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2027 Questionnaire on certain organisational aspects of first instance review bodies on public procurement in the EU Member States

Fields marked with * are mandatory.

Introduction

Purpose of the questionnaire

Following the successful previous data collections, which led to the publication of indicators in the 2026 and 2025 EU Justice Scoreboard (https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/eu-justice-scoreboard_en) and the 2026 and 2025 Rule of Law Report country chapters (https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/annual-rule-law-cycle_en), the Commission is continuing with the data collection.

This updated questionnaire is aimed at gathering additional information on certain organisational aspects of bodies involved in the system of review of decisions of contracting authorities in the area of public procurement, in particular the system of allocation of public procurement review cases.

Please send your potential questions to GROW-E2-REVIEW-BODIES-NETWORK@ec.europa.eu and joze.strus@ec.europa.eu

Please insert your consolidated reply in EU Survey by 16 November 2026.

If you wish to download the questionnaire in a MS Word format, please click here
2027_questionnaire_Procurement_bodies_FINAL.docx

Personal information

* EU Member States

Estonia

Enlargement countries

- ○ Albania
- ○ Montenegro
- ○ North Macedonia
- ○ Republic of Moldova
- ○ Serbia
- ○ Ukraine

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Questions

In your country, does a regular court review the public procurement decisions (as presented in Figure 61 of the 2026 EU Justice Scoreboard (https://commission.europa.eu/document/download/d1367f58-9eed-4ebd-8eb3-68646b7c7ddc_en?filename=2026_eu_justice_scoreboard.pdf), this is the case in BE, IE, FR, IT, LT, LU, NL, AT, PT, FI and SE):

- ○ Yes (please note that the European Commission already collected comparative information on the systems of allocation of cases in courts)
- ◉ No

1. Allocation of cases within the first instance review bodies for public procurement

1.1. How are cases assigned within the first instance review body for public procurement and what authority is responsible for such allocation (e.g., head of body, automated systems)? (*please specify what system / mechanism is used for allocation of cases and specify in the comments what authority is responsible for such allocation*)

- ☐ Random allocation of cases made by an automated system (*please specify under comments which authority is responsible for the operation of such system*).
- ☐ Allocation based on a schedule (*please specify under comments what authority creates the schedule and what are the specifics and rules*).
- ☐ Cases are allocated based on specialisation (*please specify under comments what authority allocates the cases and what the concrete rules are*).
- ☑ Cases are allocated based on a predefined order (e.g. by the time of arrival based on alphabetic order of surnames of case handlers)
- ☑ Other (*please specify under comments*).

Additional comments:

The Public Procurement Review Committee consists of only four members. Therefore, the allocation of cases is not made by a formal decision but is organised as an internal work arrangement. Cases are allocated among the members according to a predefined order.

1.2. Under what circumstances can a case be reassigned, or can a member/panel/case handler be recused from a case? (*please list all reasons for reassignment of a case*)

- [x] Conflict of interest
- [x] Bias or lack of impartiality (*please specify under comments who initiates such reassignment*)
- [x] To balance the workload (*please specify under comments who initiates reassignment based on this reason*).
- [x] Incapacity (e.g. due to illness).
- [ ] Other (*please specify under comments*).

Additional comments:

A case may be reassigned for any of the reasons indicated above, although it is rare.
In practice, reassignment is usually initiated by the member to whom the case was originally allocated if, for any of the reasons listed above, that member is unable to handle the case. The reassignment is an internal organisational arrangement rather than a formal decision.

1.2.1. Is the decision on reassignment of a case accessible to public?

- [ ] Yes, the decision is accessible to public (e.g. on a website).
- [ ] Yes, but the decision is accessible only to a concrete auditing body (*please specify under comments what body*).
- [x] No, the decision is not accessible.
- [ ] Other (*please specify under comments*).

Additional comments:

As the reassignment of a case is an internal organisational arrangement rather than a formal decision, no separate reassignment decision is made publicly available. However, information concerning the reassignment of a particular case may be obtained from the Public Procurement Review Committee upon request.

1.3. Are there any external oversight mechanisms in the allocation of cases?

- ( ) Yes (*please specify under comments what authority exercises such oversight*).
- (•) There is no external oversight mechanism in the allocation of cases.

Additional comments:

Contact

Contact Form (/eusurvey/runner/contactform/be336812-bd24-651a-c5fa-ace9cda10473)