development) and test it within the health sector (at the time, ProZorro wasn't focusing on health products and services). They also acted as champions throughout the ProZorro development cycle, advocating for procurement reform, and providing ProZorro with an additional strategic entry point into the Ministry of Health and related services (hospitals, regional health authorities).

This collaboration proved beneficial for Network 100% and its member organisations: they were able to advocate for piloting ProZorro implementations in the health sectors, and they were also able to train their members in utilising ProZorro and its Business Intelligence dashboard to conduct detailed analysis and research of procurement information. As the local examples below will show, this collaboration has had a tangible impact in improving Network 100% capacity to advocate for improved health product and services for people living with HIV.

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## Proactive support and positive dialogue with the government

When flagging corruption, it is easier to criticise than to deliver praise. Network 100% and its members chose to develop a constructive dialogue with government officials, and support a positive systemic change, rather than focus solely on denouncing cases of corruption. When exposing flaws in tenders and procurements, Network 100% and its members submit proposals to change the system in the future, so that the same mistakes can't be repeated — based on the belief that a system can be designed to be free of human error as much as possible. Court procedures aren't seen as the end goal but a final recourse after all other options have been exhausted: Network 100% don't consider the possibility to drag someone to court as a success.

That being said, Network 100% and its members also make sure that the public pressure is active while having a constructive dialogue. When advocating for specific changes (as seen below), media campaigns act as public awareness counterpoints, in order to make sure the issue at hand is being given the level of importance it merits.





## Implementation Strategies

*This chapter will break down some of the strategies we managed to identify, that can be used in an environment where it is possible to access valid procurement data. After that, we will try to provide guidance on what to do if that environment isn't available or possible. Lastly, we'll briefly look into the role international support organisations (such as HIVOS) and transparency movements (such as the Open Government Partnership, Open Contracting Partnership, EITI, etc) can play for creating the enabling environment.*

### Strategies I: How to use e-procurement data for HIV and AIDS evidence-based advocacy on a local level

#### Proactive dialogue with regional authorities

When advocating for transparency and accountability in health services, the experience from Ukraine suggests that positive interaction with the authorities works better than antagonistic tactics. Even if the examples of corruption are egregious, it is a better long-term strategy to extend the benefit of the doubt that those examples are due to error, inefficiency, or lack of skills or experience in using procurement mechanisms and protocols — especially if those mechanisms have been recently adopted. This approach will both provide occasions to remain involved in future dialogue, therefore extending the opportunity to influence regional authorities, as well as permit them to “save face” when adjusting their procurement practices.

#### Sustained, evidence-based campaigning

Improving procurement practices is a long and hard journey — it can require major overhauls in how authorities operate, and will require strong incentives in order to maintain their momentum and will. The best way to keep momentum is through sustained, smart public awareness campaigns: for example, picking examples of egregious corruption or chronic inefficiency that resonate with the public, and excite the media so they keep inserting the stories in their news cycle. Corruption usually provides examples that are close to citizens because they can relate with overspending, especially on the local level because there is a close connection between taxes people pay and delivery of public services and goods.

#### Creating activist experts on public e-procurement

If there is an e-procurement mechanism in place, it will almost certainly have complex rules and regulations on how tenders are prescribed, how bids are presented, how winning bids are chosen, how data about the bids is stored, how recourse mechanisms function etc. Additionally, the quality of the e-procurement system might be as high as ProZorro (or higher), or so low that using it is meaningless. It is important to train internal staff to become experts in both legal and technical aspects of the e-procurement system: knowing the ins and outs of both the online platform and the legal procedures ensure that evidence of corruption is properly collected, and therefore campaigning and advocacy can count on hard evidence.

If there is a dedicated e-procurement office in the government, they might be able to provide expert training for civil society. If not, it is good to connect with transparency and accountability NGOs in the country or region that might have experts on staff.

#### Training government officials

Having expertly trained procurement specialists on staff enables organisations to provide trainings for civil servants (regional authority procurement specialists, hospital chiefs, etc). This strategy strengthens good relationships between the civil society and the authorities, provides an opportunity to locate champions within the public sector, and can secure long-term improvements in how procurement is managed.

## Strategies II: what to do if...

...there is an e-procurement mechanism, but it is not being implemented?

There are good chances that T/A NGOs in the country are already advocating for better implementation of the e-procurement mechanism. A smart strategy is to partner with them and, hopefully, provide them with the incentive of piloting implementation in your regions (if there is already positive dialogue between you and the public sector in your region). Network 100% did exactly that in Ukraine: they approached ProZorro and, apart from providing financial backing, they provided the ProZorro team with the opportunity to pilot the e-procurement system in health facilities across Ukraine.

...the e-procurement platform is bad/complicated/purposefully obscure?

If this is the case, then it might be that inefficiencies in procurement are due also to the inability of civil servants to use the platform correctly. To address this issue, there are two options: a) you can ensure that your staff is expertly trained, no matter how complex and frustrating it is, and offer support and training to public officials, as well as b) advocating for improvements in platform usability (and slimming down of legal administrivia) by providing concrete examples of how they could be improved.

...there is no public e-procurement mechanism?

If your country is in a stage where no e-procurement mechanisms are even being considered at this stage, you can build a case for improved procurement by piloting small-scale e-procurement platforms for your town, city, or region. Part of ProZorro's success comes from an iterative development process: the ProZorro team started small and tested out pilots with smaller public sector groups, and then slowly grew by adding other governmental services, until one day it became polished enough to assert itself as a mechanism that can function across Ukraine.

Running local pilots provides two benefits: on one hand, it will provide you with evidence-based data to monitor corruption and improve transparency on a local level. On the other, it can serve as blueprint for scaling and replicating to other areas of the public sector.

**For this strategy, it is advisable to partner with local T/A NGOs that can provide technical know-how and knowledge of open data standards that can be implemented, such as the open contracting data standard. This is also where international NGOs can be very useful — they can bring examples of working prototypes from other countries, provide solid arguments and incentives for local authorities that can help make the argument that improved efficiency is in the interest of all.**

Lastly, the Global Fund has an international procurement platform, <http://wambo.org>, specifically designed for HIV and AIDS/TB/Malaria product procurement. It works in a similar way to ProZorro in that it acts as intermediary (and vetting mechanism) between buyers and suppliers. If your country already receives funding from the Global Fund, it might be of interest to discuss whether the platform can be adapted to local and regional needs.

## Strategies III: leveraging international support

A factor that we previously touched upon was the ability of ProZorro creators to count on international funding sources to provide seed funding for the development period, until the e-procurement platform passed under governmental responsibility.

We also mentioned that Transparency International Ukraine supported ProZorro since its inception — structurally (providing organisational and administrative support), financially (also by securing funding from international donors), and reputationally (since TI Ukraine is well-regarded within the country). We also know that ProZorro smartly and strategically

leveraged international transparency and accountability movements, such as the Open Government Partnership and the decision to implement the Open Contracting Standard.

We, as development practitioners, are aware of the multiple narratives around the “data revolution” that have a strong presence in the SDGs, in the OGP, various UN-backed programs (UNDP, Global Pulse, UNHCR, etc) and single- and multi-donor initiatives (such as TAI, MAVC, to an extent). In order to focus on what we know of the Ukrainian experience, those narratives were useful to the extent that they provided useful promotional spaces, visibility, and funding support (either financially, or through technical support).

For local HIV and AIDS organisations, the overhead of learning how to manoeuvre within these “data revolution” narratives might be too much outside their field of expertise — and we don’t have enough information from the Ukrainian examples for useful insights on this point. Perhaps a more palatable strategy is, as above, to connect with local T/A NGOs that almost certainly have experience with the international T/A and open government ecosystems, and build joint engagement strategies.

**This is where an international support organisation like HIVOS might be of great use: creating resilient cross-sectoral bridges requires knowledge of both sides, as well as practical local knowledge of the main players, and the levels of engagement with international processes (such as the country’s status in the OGP commitments).**

## Annexes

### Annex I: Methodology

#### Data Collection

The HIVOS team conducted qualitative interviews with the following civil society representatives from Ukraine:

- AntAc
  - Alexandra Ustinova, prominent anti-corruption activist
- Network 100%
  - Evgeniya Kononchuk, senior officer of the Advocacy team
  - Yaryna Kovalchuk, officer of the Advocacy team
  - Dima Sherembey, Head of Coordinating Council of the Network
  - Sergey Dmitriev, Director of Policy and Advocacy
  - Sergey Kondratyuk, leading expert in intellectual property rights and human rights
- E-governance reform, Transparency and Accountability in Public Administration and Services activity
  - Kateryna Onyiliogwu, Open Data team lead

Interviews were conducted face to face or via online video calls; notes weren't taken verbatim but were summarised in real time by the interviewer.

#### Analysis

The collected interview qualitative data was analysed through a contextual/causal factor matrix. We identified factors as most important for a) understanding the causal relationships between actors and events, and b) gauging the type of impact each factor had on the overall results. We split the factors into internal (directly implicated as part of this case study's area of focus) and external (not under the control of the case study's area of focus, but crucial for its achievements). Each factor is analysed in the same way:

- What is the assumptive importance of the factor?
- Is it (un) necessary and/or (in) sufficient for government uptake?
- Is it (un) necessary and/or (in) sufficient for CSO capacity?
- What explanatory challenges (bias, lack of information, impossibility to ascertain) are there?

#### Case studies

The team also collected on-the-ground experiences from the following organisations:

- Kyrovohrad oblast Affiliate of the Network 100% Life
- Rivne oblast Affiliate of the Network 100% Life
- Lviv oblast Affiliate of the Network 100% Life
- Institute of Analytical and Advocacy (Poltava, Poltavs'ka oblast)

## Annex II: Lit review

The HIVOS team reviewed the following documentation:

Amin Lucas, *Making the Case for Open Contracting in Healthcare Procurement*, Transparency International, 2017

*Impact of ProZorro*, Center of Excellence in Procurement and Kyiv School of Economics, 2017

*Implementation Assessment of the Ukrainian Public Procurement Legislation*, Institute of Development of Freedom of Information with support from Open Society Foundations, 2017

Lisovska Tetiana, *ProZorro: Ukraine's Experience of eProcurement Reform*, Ministry of Economic Development and Trade of Ukraine, 2016

Mackey, Tim K., Jillian Clare Kohler, William D. Savedoff, Frank Vogl, Maureen Lewis, James Sale, Joshua Michaud, and Taryn Vian. 2016. "The Disease of Corruption: Views on How to Fight Corruption to Advance 21st Century Global Health Goals." *BMC Medicine* 14 (1):149.

Marín José María, *Co-Creation of ProZorro*, Transparency International and Kyiv School of Economics, 2016

*Medical Procurement in ProZorro: Observations*, Transparency International Ukraine, 2014

Mokuolu Adesina, *Role of Civil Society Organisations (CSOs) in Implementation of Open Contracting*, Bureau of Public Procurement, Presidency, Abuja, Nigeria, *date unknown*

Pico Tomás A. Chang, Kohler Jillian Clare, Hoffman Julia, Mungala Lucy, *No More Broken Promises: Challenges and Opportunities for Key Populations in Demanding More Transparency, Accountability, and Participation in the Global Response Against the HIV and AIDS Epidemic*, Health and Human Rights Journal, 2017

*Public Procurement Reform in Ukraine*, Ministry of Economic Development and Trade and ProZorro, 2017

*Reform Progress in Ukraine*, National Reforms Council, 2017

*Ukraine National Risk Assessment*, OSCE, 2016

## Annex III: So you want to kickstart an e-procurement system in your country

*This is a high-level bullet-point description of the ideal persona for kickstarting e-procurement reform, based on description and experiences collected through interviews.*

- You're an NGO with high international standing and recognition both inside and outside the country
  - You have a strong track record in advocacy and influencing policy around corruption and transparency/accountability
  - You have open, constructive dialogue with multiple decision makers within the government that will act as internal champions and implementers
- You have a strong sense of, and experience in, technology
  - You are capable of recognising, recruiting, and managing technology experts that are able to work with cutting-edge tech solutions and complex business intelligence platforms
- You have a strong sense of, and experience in, business
  - You are capable of developing a strong business case for the platform
  - You know how to get the business sector on board by providing resources that are financially convenient and make for sound investments
- You have a strong sense of, and experience in, UX design
  - You spend enough time to make sure the platform solution is both useful and usable, easy to learn, and as frustration-free as possible
- You are capable of fundraising and maintaining momentum for the extensive amount of time needed before the project is self-sustainable
- You choose low-hanging fruit as your initial goal: a clear example is health care corruption
- You work hard on awareness raising and properly packaging your campaigns to maintain constant public pressure
- You are capable of finding and training expert champions in both technical use and political importance of the platform
- You design the project with a clear handover strategy: you want to write yourself out of the executive management of the project and transfer responsibility to the government as soon as it's possible
  - You do your best to support an implementation of checks and balances, both legislative and technical, that ensures the system will be as robust as possible