

Transparency in Brazil

The domestic environment for transparency, access to information and open data

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Executive summary

Availability of data and information in Brazil is vast

Brazil has a vast amount of data and information provided to the public through federal and local government online and offline resources. Information covers a variety of domestic topics such as national public budget, contracts, social policies beneficiaries, demographic information, and institutional charts and responsibilities among others. The country also has formal mechanisms to file requests of access to information to public bodies.

Existing regulation is satisfactory, but needs full implementation

This rich availability of government information rests on fiscal responsibility, transparency and access to information regulation in Brazil. All together these legal provisions are considered positive by national stakeholders. Federal institutions as well as local governments are required to provide information to the public proactively on their website and through their offices; access to information requests are allowed with limited exceptions; legislation refers to open data criteria; and the country has an open data national plan.

Full implementation of these legal provisions remains a challenge, in particular at state and municipal level. The federal bodies generally perform better, but lack of legitimacy, motivation and scarce capacity and resources in the public administration can lead to resistances. Governance of the system is also considered inadequate, resulting in weak enforcement of the laws.

Inclusive decision-making is at the top of the national agenda

This briefing presents an overview of the Brazilian domestic civil society work to improve transparency, access to information and use of open data, with an attention to public resources-focused initiatives. It is based on interviews with civil society organisations (CSOs), academics and public officials that engage with these issues at different levels. While the briefing does not aim to be comprehensive, it aims to contribute to increasing knowledge of the Brazilian environment. Interviews show that CSOs engage with these issues for three main reasons:

- Fostering citizenship and access to rights and advocating for better public policies.
- Fighting corruption at all levels of government.
- Fostering access to information, open knowledge and data.

Encouraging a more participatory democracy is at the top of the agenda of national CSOs. Most organisations' main objective is to promote broader participation in public policy decision-making and increase accountability. Transparency, access to information and open data are often a means to these ends. These objectives also inform engagement with the Open Government Partnership (OGP), of which Brazil is a founding member.

Priorities and backgrounds vary among CSOs, but collaboration is frequent

Brazilian CSOs that work on these issues have a diverse background that includes those focusing on social participation, freedom of expression, corruption, public budgets, open data and knowledge, research and social progress. Some were established during Brazil's re-democratisation in support of democracy, human rights and equality. Others were founded more recently, driven by the new opportunities offered by technology and data.

CSOs with these different backgrounds collaborate quite frequently to foster the transparency, access to information and open data agenda. But collaboration occurs mainly ad hoc and does not necessarily lead to continuous engagement and a common agenda. The key priorities that emerged in the interviews and that underpin the majority of initiatives are:

- fully implementing transparency and access to information regulation
- improving public spending
- fighting corruption
- disseminating open data.

Introduction

This brief presents an overview of the current domestic landscape and initiatives that aim to improve transparency, access to information and use of open data. It complements the [Brazil as an international actor](#) paper that looks at transparency of Brazil's international activities, in particular as a development cooperation provider.

The present work is based on a set of interviews with civil society organisations (CSOs), academics and public officials that engage with domestic transparency issues at different levels. They act as advocates, activists, regulators, implementers, and scholars. The paper does not aim to provide a comprehensive description of different positions, approaches or initiatives. Rather, it aims to better map out the national landscape to better understand it.

Public budgets monitoring and tracking the use of public resources are key priorities at national level, grounded in long-standing initiatives aimed at fostering budget accountability, increasing social participation and tackling corruption. Transparency and open data are welcomed additional tools to foster progress in those areas. To reflect this, the briefing focuses on initiatives related to monitoring and tracking of public funds, but presents other activities where relevant.

In recent years Brazil has invested in increasing transparency and the dissemination of open data. Opportunities for improvements are also increasing. They emerge from available legislation on fiscal responsibility, transparency and access to information and emerging collaborations between traditional civil society, the transparency community and organisations that work on open data.

Challenges exist especially in the consistency with which the regulation on access to information and transparency is implemented, which is better at federal than at state and municipal level. Public administration needs to improve its attitudes towards transparency, and its capacity and technical expertise to provide information to citizens. Open government data are increasingly available but still scarce.

The national framework for transparency and open data

There is a vast availability of data and information in Brazil

Brazil provides to the public a vast range of sources of information and data: official transparency portals, national census, the Brazilian Institute of Geography and Statistics (IBGE) data like the National Research on Households (PNAD), statistics on congress composition by ethnicity and gender, public servants salaries, number of processes and documents emitted, data on political candidates wealth and income, and public institutions contracts and tenders, among others. Elections use electronic voting and electoral biometric identification is in a pilot phase.

The single registry is a strategic tool for poverty reduction in Brazil. It collects information on more than 27 million families (85 million people) living in poverty and is currently used to reach beneficiaries of 19 federal policies, including the Bolsa Família programme.¹ States and municipalities can use the registry to identify social policy beneficiaries. The Ministry of Social Development and Hunger Eradication has invested recently in reaching all poor and extremely poor families that were not included in the registry through active search initiatives.

The use of a single registry for all social policies at the three levels of government allows a more optimal use of available resources and better targeting of families most in need. The registry is managed at municipal level and is updated every two years. Civil servants are its final users.

¹ Poor households are defined as those whose members earn less than half the minimum income or, all together, less than three times the minimum income. Source: www.mds.gov.br/bolsafamilia/cadastrounico.

Budget and financial information is relatively good, but not enough

This rich availability of government information rests on some essential legal provisions. The Brazilian constitution stipulates that all persons have the right to access to information and public bodies have to provide it according to national laws, with the exception of information whose confidentiality must be ensured to preserve national security.² Online availability of information on public budgets and institutions at any level of government has been a legal requirement since 2009.

Over time, the Brazilian government has put in place several online and offline transparency instruments. The online Integrated System for Financial Administration (SIAFI) was created to record, monitor and control the national budget. The Federal Senate's [SIGA Brasil](#) website is an online database of budget transactions based on the SIAFI system. The Comptroller General of the Union (CGU)'s [Transparency Portal](#) presents budget data and additional information such as federal transfers to states and municipalities, tax receipts and forecasts, public institutions' contracts with private entities, and special sections on expenditures for the World Cup and the Olympics. [Comprasnet](#) provides information on federal bodies suppliers and calls for tender.³

The push for this wide availability of financial and budget information ripened thanks to some key drivers. Since Brazil's redemocratisation in the 1980s, civil society organisations have used budget monitoring to foster citizenship and human rights. In the 1990s, the federal government pushed transparency requirements by states to enforce sub-national fiscal responsibility, following a period of high public debt. As a country with a high perception of corruption, public budgets transparency became instrumental to identify forms of public funds mismanagement.⁴

This historical commitment to budget transparency has put Brazil in a good position compared to other countries. According to the Open Budget Survey, Brazil offers substantial budget information, scoring the highest in South America and above the global average (73/100).⁵ As the civil society section will show, these steps ahead are welcome but not sufficient to meet existing data and information demands.

Access to information needs full implementation

The constitutional provision that underpins access to information in Brazil went further than public budgets and financials, expanding the right to other areas. This requirement became law only in 2012, more than 20 years after the constitution itself.⁶ Interviews show that assessment of the Brazilian access to information law and the broad legislative framework for transparency is generally positive. The law is considered good in comparison with legislation in other countries. It has increased availability of information on public management and is a useful incentive to improve public administration systems and knowledge management expertise. It has strengthened the public budgets transparency and open data agendas.

Consistent implementation is however a challenge. Poor implementation results from resource and technological constraints, plus lack of motivation, capacity and legitimacy of civil servants. Public administration culture does not always provide favourable conditions for disclosing information through the application of the access to information law.

Governance is considered weak. Responsibility for implementation is often unclear. While the CGU is the national lead, implementation is the responsibility of each individual public agency. But not all of them take full ownership of the transparency agenda and the CGU can face resistance. Enforcement of the law varies and sanctions are unevenly applied. In particular, political circumstances are thought to undermine application of sanctions, particularly close to

² The Constitution of the Federal Republic of Brazil is from 1988. Its Article 5 XXXIII states that: "all persons have the right to receive, from the public agencies, information of private interest to such persons, or of collective or general interest, which shall be provided within the period established by law, subject to liability, except for the information whose secrecy is essential to the security of society and of the State". Source: [Constitution of the Federative Republic of Brazil](#).

³ Brazil also provides a citizens' budget: www.orcamentofederal.gov.br/orcamento-cidadao.

⁴ In 2014, Brazil ranked 69th over 175 countries in the [Transparency International's Corruption Perceptions Index](#) that measures perceived levels of public sector corruption

⁵ International Budget Partnership/INESC (2012), [Open Budget Survey](#)

⁶ The law regulating transparency portals is the Complementary Law 131/2009. The access to information law is the Federal law 12.527/2011. See also: www.acessoainformacao.gov.br/assuntos/conheca-seu-direito.

elections.⁷ The CGU faces internal challenges such as capacity and budget limitations. Interviewees mentioned that strengthening the CGU (or another dedicated body), and a multi-stakeholder council on transparency would probably ensure better implementation.

Civil society organisations are committed to ensuring the full implementation of the access to information law, but often often lack the adequate knowledge and skills set to use this legislation effectively. The legislation allows individuals to file requests of information to public bodies (passive transparency), but the process can be time consuming, cumbersome and does not necessarily lead to comprehensive and pertinent answers. The relatively high investment required can act as a disincentive to sustained use of the legislation and, as a consequence, weaken incentives for its full implementation.

Inclusive decision-making is at the top of the national agenda

Interviewees appreciate the vast availability of information in Brazil, but they regard it as only the first step towards better accountability and more inclusive decision-making. Their main concern is to promote civil society participation in public policy decision-making in areas such as education, health, women, indigenous people, race, childhood, inequality and poverty. In most cases, transparency is a tool to have a say in decision-making, rather than an end in itself.

Expanding the voice of civil society and fostering a more participatory democracy is at the top of the agenda. Brazil currently has 35 multi-stakeholder committees, covering a number of subjects, such as nutrition and food security, education, human rights, corruption and others. They are usually consultative and provide formalised spaces for dialogue between the government, civil society and the private sector. Some of them have been very effective in monitoring and influencing national policies.

Ad-hoc thematic consultations and conferences complement these permanent bodies. The 2012 National Conference on Transparency and Accountability (Consocial) is the widest consultation on transparency that has occurred in Brazil to date. On that occasion, participants submitted to the government 80 proposals on transparency, accountability, prevention and fighting corruption. Some of them were included in Brazil's second Open Government Partnership National Action Plan (NAP, see OGP section).

In May 2014, the first President Dilma Rousseff's executive tried to institutionalise these participatory mechanisms through the National Policy for Social Participation decree. The decree would provide a more solid legislative backing to the existence of those mechanisms, addressing civil society demands for more accountability and inclusivity in public decision-making. The decree produced strong resistance in the Congress among the government's opposition and from its own base and it is unlikely that the matter will be discussed in the current government.⁸

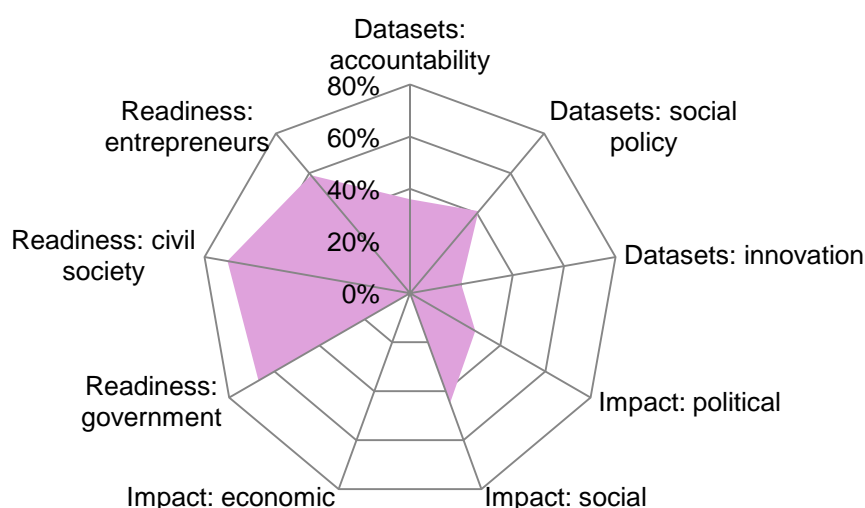
Open data are relatively new in Brazil

The Open Data Barometer 2013, which assesses the diffusion of open government data, ranks Brazil 28th over 77 countries globally and 5th in the Americas region, after the United States, Canada, Mexico and Chile. Brazil performs relatively well on readiness of government, civil society and businesses for realising the benefits of open data, but there is scope for improvements. Impact and availability of datasets that support innovation, accountability and better social policies are conversely weak (Figure 1).

⁷ Brazil votes for the federal president, the state governors, the federal congress and partial renovation of the federal senate every four years with the following schedule: 2010, 2014, 2018 and so on. Elections for the mayors and municipal councils are held every four years with the following schedule: 2012, 2016, 2020 and so on.

⁸ The Congress objected to the process, stating that decrees cannot establish new systems or regulation which are not already existent by law. According to this position, existing committees do not amount to a system, which would need to be proposed through ordinary legislation. More substantive critiques focus on the supposedly subversive character of the decree, which is thought to undermine representative democracy. The decree has been blocked in Congress and is now being discussed in the Senate. In October 2014 some parliamentarians presented a new social participation law, but timing of discussion will depend on the Congress schedule and it is unlikely to progress. Civil society organisations have organised some initiatives in support of increased social participation. See for example: www.inesc.org.br/noticias/noticias-do-inesc/2014/novembro/entidades-reafirmam-carta-aberta-em-defesa-da-politica-nacional-de-participacao-social.

Figure 1. Open data landscape in Brazil



Source: [Open Data Barometer](#)

There is some overlap between the open data and the public budgets monitoring agenda, (although open data encompass other data, both in the private and public sector). A recent study by [INESC](#) (National Institute for Socio-economic Studies) looks at this overlap. It analyses two national and 27 state capitals transparency websites.⁹ It shows that most government portals do not meet international open government data criteria.¹⁰ Of the eight principles, only those regarding completeness and non-discriminatory are respected in all cases; others are only 50% met. This is in contrast with the access to information law that requires data to be accessible, primary, available online, reliable and non-proprietary, aligning to open data criteria to some degree. Intermediaries that took part in the study are only partially familiar with open data principles, and know better those that are more useful to their work (usually the first five attributes: complete, primary, timely, accessible, machine processable).

The study suggests that the most relevant achievement of the diffusion of the open data concept in Brazil is that it is now discussed. Intermediaries are using data more and for different purposes, and are starting to understand their knowledge gaps and skills needs. They are becoming more familiar with data, technologies and regulation and are demanding more and better government data as a consequence.

Brazil recently made steps forward regarding open data. It established a national public policy for open data (National Infrastructure for Open Data – INDA) that defines technical standards and procedures to disseminate and share public sector information in open format. The [dados.gov.br](#) website, one of the main instruments under INDA, is a data catalogue for open government data on a variety of subjects. The website is a multi-stakeholder initiative that aims to become a comprehensive repository of all Brazilian government open data.¹¹ Brazil's second NAP for the OGP includes a number of objectives on fostering knowledge, production and dissemination of open government data.

The Open Government Partnership should be more ambitious

Invited by the US government, Brazil joined the OGP as a founding member and co-chair. The country successfully delivered its first NAP and is now in the implementation phase of its second. The first action plan included 32 actions involving the CGU, the Ministry of Planning, Budget and Management (MP), the Ministry of Science and Technology, the Ministry of

⁹ Beghin, N. and Zigoni, C. (2014), [Measuring open data's impact of Brazilian national and sub-national budget transparency websites and its impacts on people's rights](#) (available in English and Portuguese)

¹⁰ Open government data have to be: complete, primary, timely, accessible, machine processable, non-discriminatory, non-proprietary, and license-free.

¹¹ It was developed in collaboration with numerous individuals and organisations, such as the Open Knowledge Foundation Brazil, W3C Brazil and Transparência Hacker.

Education and the General Secretary of the Presidency of the Republic. Most actions were executed or partially executed (Table 1).

Table 1. OGP first plan's commitments by public body

Public body	Commitments	Met	Not met	Partially met
General Comptroller of the Union	17	11	2	4
Ministry of Planning, Budget and Management	12	9	-	-
Ministry of Education	3	3		
General Secretary of the Republic	2	2		
Ministry of Science and Technology	1	1		
Total	35⁺	26	2	4

Note: ⁺Brazil has a total of 32 OGP commitments. The sum of the commitments (total) column is 35 as each commitment can involve more than one body. Source: Brazil's self-assessment of the first OGP Action Plan, 2013

The CGU regards the OGP as a very important instrument to push the national transparency agenda further, in particular in political and institutional contexts that are not conducive to progress. Having international commitments and working in partnership with the Secretariat of the Presidency of the Republic has proved to be effective in keeping ministries in line with their commitments, although challenges still persist. Interviewees mentioned that the OGP membership was an additional push to approve the access to information law, as it was a requirement for participation.

The Independent Reporting Mechanism considered Brazil's first OGP plan "laudable, but not ambitious", as the plan included many actions that were already under way.¹² Key recommendations included improving dialogue with civil society and the private sector, strengthening national and international multi-stakeholder networks, defining selection criteria for each OGP cluster, and improving communication of the OGP process.

Brazil's second OGP plan is larger in scale and includes 52 actions from 20 public bodies.¹³ It was built in a process of dialogue between the government and civil society and aims to build on progress made in the first plan, complementing work on unmet objectives, expanding the range of commitments and institutions, improving the quality of commitments, and addressing new challenges arising from commitments that have been met under the first plan.

Interviewees in the public sector assessed that the timeline of the first plan somewhat limited dialogue with civil society, but that since then it has improved. The governance structure originally included only the inter-ministerial Committee for Open Government (CIGA) and its executive committee (GE-CIGA), under the coordination of the CGU. Since April 2012 a civil society working group was added to monitor the first plan and feed into the second plan.¹⁴

Several CSOs participated in national OGP consultations and the Consocial, and some actively collaborated with the CGU. The Presidency of the Republic coordinated civil society participation. However, their involvement has decreased, reflecting some de-prioritisation of the

¹² Schattan V. et al (2013), [Mecanismo Independente de Avaliação – Relatório de Progresso 2011-2013](#) [Independent Reporting Mechanism – Progress Report 2011-2013 (Executive summary available in English)]

¹³ Comptroller General of the Union, General-Advocate of the Union, General Secretariat of the Presidency of the Republic, Human Rights Secretariat, Institute of Applied Economic Research, Ministry of Agricultural Development, Ministry of Communications, Ministry of Defence, Ministry of External Relations, Ministry of Education, Ministry of Finance, Ministry of Health, Ministry of Justice, Ministry of National Integration, Ministry of Planning Budget and Management, Ministry of Social Development and Fight Against Hunger, Ministry of Pensions, Ministry of Work and Employment, Secretariat for the Promotion of Racial Equality Policies, Secretariat for Women Policies.

¹⁴ CIGA includes 18 ministries and the executive committee includes a selection of 7. The Civil Society Working Group will include 10 organisations.

process. Since mid-2014 there has been some disagreement on participation mechanisms between the government and CSOs, which were raised with the OGP Steering Committee. The two CSOs requests were: i) to include in the second OGP NAP proposals made at the Consocial in 2012; ii) a revision of the current national OGP governance structure in favour of a stronger and wider civil society participation.¹⁵

The sticking point is therefore the construction of a more participatory democracy. For some Brazilian CSOs the future relevance of the OGP lies first and foremost in the ability to support this political process, beyond a technical agenda that only supports government transparency and open data.

The profile of civil society

Organisations involved in fostering transparency in Brazil have a diverse background that ranges from working on social participation, freedom of expression, corruption, public budgets, open data and knowledge, research and social progress.¹⁶ Although the organisations interviewed for this briefing are not representative of the wider Brazilian transparency and open data movement, they are very active and among the best connected (See Annex 1). Their priorities, positions and opinions provide precious insights on the current environment in Brazil.

They care about transparency for different reasons:

- Transparency as a tool to foster citizenship and access to rights: more and better information empowers vulnerable social groups and civil society organisations to monitor public policies and formulate demands.
- Fight corruption: transparency is primarily an instrument to check how public funds are used and identify mismanagement.
- Fostering access to information, open knowledge and data: this is a more recent driver for engagement for infomediaries, hackers and the free software community, freedom of expression and right to information groups.

Coordination is weak, but collaboration is frequent

This variety of experiences and motivations leads to multiple opportunities. CSOs are likely to collaborate on specific initiatives that can sustain their goals or in the formation of functioning of experts' committees, stakeholders consultations, and advocacy actions. But collaboration on specific initiatives does not necessarily lead to continuous engagement and a common agenda. Longer-term partnerships remain limited.

The most important network is the [Network for Transparency and Social Participation](#) (RETPS), based in São Paulo. Founded at the Consocial, RETPS was funded to support the demands developed during that conference. The network fosters common actions among members but so far it has not developed a strong common platform. Interviewees signalled that the experience of Clean Games (Jogos Limpos) could lead to an additional collective space to work on transparency issues (See Implementing Transparency section).

Collaboration between the transparency and the open data community is innovative and challenging

Data-driven organisations have a commitment to social progress but do not necessarily share the background of traditional Brazilian CSOs whose roots lie in the fight against dictatorship,

¹⁵ The Brazilian government replied that some of these proposals were not included because they did not meet the OGP criteria, would require wider reforms that need long-term commitment beyond the OGP NAP timeframe and would require the involvement of Brazilian institutions (e.g. legislative, judiciary) currently not engaged in the OGP, which is a voluntary commitment. The government assessment of the national OGP governance structure is positive and was that CSOs had several opportunities to contribute, including through a CIGA Civil Society Working Group and other consultations. In 2014, GE-CIGA presented a proposal to review the OGP governance. See: [CSOs letter in Portuguese to the Brazilian government](#); [CSOs letter in English to the OGP Steering Committee](#); [Brazilian government reply to the OGP Steering Committee](#).

¹⁶ Other relevant organisations: ABRACCI, ABRAJI, W3C Brasil, and Transparência Hacker, the Secretary of the Presidency of the Republic, the Comptroller General of the Union Office, IPEA.

poverty and injustice. Their background is in hacking, new technologies and media, social marketing and entrepreneurship. Collaboration between organisations with different backgrounds presents new opportunities and challenges.

Opportunities arise from sharing skills, expertise, and reach. This can take the form of an advisory relationship as in the case of [Data4Good](#) mentors who support the organisation's online infographic development with their sectoral expertise.¹⁷ Collaboration can occur around a project such as the [Budget at your Fingertip](#) platform, developed by Open Knowledge Foundation (OKF) Brasil and INESC, to present the federal budget in an easy form for a non-specialist audience.

Challenges arise from differences. Data-focused organisations are more dynamic and not necessarily attuned to consultative processes and the advocacy work necessary to produce social change; instead they prize the experimental, playful character of data and innovations that can arise from their work. They are very familiar with technology and use a specialist language that can be hard to understand for others. At the same time, traditional CSOs can be slow in decision-making due to the emphasis on broadening participation, can use a highly politicised language and be more subjected to political dynamics.

Mediation between different worlds is therefore required to make the most of the collaboration between these groups. Individuals able to navigate both environments can add real value to relationships and projects and so deepen impact. Internalisation of some functions (e.g. hackers working for CSOs) and peer learning are regarded as alternative solutions.

Challenges and opportunities lie in the local and international reach

The extensive Brazilian territory and the differences in political, economic and social systems that exist in the country pose serious challenges to CSOs willing to work on a national scale. They are mainly based in São Paulo and Brasília and their ability to have a national reach is limited. At the same time, transparency at the local level is considered a priority. The local level affects dramatically the life of people, but it is there that progress towards transparency is slower and accountability harder.

[AMARRIBO](#) is a remarkable exception. Being born from a local corruption scandal in a city of the São Paulo state, the organisation prioritised local action since its inception. AMARRIBO developed a network of more than 200 local organisations and individuals committed to fight corruption in Brazil, which allows them to work locally as well as nation-wide. AMARRIBO is the chapter of Transparency International in Brazil, aiming to harness both the national and international connections that this partnership offers.

The international reach is seen as a area for future opportunities by some interviewees. Some organisations are keen to share their experiences and lessons to increase transparency, social participation and work with data as well as learning from peers. International networks are available to some CSOs, while others would like to see Brazil more open to innovations occurring in other countries, including in Latin America and have more chances to share its good practices. The access to international networks and contacts is considered important also for access to resources, as funding at national level is very limited.

Civil society's priorities and initiatives

The main priorities that emerged from the interviews are:

- Implementing transparency
- Improving public spending
- Fighting corruption
- Disseminating open data.

¹⁷ On health, human rights, education, citizenship, culture and the environment.

While these categories are useful to easily understand current priorities and activities, most CSOs work at the intersections between these fields. The sections below provide an overview of some initiatives.

Implementing transparency

The monitoring of the access to information law and other regulation on transparency is one of the most prolific areas of research and advocacy. The priority is to be sure that the legislation, the assessment of which is good, is consistently implemented at all levels of the Brazilian administration. To this end, some CSOs monitor public institutions' performance.

[Article 19](#) assesses the implementation of the law filing access of information requests to federal institutions. The 2013 study involved 51 bodies and shows that most requests received a full reply (60%) or partial reply (31.5%), but quality needs to improve (33% of replies were unsatisfactory).¹⁸ Executive institutions performed better than the judiciary and the legislative bodies, but substantial differences exist between institutions. For example, the Ministry of Science and Technology answered 80% of requests fully (20% partially); 90% of all answers were satisfactory. The Federal Regional Tribunal for the Second Region (Rio de Janeiro and Espírito Santo states) only answered to 44% of requests; 33% were satisfactory.

[Ethos Institute's Clean Games \(Jogos Limpos\)](#) project aims to increase transparency of public investments, foster integrity in public-private partnerships and reinforce accountability. Its index ranks 12 states and 11 capitals hosting the World Cup and Olympics, assessing information provided to the public, participation and accountability mechanisms channels. Jogos Limpos' index is complemented by private sector guidelines, municipal elections compacts, and mobilisation. Performance of both states and capitals improved over time thanks to Jogos Limpos' ability to catalyse the interest of public administrators in improving their performance and civil society to assess it.¹⁹

[Contas Abertas'](#) Transparency Index focuses on the local level. It ranks all Brazilian states' and capitals' online transparency portals according to the budgetary and financial information they provide.²⁰ The 2014 index shows that the southern states perform better than the northern states. The northern states of Pernambuco and Piauí are exceptions as ranked among the top five more transparent states; Recife, Pernambuco's capital, was the most transparent city in Brazil. Contas Abertas' Transparency Index produced healthy competition between states and capitals willing to improve their ranking and led to some judiciary interventions to enforce transparency regulation.

The FGV Rio de Janeiro School of Public and Business Administration has been conducting research on transparency audits comparability on an international scale through the [Transparency Audit Network](#). The Network aims to support the increase of comparability of assessment of compliance with national regulations on transparency, open data and access to information.

Raising awareness of the existence of access to information and transparency legislation is a priority for most interviewees. Some of them work to build capacity and expertise on the transparency systems available and on how to use the access to information law. They work with a variety of stakeholders such as journalists, researchers, vulnerable population excluded from essential public services, and organisations committed to fighting corruption. The expansion of the pool of people and organisations able to use available instruments is considered key to ensuring the full implementation of the legislation.

Improving public spending

Some Brazilian CSOs have a strong expertise in monitoring public budgets. Their aim is to improve allocation of resources to public policies central to the realisation of fundamental rights

¹⁸ This includes 38 executive, 11 judiciary and 2 legislative bodies. See: Krutzler Vega, L. and Sampaio, R (2014), [Monitoreamento da Lei de Acesso à Informação Pública em 2013](#), Artigo 19 [Monitoring the access to information law in 2013] and Article 19's [Observatory](#)

¹⁹ The governance of the project included a national steering committee, two thematic and 12 local committees.

²⁰ The index assesses content, timeliness and usability of websites. The Index is supported by an experts' committee that provides advice on a number of aspects, including its methodology.

and to the empowerment of vulnerable social groups. Budget monitoring is also an essential instrument for fostering citizenship: budget training, social audits and participatory local budgeting are used as practical examples of a positive relationship between citizens and institutions. More and better information provides the environment in which CSOs, social movements and citizens can improve accountability and have a stronger say in public matters.

INESC is a very well established player in this field. It has realised national budget monitoring since its foundation in 1979. INESC releases annual thematic budgets.²¹ In partnership with the Open Knowledge Foundation Brasil, INESC launched the Budget at Your Fingertip platform. INESC works on local budgeting and is involved in a number of initiatives aimed at increasing social participation and accountability of public bodies.²²

Up to September 2014, INESC held a seat on the OGP Steering Committee and is member of the [Global Movement for Budget Transparency, Accountability and Participation](#)'s Steering Committee. INESC produces the [Open Budget Index](#) for Brazil for the International Budget Partnership (IBP). INESC works to share internationally its budget-monitoring methodology, which links budget analysis and human rights. It partners with a local organisation in Amsterdam to share this methodology at neighbour level, and is willing to reach other communities in Europe.

[CFEMEA](#) works to ensure women's full participation in society and gender equality. Up to 2014, CFEMEA monitored the Brazilian federal budget allocated to gender and race discrimination issues. It developed a methodology to assess public policies and an advocacy tool to influence the public debate, on its own and in support of other organisations. The organisation produced the women thematic budget in partnership with SIGA. CFEMEA contributed to improving the transparency of budget decisions affecting inequality, improving inequality indicators and increasing resources on violence against women, women's health and children's education among other achievements.

Fighting corruption

Anti-corruption activists consider transparency helps them to have the necessary information to improve integrity in public life, service delivery, preservation of the environment and use of public resources.

The local level is at the same time a priority and a challenge for organisations fighting corruption in Brazil. Conditions for civil society scrutiny and independent media at a local level often are very weak. One interviewee framed this issue as follows: most Brazilian municipalities depend for income generation on federal transfers and public local employment, as the private productive sector is limited. People depend for their living on localised economic and political powers that distribute opportunities in their networks. In this context, independence, freedom of speech and defence of one's interest as an economic agent and tax payer are hard to obtain. Independent organisations are rare while complicity and silence can prevail.

The local level is a priority for organisations such as AMARRIBO. As a chapter of Transparency International, AMARRIBO's priority is to make a difference in the life and work of anti-corruption activists, even in hard-to-reach places. Safety and legal support are a major concern. The organisation prioritises three pillars:

- Assisting the victims of corruption through the TI Advocacy and Legal Advice Centers.
- Building anti-corruption knowledge: share local, national and international expertise and knowledge on fighting corruption to disseminate and adapt it to the Brazilian context.
- Working as a network: strengthen AMARRIBO's network of more than 200 organisations and link it to similar organisations abroad through the TI network.

²¹ Thematic areas are racial discrimination, childhood, adolescence, food security, and socio-environmental issues using SIGA data, in partnership with the Senate Other thematic budgets include health, education, the environment and women. This latter is produced in collaboration with CFEMEA.

²² Recent initiatives include the collaboration with Open Knowledge Foundation Brasil and training for the [Caring for My Neighbourhood](#) project and the research on [Open Data, Public Budgets and its Relation with People's right in Brazil](#). Other initiatives can be found [here](#).

Private sector accountability is a concern of several organisations. In line with this preoccupation, the Ethos Institute considers enterprises as key allies in fighting corruption. Jointly with the CGU, they promote the [National Registry of Businesses Committed to Ethics and Integrity \(Pro-Ética\)](#), a repository of enterprises that set standards and assume a public commitment against corruption. Their [Integrity and Anti-corruption Compact](#) is a practical instrument for enterprises to foster transparency and legality in public–private relationships. More recently, jointly with other organisations, the Ethos Institute signed a [letter](#) to the President Dilma Rousseff in support of the full implementation of the law on clean enterprises, which sets corporate responsibility in cases of corruption.²³

[Transparência Brasil](#) specialised in maintaining a close scrutiny of public institutions.²⁴ They see their role as providers and interpreters of information and data about public institutions, such as congressmen performance, electoral financing, conflict of interest analysis, targeting intermediaries.

Disseminating open data

Organisations that put open data at the centre of their agenda frame them as a matter of general interest, as innovations that can bring benefits to all society and, therefore, need to develop further. One key preoccupation is how to foster the use of data to have impact. They are involved in a wide range of initiatives that use data, including:

- Monitoring public budget and advocacy
- Training, capacity building and dissemination of open data
- Apps development
- Data journalism
- Research
- Hackers and civil society activism.

The [OKF Brazil](#) is a new but already relevant actor in the open data landscape in Brazil. The organisation is very dynamic and has been able to develop networks in the technical community of hackers, CSOs in Brazil, academia and the international community. It works as an umbrella organisation that aggregate value through its own initiatives, partnerships and support to external initiatives.

The range of initiatives directly or indirectly supported by the OKF Brasil is wide. It includes the [School of Data](#), which trains data users in the public and private sector on open data; the Social Impact Google Brazil prize-winning [Gastos Abertos](#) project, that adapts the international OpenSpending platform to Brazil. More recently, the OKF Brazil partnered with the Directorate for Analysis of Public Policies at the Getúlio Vargas Foundation (FGV DAPP) and the *Jornal O Globo* newspaper to launch [Mosaico Orçamentário](#), a new federal budget visualisation and monitoring tool.

Their Caring for my Neighbourhood (*Cuidado do meu bairro*) project is led by the Research Group on Access to Information Public Policies at São Paulo Federal University (GPOPAI). It includes an online portal that geo-locates public expenditures using open data and a partnership with the local NGO School of Citizenship Pedro Yamaguchi Ferreira in Eastern São Paulo to empower the local community in the use of data for budget accountability. The project provides an opportunity to closely look at how people use data and how public authorities respond to an increase in public scrutiny.²⁵

GPOPAI has recently inaugurated [Co:Lab](#), a research and activism centre with the objectives to: democratise access to cultural goods; foster access to information; transform data and

²³ Other organisations are BM&FBovespa, Brazilian Business Council for Sustainable Development (CEBDS), Brazilian Institute for Competition Ethics (Etco), Group of Institute Foundations and Enterprises (GIFE), Brazilian Institute of Corporate Governance (IBGC).

²⁵ Research findings show that geo-coding projects can help people engage with complex budget data more easily. The quality of civil society networks and intermediaries can compensate poor data quality. Data consumers and intermediaries can have a dynamic relationship that blurs the distinctions between passive and active users. Sustainability of open data is not a given, as it depends on the contexts in which data are produced. See: [Exploring the impacts of online budget information at the sub-national level in Brazil](#) webpage and materials

information into knowledge; and promote transparency, accountability and participation. The centre aims to progress the linking of information with social outcomes. Co:Lab participates in a number of networks and initiatives such as INDA, RETPS and the Open Science Network (Rede Ciência Aberta) at national level and the OGP, Open Data in Developing Countries (ODDC), Open Data Research Network (ODRN) and Open Knowledge Network internationally.

The National Congress' [Hacker Lab](#) is an official initiative to foster data use. Established in 2014, the laboratory promotes collaborative actions to improve transparency and participation. The space provides access to public data and is open to all citizens, especially programmers and software developers willing to use data for social good. The laboratory is developing projects on congress open data, sub-national resources allocation, legislative information and data visualisation on popular opinions on congress issues among others.

Conclusions

The Brazilian domestic environment for transparency, access to information and open data is very dynamic. The country has a supportive institutional and legal framework and makes available a vast amount of data and information, which is likely to outstrip that of other countries. Nevertheless, this is not sufficient to guarantee more transparency, accountability, civil society participation in public decision-making and, ultimately, social impact. Challenges ahead lie in institutional bottlenecks to transparency, uneven law implementation and differences in expectations on relationships between public bodies and civil society.

Several Brazilian civil society organisations are involved in fostering domestic transparency, access to information and open data agendas further. The national community is not extensive but is resourceful and committed. Although they do not group around a strong common platform, cooperation is frequent. Projects are numerous and some are developed in long- and short-term partnerships.

There are numerous opportunities to strengthen this collective endeavour. The diffusion of open data, collaborations that cut across sectors and backgrounds, local and international linkages, and the existence of some common priorities can lead to positive outcomes. Successful outcomes in Brazil could reinforce transparency nationally and build a stronger case for this agenda globally.

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Annex 1 – List of organisations that participated in the interviews

Name	Purpose	Transparency and open data involvement
AMARRIBO/Transparency International	Fight against corruption	Transparency at local level to fight corruption and improve service delivery
Article 19	Freedom of expression	Monitoring of AI law through annual survey and online portal
CFEMEA	Women rights	Women's budget monitoring and advocacy; thematic budget briefs for the Federal Senate
Contas Abertas	Public finance accountability	Transparency index for states and capitals; budget analysis, training; help-desk for journalists
Data4Good	Data and social progress. Causes: health, human rights, education, citizenship, culture and the environment	Data visualisation; suggestions for offline activism
FGV – School of Public Administration and Business	Academic research on transparency	Transparency Audit Network
GPOPAI/Co:Lab	Research on public policies and access to information	Research and activism on local spending; analysis and fostering data demands
Instituto Ethos	Corporate social responsibility	Cities and states transparency index (World Cup and Olympics); private sector role in fighting corruption
INESC	Participatory democracy and human rights	Sector budgets; IBP; OGP; budget monitoring' social participation advocacy
Open Knowledge Foundation Brasil	Open knowledge, open data, access to information	School of data, training for private and public sector; data journalism; online tools and apps for data visualisation, budget data work etc.
Transparência Brasil	Fight against corruption and public integrity	MPs performance and public institutions monitoring; electoral financing monitoring