Brazil: 2013-2016 End-of-Term Report

Brazil's second action plan led to major improvements in land transparency, online tools for social participation, corporate transparency, and public consumer data. Nonetheless, the majority of commitments made limited contributions to open government. Although many civil society organizations lost confidence in the OGP process during the second plan, the formation of a civil society working group presents an opportunity for the government and civil society to collaborate on implementation of the country's third action plan.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP-participating country.

This report summarizes the results of Brazil's second action plan, which ran from July 2013 to June 2016. The plan was initially set to end in December 2015, but was extended to match the calendars of other participating countries, per OGP guidance.

The Brazilian government published a decree on 15 September 2011 instituting the first National Action Plan for Open Government, the Inter-ministerial Committee on Open Government (*Comitê Interministerial Governo Aberto*, CIGA), and the Executive Group of the CIGA (GE-CIGA). The CIGA is comprised of agencies from only the executive branch, and does not include civil society representatives. The Comptroller-General of the Union (CGU) coordinates the OGP process and is responsible for the action plan.

Table 1: At a Glance

		Midterm	***End of term***
Number of commitments		52	
Level of completion (commitments)			
Completed		31	34
Substantial		9	10
Limited		11	7
Not started		1	1
Number of commitments with:			
Clear relevance to OGP values		42	
Transformative potential impact		3	
Substantial or complete implementation		40	44
All three (✪)		1	1
Did it open government?	*Major*		7
	Outstanding		2
Moving forward			
Number of commitments carried over to next action plan		5	

There were major changes in the political environment during the final year of the second action plan and consultation phase of the third plan. The process of impeaching President Dilma Rousseff started in late 2015, and continued throughout 2016. She was removed from office on 31 August 2016, after which her Vice-President, Michel Temer, succeeded to the presidency.

The government published its final self-assessment for the second action plan in October 2016. It also published its third plan in 2016, which includes 16 commitments in areas addressed by previous action plans (e.g., health data and social participation), as well as new areas (e.g. penitentiary data, environmental data, and openness in the legislative and judiciary branches of government).

This report was prepared by Fabro Steibel, independent researcher

Consultation with civil society during implementation

Countries participating in OGP follow a process for consultation during development and implementation of their OGP action plan.

The last stage of the plan's development marked a moment of schism between the government and many CSOs, as the two sides disagreed on the extent to which civil society proposals were incorporated as commitments in the action plan. Although the government considered the development process to be participatory and transparent, CSOs felt their voices were not heard, and many of them abandoned the OGP process as a result.[1] More details on the development of the action plan can be found in the IRM Progress Report 2013-14.[2]

The falling-out between government and civil society presented a challenge for consultations during implementation of the second action plan. The government published updated information on its OGP website, and held public consultations on the Participa.br forum, but few CSOs participated (except for some discussions with government representatives over the civil society mailing list, outside the official forum).

Still, a positive development was the institutionalisation of a civil society working group (GT) in November 2014.[3] Such a group had been established informally by April 2012, and had supported the GE-CIGA in civic involvement, but it was not active early on. The new GT is comprised of seven elected civil society organisations, including a university representative and worker's union.[4] The election process was published online, along with a timetable and the minimum participation criteria. Voting occurred from 30 October 2015 to 6 November 2015. The first GT meeting took place in December 2015,[5] six months before the end of the second action plan in June 2016. The group has met five times since, working alongside the government to formulate the next action plan.[6]

Table 2: Action Plan Consultation Process

Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the Government Meet this Requirement?
During Implementation	Regular forum for consultation during implementation?	Yes
	Consultations: Open or Invitation-only?	Open
	Consultations on IAP2 spectrum	Consultation

[1] Letter from civil society to the OGP Steering Committee, 2014, http://goo.gl/XK4m8d.
[2] IRM Progress Report 2013-14 https://www.opengovpartnership.org/sites/default/files/Brasil_Relat%C3%B3rio2013-14_Final_0_0.pdf
[3] Resolution establishing the Civil Society Working Group, CGU, 2014, http://bit.ly/2fSV9x7.
[4] Members of the Civil Society Working Group, 2015, http://bit.ly/2fSV1gS.
[5] Record of GT Meetings, 2016, http://bit.ly/2eWRpJK.
[6] Record of GT Meetings, 2016, http://bit.ly/2eWRpJK.

Progress in commitment implementation

All of the indicators and methods used in the IRM research can be found in the IRM Procedures Manual, available at (http://www.opengovpartnership.org/about/about-irm). One measure deserves further explanation, due to its particular interest for readers and usefulness for encouraging a race to the top between OGP-participating countries: the "starred commitment" (✪). Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

1. It must be specific enough that a judgment can be made about its potential impact. Starred commitments will have "medium" or "high" specificity.
2. The commitment's language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
3. The commitment would have a "transformative" potential impact if completely implemented.
4. Finally, the commitment must see significant progress during the action plan implementation period, receiving a ranking of "substantial" or "complete" implementation.

By the midterm evaluation, Brazil's action plan contained one starred commitment. At the end of the term, the plan continued to have one starred commitment:

- Commitment 1.9 - Tools for transparency and better land governance

Commitments assessed as star commitments in the midterm report can lose their starred status if at the end of the action plan implementation cycle, their completion falls short of substantial or full completion, which would mean they have an overall limited completion at the end of term, per commitment language.

Finally, the graphs in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for Brazil, see the OGP Explorer at www.opengovpartnership.org/explorer.

About "Did it open government?"

Often, OGP commitments are vaguely worded or not clearly related to opening government, but they actually achieve significant political reforms. Other times, commitments with significant progress may appear relevant and ambitious, but fail to open government. In an attempt to capture these subtleties and, more importantly, actual changes in government practice, the IRM introduced a new variable 'did it open government?' in End-of-Term Reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice has changed as a result of the commitment's implementation. This can be contrasted to the IRM's "Starred commitments" which describe *potential* impact.

IRM researchers assess the "Did it open government?" with regard to each of the OGP values relevant to this commitment. It asks, did it stretch the government practice beyond business as usual? The scale for assessment is as follows:

- Worsened: worsens government openness as a result of the measures taken by commitment.
- Did not change: did not change status quo of government practice.
- Marginal: some change, but minor in terms of its impact over level of openness.
- Major: a step forward for government openness in the relevant policy area, but remains limited in scope or scale
- Outstanding: a reform that has transformed 'business as usual' in the relevant policy area by opening government.

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM End-of-Term Reports are prepared only a few months after the implementation cycle is completed. The variable focus on outcomes that can be observed on government openness practices at the end of the two-year implementation period. The report and the variable do not intend to assess impact because of the complex methodological implications and the time frame of the report.

Table 3. Overview: Assessment of Progress by Commitment

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.1 Probity defense and asset recovery			●		●						●					●			●			
1.2 Implementa-tion of the ODP.nano			●		●						●						●		●			
1.3 Strengthening the CGU			●		●						●					●			●			
1.4 Online accountability of education resources			●			●			●			●			●				●			
1.5 Build capacity of educational public resource operators and social control councilors			●			●	●	●		●						●			●			
1.6 National program for strengthening school councils			●			●	●	●		●							●		●			
1.7 Public unified panel for data of the Water for All program				●		●			●			●					●			●		
1.8 Digital inclusion of health councils				●			●	●	●		●				●					●		

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
✪ 1.9 Tools for trans-parency and better land governance				●		●			●				●				●					●
1.10 Social participation in the monitoring of the Pluriannual Plan and the formulation of the Federal Public Budget				●		●	●	●	●			●					●			●		
1.11 Monitoring system for social movements' demands				●		●	●	●				●					●			●		
1.12 Training in fiscal education			●			●	●	●			●				●				●			
1.13 Encourage states and municipalities to endorse the OGP four values				●		●	●	●				●					●			●		
2.1 Access to information library				●		●			●			●					●				●	
2.2 Federal Public Administra-tion reference				●	●							●					●				●	

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
price database																						
2.3 Brazilian portal for the Open Government Partnership (OGP)																						
2.4 Development of monitoring reports on the Electronic Citizen Information System (e-SIC)																						
2.5 Communica-tion strategy for social participation																						
2.6 Information management policy for the Ministry of Defense																						
2.7 Database of administrative documents of the Brazilian Navy																						
2.8 Open educational data																						
2.9 Improvement of data																						

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
transparency from the National Consumer Protection Information System (Sindec)																						
2.10 Document management policy in the federal government																						
2.11 Disclosure of data from the execution of the union budget and from government purchases																						
2.12 Dissemination of the public open data culture to the local governments																						
2.13 Support technologies and licensing models for the disclosure of open data																						
2.14 Information from government systems in																						

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
an open data format																						
2.15 Corporate Information Management in Social Security (e-Governance)				●	●						●				●				●			
2.16 Improvement of active transparency and of the Unique Health System's (SUS) Ombudsman Unit				●		●	●	●	●		●						●			●		
2.17 Strengthening the National Audit System of the Unique Health System (SUS)				●	●						●					●			●			
2.18 Transparency of the Ministry of Labor and Employment				●		●					●				●					●		
2.19 Recommend a-tions for public meetings			●			●	●			●							●		●			
2.20 Participatory				●		●	●	●				●					●			●		

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
audits on the construction projects of the 2014 FIFA World Cup																						
2.21 Municipal participation indicators																						
2.22 Municipal transparency indicators																						
3.1 Restructuring the Brazilian Federal Government Transparency Portal																						
3.2 Participatory development of the Federal Ombudsman System																						
3.3 'Transparent Brazil' Program																						
3.4 SUS letter																						
3.5 'Digital Cities' project:																						
3.6 National System for the Promotion of Racial																						

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
Equality (SINAPIR)																						
3.7 Improvement of mechanisms for social participation in public policy formation			🗐				🗐				🗐						🗐 🗐			🗐		
3.8 Brazilian portal for social participation			🗐				🗐		🗐		🗐						🗐 🗐					🗐
3.9 Open data in the Ministry of Justice			🗐			🗐	🗐	🗐	🗐			🗐					🗐 🗐			🗐		
3.10 Electronic system for public consultations in the National Health Oversight Agency				🗐		🗐	🗐	🗐	🗐		🗐						🗐 🗐			🗐		
3.11 Improving health services through the National Health Card			🗐		🗐						🗐					🗐 🗐			🗐			
4.1 Improving the Pró-Ética company registry				🗐		🗐	🗐	🗐			🗐				🗐		🗐			🗐		
4.2 National			🗐			🗐		🗐	🗐		🗐						🗐				🗐	

Commitment Overview	Specificity				OGP Value Relevance (as written)					Potential Impact				Completion		Mid-term / End of term		Did it Open Government?				
	None	Low	Medium	High	Unclear	Access to	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
Debarment List (Cadastro de Empresas Inidôneas e 4Suspensas, CEIS)																						
5.1 Monitoring the National Plan for Food and Nutrition Security (PLANSAN)																						
5.2 Information system on the Maria da Penha Law																						
5.3 Prior consultation under Convention 169 of the International Labor Organization (ILO)																						
5.4 Redesign of current protection programs																						

General overview of commitments

As part of OGP, countries are required to make commitments in a two-year action plan. IRM End-of-Term Reports assess an additional metric, 'did it open government?' The tables below summarise the completion level at the end of term and progress on this metric. For commitments that were complete already at the midterm, the report will provide a summary of the progress report findings but focus on analysis of the 'did it open government?' variable. For additional information on previously completed commitments, please see the Brazil IRM Midterm Progress Report.

Brazil's second action plan contained 52 commitments grouped into five key themes: more efficiently managing public resources, increasing public integrity, improving public services, increasing corporate accountability, and creating safe communities.

Theme 1: More Efficiently Managing Public Resources

Commitment 1.1 - Probity defense and asset recovery

Commitment Text: To formulate actions with the aim of enhancing probity defense and asset recovery, thus making the Office of the Attorney General reference in asset and probity defense, especially in actions aiming at corruption combat, by the year 2016. The commitment, which shall be achieved through a combined effort of all units of the Office of the Attorney General, provides for the increase of procedures for preliminary investigation and information gathering, as well as of the number of attorneys assigned to deal exclusively with cases related to corruption combat and public assets recovery.

Responsible institution: Attorney General of the Union (AGU)

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Comple-tion		Mid-term / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.1 Overall			✔		Unclear					✔					✔			✔			

Commitment aim

This commitment aimed to encourage the Attorney General of the Union (AGU) to carry out investigations proactively. The hope was the AGU would investigate the discrepancy of millions of Reais, recover assets, and coordinate the probes of highly important corruption cases. While these results would be considered significant, they were expected to have only a minor potential impact, since they focused on expanding current government practices.

Status

Midterm: Substantial

By the midterm, progress had been made on the majority of the committed actions. For example, the AGU was now using a new electronic system to investigate bank movements, had established working groups (especially in asset recovery), and had improved procedural instructions for more efficient asset recovery.[1] However, the commitment was not fully

[1] Fabio Serapião, Carta Capital, 2014, http://goo.gl/lwlxix.

complete, since the number of lawyers dedicated to anti-corruption and public asset recovery did not increase.

End of term: Substantial

The IRM researcher found no additional progress on this commitment since the midterm evaluation.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

The AGU is a key agency in Brazil for promoting OGP principles, such as fighting corruption. However, the milestones included in the commitment reinforce the status quo. They refer mostly to intra-government advances in probity defense and asset recovery, and do not open the agency up to citizens. As such, no evidence suggests that the commitment directly contributed to any of the three core OGP values of access to information, civic participation, and public accountability.

Carried forward?

This commitment is not included in the next action plan. Nonetheless, the IRM researcher recommends establishing opportunities for civil society to work with the government in probity defense and asset recovery.

Commitment 1.2 - Implementation of the ODP.nano

Commitment Text: To implement the ODP.nano in state governments. The commitment aims at disseminating to states the Federal Government operating model of the Public Expenditure Observatory (ODP). To achieve this commitment, scientific methods for the crossing of data from several sources shall be applied, thus ensuring the identification of inadequate use of state public resources. The development of the ODP.nano within the states shall enhance the internal control and support state management of public resources.

Responsible institution: Office of the Comptroller General (CGU)

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.2. Overall			✔		Unclear					✔						✔		✔			
																✔					

Commitment aim

The Public Expenditure Observatory (ODP) is used by the federal government to cross-check big data in order to identify signs of misappropriation of public resources. The commitment sought to extend this federal model as well as know-how, technology, and equipment to state governments.

Status

Midterm: Completed

During the reporting period, two pilots were carried out. Since the commitment did not specify an exact number of pilots, it was considered complete at the midterm. One of the pilots was actually completed before the beginning of the action plan, and neither opening data nor sharing methodologies with civil society were included as planned activities.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

The ODP process cross-checks data to identify misappropriations of public resources. In principle, it is possible for civil society to work alongside the government to collect or analyse data. However, the commitment did not involve a public-facing element. Civil society

organisations did not have access to data on public resources or to the methodology used by the ODP process. As a result, the commitment improved internal government accountability, but did not change the open government status quo.

Carried forward?

The commitment is not included in the next action plan. If carried forward in the future, the IRM researcher suggests using elements of transparency (such as open data) and participation (such as participatory mechanisms for analyzing data and detecting possible signs of corruption) to implement the ODP.nano in state governments.

Commitment 1.3 Strengthening of the Office of the Comptroller General (CGU)

Commitment Text: To develop a set of organizational, people managing and infrastructure actions with the aim of enhancing the Office of the Comptroller General's institutional capacity. The proper training of public officials, the construction and reform of agency's headquarters and the endorsement of initiatives such as the Program for Strengthening of Prevention and Combat to Corruption in the Brazilian Public Management (PROPREVINE) in partnership with the Inter-American Development Bank shall increase the reach and effectiveness of the results of CGU's actions.

Responsible institution: Office of the Comptroller General (CGU)

Supporting institution: None

Start date: Not specified End date: 14 December 2014

	Specificity				OGP Value Relevance (as written)				Potential impact				Comple-tion		Mid-term / End of term		Did it open government?				
Commitment Overview	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.3. Overall			✔		Unclear					✔					✔ ✔			✔			

Commitment aim

This commitment sought to make the Office of the Comptroller (CGU) more proactive (e.g., by instituting permanent quality control of public services) and to strengthen its activities (e.g., by expanding the investigation of mixed-ownership companies, such as Petrobras). Key milestones included the professional development of CGU employees, improved infrastructure, and the endorsement of the PROPREVINE initiative mentioned in the commitment text above.

Status

Midterm: Substantial

The commitment was completed, with the exception of the infrastructure activities. The Planning and Institutional Development Directive (DIPLD) trained civil servants working in the CGU on such issues as the efficient management of public resources.[1] In addition, the government joined the PROPREVINE initiative. This was a program with the Inter-American Development Bank that focused on improving the work processes of the CGU. As part of PROPREVINE, the government acquired project management and technology service management tools, as well as data storage and processing equipment. At the time of the midterm evaluation, four regional offices of the CGU (Pernambuco, Maranhão, Amazônia, and Rio Grande do Norte) were in the design phase, one (Acre) was under construction, and one (Pará) had not yet begun.

End of term: Substantial

Since the midterm review, there was progress on the remaining milestone of the commitment — the improved infrastructure of the CGU regional offices. According to the government, construction concluded in the state of Paraná and Acre, and is ongoing in the states of Rio Grande do Norte, Piauí, Pernambuco, Pará, Santa Catarina, and Bahia. Given that the commitment did not specify how much "construction and reform" was to be accomplished by the end of the action plan, it is not possible to determine that the commitment was fully completed.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

The commitment did not open government because the milestones did not include open government values. They refer only to intra-government actions.

Carried forward?

The commitment was not included in Brazil's third action plan. It should be noted that it was proposed by civil society and designed with the support of the CGU. To carry it forward, the IRM researcher suggests better explaining how the government plans to involve the public and engage with the other OGP values of access to information and public accountability.

[1] The training was carried out through two intermediaries: the School of Financial Policy (ESAF) and the Federal University of Lavras (UFLA).

Commitment 1.4 Online Accountability of Resources for Education within the National Fund for Education Development

Commitment Text: To develop an online application for the Accountability Managing System – Online Accounts with the aim of disclosing information on the transfer of resources of the National Fund for Education Development for the implementation of public policies through educational programs and projects. The interface shall provide for the exchange of data between systems, for the automation of accounts analysis, for the standardization of rules and procedures, thus rationalizing and integrating the stages of accountability. Furthermore, the application shall disclosure to the society reports and graphics on the execution of resources.

Responsible institution: Ministry of Education (MEC)

Supporting institution: None

Start date: Not specified End date: 14 December 2014

	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
Commitment Overview	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.4. Overall			✔		✔			✔			✔			✔				✔			

Commitment aim

This commitment addressed the need for a new accountability model to enhance the capacity and efficiency of the National Fund for Education Development. The previous model had long processing times and a backlog of unanalyzed account reports. The commitment aimed to reduce the time it took to process account reports, automate tasks, help government agencies collaborate, implement real-time control of the budget process, and publish reports and graphics on the use of public resources.

Status

Midterm: Limited

The new online system was developed, and is operational. The application contains systematic data on goods and services, expenditures and payments, creditors, and statements on the allocation of funds in financial markets. It drastically reduced the average processing time and eliminated the backlog of account reports. However, a key milestone of the commitment — the public disclosure of reports and graphics on the use of resources — was not achieved.

End of term: Limited

The IRM researcher found no additional progress on this commitment since the midterm evaluation.
The system is still not available to the public, and civil society cannot access reports and graphics as to how resources are being used. They can, however, submit formal information requests to the agency.[2]

Did it open government?

Access to information: Did not change

The commitment sought to build an online application for the National Fund for Education Development to enhance educational resource accountability, and included a milestone to open the application data to the public. Data disclosure was the only element that was relevant to the OGP value of open government. Since it was not achieved, the commitment did not change the status quo. The information is now more organized than before, and citizens can submit information requests to access the internal account data. However, the public does not know how the data are organised, or what it should look for. In addition, as the data are not available online, only few people know of their existence. It is not possible, then, to conclude that there is now greater public access to information.

Carried forward?

The commitment was not included in the next action plan. For the future, the IRM researcher recommends implementing an online mechanism for accessing the information, as well as enabling budget expenditure tracking by civil society.

[2] Please see https://www.fnde.gov.br/siqpc/login.seam.

Commitment 1.5 Generation of knowledge and capacity-building of managers and public resources operator's partners and of councilors for social control

Commitment Text: To enhance capacity-building actions for corporate extension of the National Fund for Education Development (FNDE). This commitment aims at fostering the continuous performance improvement of processes for managing and executing public resources for education, as well as at strengthening its social control, thus enhancing the efficiency, effectiveness and transparency of educational policies. The Institute "Train for School," unit responsible for the development and strengthening of the educational actions of the FNDE, especially corporative actions and the ones related to the areas of management and financing of educational policies, shall be established.

Responsible institution: Ministry of Education

Supporting institution: None

Start date: Not specified End date: 15 March 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.5. Overall			✔		✔	✔	✔		✔						✔			✔			
															✔						

Commitment aim

As stated in the text above, this commitment intended to strengthen the capacity of government officials and civil society members to oversee the use of national education funds. The government planned to complete this objective by: (1) Continuing training activities through the already-existing Training for School Program, and (2) Creating a "Train for School" Institute (*Instituto Formar para a Escola*) to expand the trainings.

Status

Midterm: Substantial

The commitment was substantially completed. The government created an advisory group for education to work alongside UNESCO, and installed fiber optics communications to connect state secretaries of education. These tasks, though not explicitly mentioned in the commitment text, were relevant to its goal of capacity-building. By providing Internet access to state secretaries and school councils, they could now access basic tools (e.g., budget monitoring) to perform their roles, whereas previously, they could not.

The Training for School Program — a government program that predated the action plan — trained over 5,000 public education administrators and experts in person, as well as tens of thousands of others (including citizens) online on issues such as basic education, school

transportation, student nutrition, and social oversight.[1] Nonetheless, while the government carried out social oversight training as required by the commitment, it did not create a stand-alone "Train for School" Institute to expand the trainings as planned.

End of term: Substantial

The IRM researched found no additional progress on this commitment since the midterm review. According to its self-assessment, the government decided not to implement the "Train for School" Institute after assessing its "viability and realigning the strategic planning of FNDE [National Fund for Education Development]."[2]

Did it open government?

Access to information: Did not change
Civic participation: Did not change
Public accountability: Did not change

A 2013 analysis in the Public Education Magazine (*Revista Escola Pública*) pointed out that the poor management of educational resources was associated with the low quality of social oversight.[3] To help overcome this issue, the government trained public administrators and citizens on how to provide better social oversight of public resources in education. Although a new agency ("Train for School" Institute) was proposed, no new activities were included in the commitment, as trainings on social oversight in education were already being carried out by the Training for School Program prior to the OGP action plan. For this reason, the commitment was assigned no potential impact at the midterm assessment.

By the end of the action plan, the government had trained thousands of people through the Training for School Program on how to better hold the government accountable on issues ranging from the management of funds for school transportation to access to information requests. The commitment did not change government behavior, though, since the Training for School Program pre-existed the action plan. Enrollment data actually show a decline in the number of people enrolled in the program from 2012 onwards.[4] While the total number of people trained by the government increased during the period of the action plan, the number trained each year decreased. According to the government, this was because no new classes were opened, as resources shifted to the development of a new course.[5] In this sense, the social oversight trainings were not expanded, and the "Train for School" Institute, which was supposed to expand the trainings, was not established.

Carried forward?

The commitment was not carried over to the next action plan. If carried forward in the future, the IRM researcher suggests evaluating whether the training improves public oversight, and including the larger school community in the training.

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[1] National Fund for Education Development (FNDE), Statistical data 2015, http://goo.gl/NTYN3f.
[2] OGP, Final Assessment Report – Second National Action Plan, October 2016, http://bit.ly/2f1BTQ5.
[3] Filipe Jahn, "Dentro do Fundeb," *Revista Escola Pública* 2013, http://bit.ly/2fdHwlQ.
[4] For more on the Training for School Program, see FNDE, http://www.fnde.gov.br/programas/formacao-pela-escola.
[5] OGP, Final Assessment Report – Second National Action Plan, October 2016, http://bit.ly/2f1BTQ5.

Commitment 1.6 National Program for strengthening School Councils

Commitment Text: To carry on capacity-building courses, in both in-site and distance learning modalities, with the aim of training education professionals to serve in state and municipal education secretariats. These professionals shall disseminate the activities of the National Program for Strengthening School Councils in their respective education system, as well as train school councilors in effective exercise, through a mentoring network. The program actions are aimed at assisting education systems in the establishment and strengthening of school councils, so as to enhance the participation of school and local communities in school administrative, financial and pedagogical management and the development of a culture of monitoring and evaluating school activities and policies, thus ensuring high quality education.

Responsible institution: Ministry of Education

Supporting institution: None

Start date: Not specified End date: 14 January 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.6. Overall			✔		✔	✔	✔		✔							✔		✔			

Commitment aim

School councils have been part of the Brazilian regulatory framework in education since 1996, and are well-established throughout the country.[1] They are formed by school members (such as teachers and administrative staff), government officials, and civil society representatives (including students and parents), and are responsible for overseeing such areas as internal school rules and the budget.

The commitment planned to support a program, begun in 2004, to strengthen school councils. Specifically, the government would train education professionals and school council members, and expand training (previously offered only to professionals of the Education Secretariats) to civil society representatives.

Status

Midterm: Completed

Forty thousand council members — 22% from civil society — were trained online and in person through the National Program for Strengthening School Councils. Topics included guaranteed rights, political and pedagogical factors, and budgets. It should be noted that the government presented the numbers above to the IRM researcher during interviews. They

are not available publicly (data are available at the Ministry of Education's website for registered users only).

Did it open government?

Access to information: Did not change
Civic participation: Did not change
Public accountability: Did not change

School councils are well-established mechanisms of civic participation in Brazil. They are responsible for participatory budget supervision, making access to information requests, and organizing educational activities. In addition, the councils are a formal means of public accountability. For example, they formally approve school spending. To illustrate the importance of the councils, a study by UNESCO found that 20 Brazilian schools in high-risk areas and with exceptional student performance all had strong school councils.[2] As a result, the commitment focused on training school council members. However, there was no change in the status quo, since the commitment only sustained programs (the National Program for Strengthening School Councils) that were already in place prior to the OGP action plan.

Carried forward?

The commitment was not carried forward to the next action plan. If carried forward in the future, the IRM researcher recommends educating the councils on the newly-developed open government tools, such as the Transparency Portal and Participa.br. These tools of accountability are essential to the councils' work, and guarantee timely information. Another suggestion is to document the councils' work and increase transparency by publishing their meetings and decisions online in an organized and open data format.

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[1] Ministério da Educação, Conselho Escolar, https://goo.gl/f7JGKu.
[2] Aprova Brasil, "O Direito de Aprender," 2007, https://www.unicef.org/brazil/pt/aprova_final.pdf.

Commitment 1.7 Development of a unified and interactive information panel on the implementation of the Water for All Program, which can be publicly accessed through the internet

Commitment Text: To organize and disclosure, through an unified information panel, data on the execution of actions of the "Water for All" Program to its on executors [agencies in charge] and to the general public. This tool shall ensure the regular monitoring of actions, the development of reports for decision-making, the provision of information to the press office of the Ministry of National Integration, and transparency and updated accountability to the public managers, the authorities and the society.

Responsible institution: Ministry of National Integration

Supporting institution: None

Start date: Not specified End date: 13 September 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.7. Overall				✔	✔			✔			✔					✔			✔		

Commitment aim

The commitment aimed to disclose information on the "Water for All" program through an online platform. The promise was to promote the transparency and accountability of Brazil's relatively small, yet important, water resource management program. The commitment's context is very important. In 2014, water was a topic of national importance, not only because of the water crisis in states like São Paulo, Minas Gerais, and Rio de Janeiro, but also because of its national impact and the rising cost of electricity.

Status

Midterm: Completed

The commitment was completed by the midterm review. The information panel was made available through the Regional Development Observatory (ODR), a public access portal created to monitor and evaluate plans, programs, and activities of the National Policy for Regional Development. The "Water for All" program is part of that policy.[1] The panel contains a geographic intelligence tool that allows for geo-referenced monitoring of the policy, and includes maps of current cisterns and reused water. Other improvements were expanded databases with financial performance data, new satellite images for more detailed maps, and the ability to use the platform offline or on a tablet.

Did it open government?

Access to information: Marginal

As mentioned above, water resource management has become an issue of national importance in Brazil, given recent water shortages.[2] The issue became relevant to open government when citizens facing shortages became frustrated with the lack of transparency in the public provision of water.[3] Some questioned the veracity of official government figures.[4] This commitment sought to address this concern by disclosing information on the "Water for All" program through measurable indicators and an open portal.

While the publication of data in open format and through infographics is positive, the commitment is only an incremental step forward for access to information on water resources because of its limited scope. Specifically, the new data do not contain information on the general provision of water, but only on the "Water for All" program, which seeks to expand water access for needy families and rural residents.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. Nevertheless, the IRM researcher believes it would be helpful to expand data beyond the "Water for All" program, and incorporate tools for participation and accountability into the portal.

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[1] Regional Development Observatory (ODR), http://odr.mi.gov.br/.
[2] Rodrigo Martins e Miguel Martins, Title? Carta Capital, 2015, http://goo.gl/jYkFxR.
[3] TV Diário, 2015, http://goo.gl/hZqubZ.
[4] Rodolfo Wrolli, Sindicato dos Bancários e Financiários de São Paulo, 2015, http://goo.gl/E0t17G.

Commitment 1.8 Digital inclusion of Health Councils

Commitment Text: To develop the Digital Inclusion Program (PID) in all state, district and municipal Health Councils, as a means of contributing to the enhancement of social control in the Unique Health System (SUS).

Responsible institution: Ministry of Health

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.8. Overall				✔		✔	✔	✔		✔				✔ ✔					✔		

Commitment aim

This commitment attempted to expand the 2006 Digital Inclusion Program (PID) to health councils at all levels of government. The PID is structured on three pillars — equipment, council qualification, and connectivity — and is a fundamental element of the Single Health System's (SUS) policy of social oversight.

Status

Midterm: Limited

Completion varied among the commitment's three pillars. In terms of equipment, 3,200 antenna kits were delivered to health councils, even though many municipal councils still lacked them. As for council training, the "Permanent Education for Social Oversight" policy encompassed both online and in-person training for health councillors. Thirty two hundred council members were trained through the QualiCouncils Program, and 1,850 members were trained in the areas of participatory management and social oversight. The connectivity pillar was not completed.

End of term: Limited

According to the government, it trained more than 4,500 council members through the QualiCouncils Program, and delivered five computers, over 2,000 TVs, and nearly 400 printers by the end of 2015. Completion of the commitment requires finalizing delivery of the equipment, expanding the qualification activities, and universalizing connectivity. The government's new deadline for implementing the commitment is December 2017.

Did it open government?

Civic participation: Marginal
Public accountability: Marginal

Health councils are key mechanisms of participation in Brazil. There are more than 5,000 councils in the country empowered by law to inspect public accounts and demand accountability. Research has shown that council members "include representatives from social movements, disabled people's associations, religious groups, civil rights associations, [and] trade unions."[1] In addition, half the council members must come from civil society (i.e., health system users), though this rule is followed in only 74% of the councils.[2] There is also evidence that councils are hampered by their lack of digital expertise[3] and training.[4] As a result, the commitment sought to improve social oversight of the health sector by strengthening health councils digitally, through better equipment, connectivity, and training.

While the topic of this commitment is important, its contribution to open government is marginal. Its activities build mostly upon established programs that predate the action plan. The main outcome of the commitment was capacity-building. According to the government's self-assessment, almost 5,000 council members from government and civil society were trained in participatory management and social oversight in all 26 states and the federal district.[5] A study of these trainings found that students gained a greater understanding of their role in health councils and the political process. This implies a positive — though marginal — change in practice.[6] Researchers at the University of Toronto found that training also remains an important challenge.[7] The other parts of the commitment (improved equipment and connectivity) have yet to be fully implemented.

Carried forward?

The commitment was not carried forward to the next action plan. Still, the government should invest in tools for councillors' participation, and in greater transparency for cases of resource misappropriation investigated by the councils. A major shortcoming of the commitment's execution was not delivering connectivity to all health councils.

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[1] Open Government Guide, "Brazil's Health Councils involve people in governing the health system," http://bit.ly/2fFMqYc.
[2] Conselho Nacional de Saúde, https://goo.gl/qm2cn7.
[3] Ilara Hämmerli et al., "Digital Inclusion and health counselors: a policy for the reduction of social inequalities in Brazil," 2009, http://bit.ly/2fFOiaG.
[4] Jilian Clare Kohler and Martha Gabriela Martinez, "Participatory health councils and good governance: healthy democracy in Brazil?" 19 February 2015, http://bit.ly/2qhGd0s.
[5] OGP, Final Assessment Report – Second National Action Plan, October 2016, http://bit.ly/2f1BTQ5.
[6] Assis Mafort Ouverney et al, "Democratization and continuing education: perception of former QualiConselhos students about its contributions to the improvement of health councils," *Saúde em Debate* 40, no. spe (2016), http://bit.ly/2nPGniy.
[7] Martha Gabriela Martinez and Jilian Clare Kohler, "Civil society participation in the health system: the case of Brazil's Health Councils," 26 October 2016, http://bit.ly/2fhodhz.

Commitment 1.9 Development of tools for increasing transparency and enhancing Land Governance (✪)

Commitment Text: To develop the Land Management System (SIGEF) with the aim of integrating information related to the identification, certification and destination of public lands, as well as data on the land occupancy in the country, and on the different government levels and agencies responsible for managing the territory, thus adding to the effective development of a Land Governance Policy. This commitment also aims at ensuring public access to land information and at enhancing the effectiveness of governmental expenditures with the execution of georeferencing on public lands.

Responsible institution: Ministry of Agrarian Development

Supporting institution: None

Start date: Not specified End date: 13 December 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
✪ 1.9. Overall				✔	✔			✔				✔				✔ ✔					✔

Editorial note: Commitment 1.9 is measurable, clearly relevant to OGP values, of transformative potential impact and complete. Therefore it is a star commitment.

Commitment aim

The commitment set out to implement geo-referencing services for land data, as well as receive, analyse, and publish geo-referenced territorial parcels. This was to allow citizens and other interested stakeholders to map most of the public and private areas of Brazilian rural lands. Land disputes are a major issue in Brazil, and there are no aggregated public data on rural ownership records. Some land dispute cases are centuries-old, and relate to a host of issues ranging from native population reserved areas to the forced urbanisation of vulnerable groups. They also involve disputes surrounding Quilombola reserved areas — land founded by Quilombolas or runaway slaves of African origin — to which their descendants have a constitutional right. By allowing free access to land records, with the aid of free mapping tools, the commitment had the potential to both improve the transparency of public records and reduce inefficiencies and corruption in public services.

Status

Midterm: Completed

The system was launched in November 2013, and had registered 90 million hectares at the time this report was written. Some of the registered areas include 108,000 parcels that will be subject to land regularisation in the Legal Amazon, an area corresponding to 8 million hectares.

The tool allows citizens to consult and download individual catalogued data concerning parcels of land, requirements, certifications, and statistics on the total land parcels certified by the state. Finally, citizens can access data on rural property boundaries and service contracts for geo-referencing land data.

Did it open government?

Access to information: Outstanding

The policy area of this commitment is extremely important. According to government data, there are more than 50 million hectares of unallocated federal lands,[1] much of which is subject to environmental crime, unclear territorial rights, and episodes of violence and insecurity.[2] The new tool transformed the previous scenario in which land governance was managed via controlled government databases in electronic spreadsheets. Previously, the certification process of these databases took an average of two and a half years, but now it is systematic and occurs in real time. Moreover, the processed information and partial procedures are open, downloadable, and designed for easy visualisation by citizens. With the information now public, citizens can immediately check if their land and statutory records match, or if part of their land is claimed by others. It is also possible to identify unregistered areas, and to check whether land advertisements are accurate.

The online system has already shown promising results. Since its launch in 2013, the number of land certifications has increased dramatically. According to government figures, the number of certified plots jumped from 9,029 in 2012 to 27,893 in 2013 to 83,646 in 2015.[3] In addition, the Brazilian Association of State Entities in Communications and Information Technology awarded the system its e-Gov prize in 2014.[4] The director of the Association of Notaries and Registrars of the State of Mato Grosso (ANOREG-MT) maintains that the new system is a very important tool with which to follow official registry update requests. It has also improved transparency not only for notaries and registrars, but also for citizens to search, identify, and verify their land registry information. ANOREG-MT's view is that the system promoted outstanding efficiency in a public service that was previously underprovided.[5] Given how the system has transformed public access to land information, the commitment is considered to have made an outstanding contribution to open government in Brazil.

Carried forward?

The commitment is not included in Brazil's third action plan. The IRM researcher suggests bolstering civil society's use of the tool, and investing in the expansion of the system's open data policy. Possible next steps include translating the system's impact and importance for the lay person, using it for investigations into land problems, and incentivising citizens to analyse rural properties with signs of irregularity.

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[1] SIGEF Presentation, Ministry of Agrarian Development, 2013, http://goo.gl/Wx96dC.
[2] Renata Mendonça, "Pelo 4º ano seguido, Brasil lidera ranking de violência no campo," BBC Brasil, 20 April 2015, http://goo.gl/ZGxJ3U.
[3] Richard Torsiano, "Georeferencing and the Land Management System – SIGEF," 28-30 April 2016, http://irib.org.br/files/palestra/35-regional-06.pdf.
[4] Ivan Leonardi, "Sistema de Gestão Fundiária do Incra recebe prêmio e-Gov," 30 May 2014, http://bit.ly/1xnJw5n.
[5] Oldemir Schwiderke (Director, ANOREG-MT), in response to the public call for comments made by the IRM researcher, March 2017.

Commitment 1.10 Development of a methodology for Social Participation on the monitoring of the Pluriannual Plan (PPA) and on the formulation of the Federal Public Budget

Commitment Text: To promote, in partnership with the Ministry of Planning, Budget and Management, participation, training and dialogue with the civil society for the monitoring of the public planning cycle. The commitment aims at developing a methodology for the monitoring of transversal programs by the civil society and at fostering the debate for the reception of proposals and suggestions for improving the aforementioned cycle. Furthermore, the initiative aims at increasing the connection between social participation and government strategic decisions, thus ensuring openness, transparency and responsiveness to the process of planning public policies. The commitment shall also ensure the beginning of the participatory monitoring of the Brazilian pluriannual plan (PPA), the inclusion of the society assessments in the Federal Government Integrated Planning and Budget System (SIOP), and the improvement of virtual consultation for receiving proposals from the civil society for the formulation of the Budget Guidelines Law (LDO).

Responsible institution: General Secretariat of the Presidency of the Republic

Supporting institution: None

Start date: Not specified End date: 14 February 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.10. Overall				✔	✔	✔	✔	✔			✔					✔			✔		
																✔					

Commitment aim

This commitment sought to open the Brazilian budgetary process. The budgetary model is comprised of three instruments: the Pluriannual Plan (PPA), the Law of Budgetary Guidelines (LDO), and the Annual Budgetary Law (LOA). Together, they support the planning and execution of federal public policies. The commitment's aim was to implement a methodology to open up the process to more civil society participation, including on-site events and the use of smartphone apps and online tools.

Status

Midterm: Completed

The commitment was completed by the midterm review. The agency conducted two Inter-council Forums, which were on-site events for civil society to monitor the PPA and LDO in

partnership with the government. In addition, training courses were offered to council members and social movements on municipal strategic planning and government budgets.

Finally, the government completed the "More Brazil" app, which makes policy snippets and information about the thematic programs of the PPA available to the public.[1]

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

Despite Brazil's pioneering role in implementing participatory budgets at the municipal level (dating to the 1980s),[2] there was no similar initiative at the federal level. This commitment attempted to address this gap by opening up the largest budgetary process in Brazil to public participation, using national-level civic tools as aids. There are many challenges to increasing access to information, civic participation, and social accountability in such a highly complex budgeting system. Thus, the commitment employed different methodologies and tools to provide citizens with easier access to budget information, trained them on budgetary processes, and promoted opportunities for civil society-government interaction.

Although the "More Brazil" app gave citizens easier access to budgetary program information, the main outcome of the commitment was increased civic participation and monitoring of the federal budget. Through the Inter-council Forums, citizens were able to share budgetary proposals with the government, and debate them at public hearings. The Forums received the 2014 UN Public Service Award for "fostering participation in public policy making decisions through innovative mechanisms."[3] However, civil society did not view the forums favorably. According to the Brazilian Institute for Socioeconomic Studies (INESC), "the Inter-council Forums allow only for general political debates, without budgetary discussions. The time for discussions is short, leaving little time for carefully considered and planned proposals."[4] In an open letter to the government,164 civil society organisations criticised the government for failing to consider their feedback at the Inter-council Forums.[5] The Inter-council Forums were instituted prior to the OGP action plan, hence, the commitment contributed only marginally to open government.

Carried forward?

The commitment was carried forward to the next action plan. In the new form of the commitment, the government seeks to expand social participation in the PPA through the Inter-council Forums and new digital tools, such as digital thematic public audiences. Moving forward, the IRM researcher recommends: (1) Allocating enough time for civil society representatives to discuss and debate the budget; and (2) Strengthening feedback mechanisms to ensure that civil society inputs are considered in time to inform the process.

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[1] PPA Mais Brasil, http://ppamaisbrasil.planejamento.gov.br/sitioPPA/.
[2] Yves Sintomer et al., "Learning from the South: Participatory Budgeting Worldwide – an Invitation to Global Cooperation," December 2010, http://bit.ly/2g0ujqw.
[3] For the 2014 United Nations Public Service Award Winners, see http://bit.ly/1l2wTmC.
[4] Raphael Georges, "PPA 2016-2019: uma avaliação do processo de construção," June 2015, http://bit.ly/2sbhzk1
[5] Open Letter to Government on Inter-council Forums, http://bit.ly/2f4mgUU.

Commitment 1.11 Development of the Monitoring System for the Social Movements Demands

Commitment Text: To develop a system out of the set of information available at the interministerial instance named “Monitoring Table” with the aim of establishing a strategy for monitoring and assessing government actions in response to the demands of social movements directed to the Federal Government through the General Secretariat of the Presidency, thus providing for the improvement of working processes, the exchange of information and the intragovernmental articulation for the effective resolution of agendas and demands from the civil society.

Responsible institution: General Secretariat of the Presidency of the Republic

Supporting institution: None

Start date: Not specified End date: 14 July 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.11. Overall				✔	✔	✔	✔				✔					✔			✔		
																✔					

Commitment aim

This commitment was designed to establish a strategy for monitoring and assessing government actions in response to the demands of social movements. Specifically, it sought to help government manage social movements’ demands, link those demands to public commitments made by the president, and mediate contacts between ministries and civil society to maximise implementation.

Status

Midterm: Completed

During the period of the action plan, the government published a law (Decree 8.243/2014, Art. 19) institutionalising the “Monitoring Table of Social Demands,” and regulated its internal procedures (SG/PR nº 39, 17/12/2014). The Monitoring Table is made up of the secretary generals of all ministries who meet quarterly to develop and monitor government responses to civil society demands. It also publishes reports with official responses to citizen demands on the participatory portal, Participa.br.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

The commitment resulted in the formal creation of a strategic monitoring system of civic demands, which contributed to open government. While still new, the system has already been used to respond to many public demands. Between 2011 and 2014, for example, the government received 2,433 demands from urban and rural citizens' movements. It categorised and synthesised them before publishing its responses in a series of public reports.[1] So far, the government has published six reports that mention policies that were prioritised and implemented as a result of citizen demands.[2]

Civil society has differing views on the commitment. The Platform for Political Reform considers the Tables to be "an institutional channel for introducing and discussing social demands in a country with significant social inequality." Likewise, the Apologetic Christian Research Centre argues that the Table is a step forward because it highlights the agendas of social movements, instead of social organisations (which are often criticised for being funded by the state).

Nonetheless, during development of the action plan, civil society questioned the criteria used to select and prioritise demands. Similarly, during consultations on the decree that established the Monitoring Tables, citizens voiced concerns about the interference of the Tables in other ministerial areas, the criteria used to define organised civil society, and the methodology of the Tables. It should be noted further that, from the point of view of CSOs, there was a lack of transparency with which the government prioritised civil society proposals, which limited the improvements in open government.

Despite their limitations, the Monitoring Tables provide the public with periodic reports listing civil society demands and how government addressed them. It is not possible, however, to conclude that the more tangible results of the commitment (such as increasing public funds tenfold to support family agriculture, or expanding welfare housing programs) were achieved because of civil society requests, rather than existing policy plans. As a result, the commitment is a marginal improvement in open government.

Carried forward?

The commitment is not included in the next action plan. If carried forward in the future, the IRM researcher suggests explicitly defining and publicising the criteria used by the government to decide which petitions to act on; and adopting mechanisms for greater transparency on proposals as they are received, prioritised, and monitored.

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[1] Secretaria-General, "Participação Social no Brasil: Entre Conquistas e Desafios," 15 December 2014, http://bit.ly/2q2GrVW.
[2] Biblioteca Digital de Participação Social, http://biblioteca.participa.br/jspui/handle/11451/326.

Commitment 1.12 Capacity-Building of educators, political agents, public managers, councilors for social policies and community leaderships

Commitment Text: To develop several teaching products on Tax Education to be offered to students, public officials of all government levels, managers, councilors, community leaderships, among others. Furthermore, the School of Finance Administration shall increase the courses on disseminating tax education, as well as establish a permanent capacity-building plan on the subject, with the aim of developing a curriculum and a high-reach pedagogical alignment. The School of Finance Administration shall also assist the internal and external control agencies and the networks of "Budget Social Observatories" and "Fair and Sustainable Cities" in the formulation of a standard script for the development of friendly public transparency portals. This initiative shall foster critical awareness of citizen and managers on the importance of social control and democratic management of public resources, increase the quality of the formulation, execution and evaluation of public policies processes, and improve state capacity to combat active and passive waists of public resources.

Responsible institution: Ministry of Finance

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.12. Overall			✔		✔	✔	✔			✔				✔				✔			
														✔							

Commitment aim

This commitment was associated with the Budget Administration School's policy for promoting the National Program of Fiscal Education. It was aimed at building the capacity of public servants, civil society representatives on educational councils, and the public with regard to tax policies. The commitment had three main pillars: (1) New curricular guidelines for fiscal education (e.g., learning how the government collects and spends money, as well as how the legislative and executive branches allocate and spend public resources); (2) Higher quality and more easily accessible public transparency portals; and (3) The expansion of current courses on fiscal education.

Status

Midterm: Limited

Two of the three parts of the commitment were not completed (i.e., curricular guidelines for fiscal education and improved transparency portals). The third (expansion of current fiscal education courses) was completed. Fiscal education courses for professors and public servants were extended to public education professionals, and similar courses for high school students, college students, and the public were being developed.

End of term: Limited

According to the government's self-assessment, fiscal education activities continued in 2015. The government held seminars and lectures on the importance of fiscal education. It also continued offering courses on fiscal education, including distance-learning courses geared toward professionals, civil servants, teachers and prospective teachers, and professors. Finally, the government distributed fiscal education resources to all states and the federal district for ongoing courses.[1]

The IRM researcher did not find evidence of progress on the other elements of the commitment since the midterm report. As a result, two of the three parts of the commitment remain incomplete.

Did it open government?

Access to information: Did not change
Civic participation: Did not change
Public accountability: Did not change

As mentioned, the commitment was only partially completed at the end of the implementation period. The only part that was carried out — expanded fiscal education courses — did not stretch government practice, as it was a minor modification to an existing program. In fact, according to the *Catarinense Journal for Accounting Sciences*, 26 of the 27 Brazilian states were already carrying out fiscal education courses in 2012.[2] The aspect of the commitment most relevant to OGP values — improved public transparency portals to raise awareness of social oversight — was not completed. As a result, the commitment did not change the status quo.

Carried forward?

This commitment was not included in Brazil's third action plan. Still, the IRM researcher suggests investing in the use of apps and participatory tools to hold the government accountable, and teaching citizens how to report the misuse of public funds.

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[1] OGP, Final Assessment Report – Second National Action Plan, October 2016, http://bit.ly/2f1BTQ5.
[2] Adriano K. Reis et al, "A Educação Fiscal No Brasil: Estudo Realizado Nos 27 Estados Da Federação, Distribuídos Nas Regiões Norte, Nordeste, Sudeste, Sul E Centro-Oeste," *Revista Catarinense de Ciência Contábil*, 2012, http://goo.gl/z0bp8j.

Commitment 1.13 Encourage states and municipalities to endorse the OGP four principles

Commitment Text: To ensure that the programs within the Ministry of Social Development and Fight against Hunger (MDS) which are executed by resources transferred in the modality between funds include mechanisms to encourage states and municipalities to endorse the OGP four principles. This strategy shall be achieved by the incorporation of the OGP principles to the agreement of priorities and goals for the new Operational Basic Ruling of the Unique Social Assistance System (SUAS). Furthermore, successful and innovative practices within the SUAS related to the OGP principles shall be identified, recognized and disseminated. Studies on how to incorporate the principles to the expansion and division of resources for other initiatives shall be conducted, considering that encouraging the dissemination of the Open Government Partnership principles is crucial for improving program managing and for increasing public integrity.

Responsible institution: Ministry of Social Development and Fight against Hunger

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
1.13. Overall				✔	✔	✔	✔				✔					✔			✔		
																✔					

Commitment aim

The commitment sought to expand activities related to transparency, participation, and accountability that were agreed upon with states and municipalities in the Unified System of Social Assistance (SUAS). SUAS organises several major welfare programs in Brazil, and is based on the cooperation of federal, state, and municipal social assistance institutions.

Status

Midterm: Completed

During the second action plan, open government values were integrated into agreements between the SUAS and municipalities. For example, municipalities vowed to increase the participation of users and workers in Local Social Assistance Councils; to make local councils an integral part of the *Bolsa-Familia* program; and to ensure that all local councils have proportional representation among users, workers, and civil society representatives. The government also gave new awards to institutions that displayed transparent management and effective social oversight of SUAS funds.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

The commitment directly advanced OGP values by instituting the principles of open government in the Local Social Assistance Councils of the SUAS. The councils are active mechanisms of participation, and a sizeable share of their representatives come from civil society, including from vulnerable groups, such as the homeless. These councils facilitated access to information requests, and are responsible for monitoring the disbursement of social assistance funds.

As part of the commitment, the government linked fund distributions to the level of representation and participation in these councils. Councils must now answer questions on their presence and role in funding requests. The commitment is also important because municipalities made concrete commitments to open government objectives, though there is no evidence of tangible results as yet. The other aspects of the commitment did not improve open government significantly. While new government awards for innovative participatory mechanisms of social control are positive, they are incremental steps toward open government. Consequently, the IRM researcher believes that the overall commitment opened government in a marginal way.

Carried forward?

This commitment was not carried forward to Brazil's third action plan. Nonetheless, the IRM researcher believes documenting how councils promote better public services and improve civic engagement would be useful case studies in best practices.

Theme 2: Increasing Public Integrity

Commitment 2.1. Development of the "Access to Information Library"

Commitment Text: To develop actions with the aim of disclosing the set of decisions adopted by the Office of the Comptroller General within its competence as an appellate instance of the Access to Information Law, thus ensuring transparency to the decision process. A controlled vocabulary for the formulation of abstracts shall be developed as a second stage of this commitment, thus providing for more accurate thematic searches. Additionally, the website shall contain quantitative information on the requests/appeals answered, partially answered, and rejected in each instance.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 August 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.1. Overall				✔	✔			✔			✔					✔				✔	
																✔					

Commitment aim

The commitment attempted to better organise and publish access to information jurisprudence in the country, based on the Office of the Comptroller General's (CGU) appellate records. Specifically, the commitment sought to offer, in a virtual space, organized information about legislation, jurisprudence, and specialised literature on access to information to improve further regulations and enhance public accountability.

Status

Midterm: Completed

The commitment was completed at the midterm review. Frequently asked questions about the access to information law (LAI) are now answered online, and citizens can access related legislation and the history of the law. In addition, the government put together a collection of documents to establish an LAI vocabulary for easier searches, and published statistical reports that can be downloaded.

Did it open government?

Access to information: Major

The commitment strengthens the LAI, one of the principal legal frameworks of open government in Brazil, by giving citizens access to information on how the law works and how decisions are made. Citizens can now view and download previous information requests and their contents, appellate decisions on why requests were granted or rejected, and general statistics in open data format. At the same time, the new background information on the law and its procedures creates greater understanding of the process, which citizens can use to defend their requests. As the Brazilian Association of Investigative Journalism (ABRAJI) points out, the commitment benefits both government institutions and citizens. Now, government agencies can consult the virtual library to determine whether or not certain information should be disclosed, without having to rely on the CGU to rule in its appellate role. This is conducive to faster responses. As a result, the IRM researcher considers this to be a major step forward for open government in Brazil.

Carried forward?

The “Access to Information Library” is not included in Brazil’s third action plan. If the government moves to include it in a later OGP plan, the IRM researcher suggests developing APIs to expand the access to information process, and to increase opportunities for the public to comment on its results.

Commitment 2.2. Development of a Database of the Federal Public Administration Purchases Prices

Commitment Text: To develop a database containing reference prices for the most purchased items by the Federal Government, from data published on the Transparency Portal. The interface shall provide for the identification of items average prices, thus constituting an efficient strategy for formulating budgets and procurements, disseminating best practices in public purchases, as well as for supporting actions aimed at fighting corruption, especially in circumstances where overprice purchases are identified.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 October 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.2. Overall				✔	Unclear						✔					✔				✔	

Commitment aim

Although procurement data were already available in an open format, its categories (by purchase or item) made it impossible for the public (and government) to calculate the average prices of goods. As a result, the commitment attempted to produce a database of average prices for government-purchased goods, using advanced qualitative and quantitative data analysis. The government intended to use the price database to formulate budgets and procurements, disseminate best practices in public purchases, and support preventive and investigative actions into possible cases of fraud or corruption.

Status

Midterm: Completed

The government reported (and demonstrated to the IRM researcher) that the commitment was completed. The database contains 80 thousand prices, disaggregated by region, state, and season. It focuses on prices for 51 key goods (e.g., paper, coffee, water, and fuel, is frequently updated and the data validated, and can be used to identify which agencies pay more or less than the average prices.

Did it open government?

Access to information: Major
Civic participation: Did not change
Public accountability: Did not change

The commitment sought to use open data published by the government to promote the systematic analysis of budget prices to fight corruption. Although the commitment lacked an explicit mechanism for civil society engagement in the process, the system is now available for public use.[1] Citizens can consult the total, minimum, maximum, and average prices of about 50 goods between 2014 and 2016. The portal allows users to filter the data by product, year, and region. Given that average prices of goods were not previously publicly available, the database is an important improvement in access to information, as citizens can now compare the amount spent by their local governments with the average price database, and report any irregularities. The initiative received positive reviews by the media,[2] and was awarded a prize by the School of Financial Administration within the Ministry of Finance.[3]

Carried forward?

The commitment was not included in Brazil's next action plan. For future consideration, the IRM researcher advises the government to expand the database with more data and diversity of products, and include better data visualization tools.

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[1] Transparency Portal, Price Database, http://bancopreco.cgu.gov.br/consultarPreco/index.jsf

[2] "Ações da CGU fortalecem transparência no Dia Internacional contra a Corrupção," *Jornal do Brasil*, 9 December 2015, http://bit.ly/1Y4TdQK

[3] Finance Ministry, ESAF, Prize Recipients, http://bit.ly/2qASpxV

Commitment 2.3. Development of a Brazilian Portal for the Open Government Partnership (OGP)

Commitment Text: To develop a Brazilian Portal gathering data on the Open Government Partnership (OGP), as a means of providing society with information on the OGP and enabling citizens to monitor the commitments undertaken by the Brazilian Federal Executive Branch within the Partnership. Furthermore, the Portal will enhance the dissemination of knowledge on the concept of open government and the civil participation within the OGP.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 13 August 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.3. Overall				✔	✔	✔	✔	✔		✔						✔			✔		

Commitment aim

This commitment emerged from the need to promote Portuguese-language material about OGP and Brazil's OGP activities, and support a participatory channel for action in the country. Providing society with information on OGP would enable citizens to monitor the commitments undertaken as part of OGP activities.

Status

Midterm: Completed

The portal (http://governoaberto.cgu.gov.br/) came online in October 2013. It publishes informative materials on OGP and OGP in Brazil, and contains news, documents, and links to an online tool for civic participation (Participa.br).

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

The commitment delivers a fundamental tool to promote OGP engagement in the country. Nevertheless, most of the advances involved publishing informative materials. While this improves the public's access to information about OGP in Brazil and fulfills the stated goal of the commitment, more emphasis on civic engagement would have made for a greater contribution to open government. In terms of civic participation and public accountability, the government had already created (and was using) a previously-existing participatory channel, e-Democracia, for civil society engagement in OGP. The new portal replaced this mechanism, but did not necessarily improve on it. According to Article 19, the impact of the portal is limited by the lack of regular updates and its focus on providing links to existing mechanisms for participation and accountability, rather than establishing new channels or improving previous ones.[1] The government noted that the website has been updated weekly since August 2016, though this falls after the close of the action plan in June 2016. Still, the new webpage centralises OGP resources, and provides easy access to consultation opportunities and government feedback. The IRM researcher considers the commitment, then, to have had a marginal impact on open government in Brazil.

Carried forward?

The commitment is not included in Brazil's next action plan. Nevertheless, the IRM researcher suggests improving the civic participation tools on the portal to foster more permanent dialogue between the government and civil society.

[1] Artigo 19, contribuição na consulta, Participa.br, 2014, http://goo.gl/9S8Gki.

Commitment 2.4. Development of monitoring reports on the Electronic Citizen Information System (e-SIC)

Commitment Text: To develop reports and indicators panels with information obtained from the Electronic Citizen Information System (e-SIC). These reports shall ensure the monitoring of information related to the Brazilian Access to Information Law by society and shall assist government bodies and agencies in the management of their information services.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 March 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.4. Overall			✔		✔			✔		✔						✔			✔		
																✔					

Commitment aim

The commitment was designed to improve the Electronic Citizen Information System (e-SIC), which became one of the two principal instruments for tracking the Law of Access to Information (LAI). The e-SIC automates data on the implementation and use of access to information requests in real time. While commitment 2.1 focused on understanding the jurisprudence involving the LAI, this commitment aimed to improve real-time monitoring of information requests, and identify problems of information disclosure in individual agencies. Specifically, this commitment intended to publish monitoring reports to improve oversight of information related to the LAI, and help government institutions better manage information requests.

Status

Midterm: Completed

The e-SIC reports are online and can also be downloaded in open standards.[1] The reports contain information on requests, responses, resources, and requesters related to the LAI. The commitment also established a network of government experts and public servants interested in e-SIC standards and practices, which were created by more than 300 members and used by the government to advance the implementation of the commitment.

Did it open government?

Access to information: Marginal

Previously, the e-SIC tracking information was only available to the system's managers. The commitment sought to publicly release this information and condense it into monitoring reports. It, therefore, improves the status quo by publishing indicators and data on LAI implementation, such as the number of requests and responses by agency, and the reasons for rejecting requests. However, the core of the commitment was on LAI implementation by only the executive branch, which could have been expanded to other branches of government. The commitment also did not take into consideration existing data use by civil society. For example, Article 19 uses sampling to visualise e-SIC data on all branches of the government. While the new monitoring reports include all information requests, which moves beyond sampling and expands the amount of information available publicly, the commitment marginally advanced access to information since existing web tools were already in place to visualise e-SIC data.[2]

Carried forward?

While the e-SIC monitoring reports have not been carried over to the next action plan, the overall goal of this commitment — greater monitoring of government performance regarding the LAI — is carried forward. Specifically, Brazil's third action plan includes a commitment that aims to establish guidelines for, and evaluate government responses to, information requests. Moving forward, the IRM researcher recommends promoting civil society interaction with government in the development of indicators and accountability of LAI requests.

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[1] Sistema Eletrônico do Serviço de Informação ao Cidadão, Relatórios Estatísticos, http://bit.ly/2f7TXVE.
[2] Article 19, Observatory, http://observatorio.artigo19.org/.

Commitment 2.5. Encouragement of social participation

Commitment Text: To foster social control by means of a broad communication strategy aimed at disseminating knowledge on the topics of social control and prevention and fighting of corruption, with a view to highlight the importance of civil participation as an instrument for enhancing public ethics and integrity.

Responsible institution: Office of the Comptroller General (CGU)

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.5. Overall		✔				✔	✔	✔		✔						✔			✔		
																✔					

Commitment aim

This commitment was part of the CGU's strategy to encourage social oversight. It planned to do this by improving communications so as to spread knowledge about social oversight, and preventing and fighting corruption.

Status

Midterm: Completed

The commitment accomplished a variety of outcomes. These included distance education courses on social oversight and citizenship, new school materials and children's games on corruption and ethics (on the "Little Portal of the CGU"), materials for businesses, and media campaigns.

Did it open government?

Civic participation: Marginal
Public accountability: Marginal

The goal of the commitment was to educate citizens about the importance of preventing and fighting corruption, one of the most serious political issues in Brazil.[1] The CGU led an online anti-corruption campaign on Facebook that attracted more than 10 million user interactions, and produced and distributed 90 thousand comic books on anti-corruption practices, along with the popular Brazilian comic book company (Turma da Mônica). As these are all long-term activities, it is difficult to determine their direct contribution to open government in the short term.

The most relevant aspect of the commitment for open government was the training of more than 4,000 local council members on social oversight via in-person and online courses in 144 municipalities.[2] The initiative contributes to the monitoring capacity of the participatory local councils, and was selected by the public as Brazil's nominee for the OGP award for best innovation in social participation.[3] However, it builds upon an already existing program, and it is difficult to identify changes in behavior as a result of the trainings. As such, the IRM researcher believes the commitment had only a marginal impact on open government, despite its great potential to contribute to OGP values in the future.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. If the government considers it in the future, the IRM researcher suggests designing and integrating more specific milestones. The Little Portal of the CGU, in particular, shows potential for growth, and could be developed in partnership with civil society, especially with the open software community.

[1] Anthony Boadle, "Brazil prosecutors face pushback from lawmakers in graft probe," Reuters, 11 November 2016, http://reut.rs/2qc4EJ2.
[2] OGP, Final Assessment Report – Second National Action Plan, October 2016, http://bit.ly/2f1BTQ5.
[3] CGU, "Olho Vivo no Dinheiro Público é escolhido para concorrer ao Prêmio OGP Awards," 3 June 2014, http://bit.ly/2g9pxDh.

Commitment 2.6. Formulation and implementation of the Ministry of Defence's Information Management Policy

Commitment Text: To formulate the Ministry of Defence's Information Management Policy, which shall establish procedures for information disclosure, classification, handling and management within the aforementioned Ministry.

Responsible institution: Ministry of Defence (MD)

Supporting institution: None

Start date: Not specified End date: 14 June 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.6. Overall				✔	✔					✔					✔	✔			✔		

Commitment aim

This commitment worked toward approving the information management policy for the Ministry of Defence (MD), strengthening compliance with the LAI, and articulating plans for document management in the MD. The MD was created in 1999, and is responsible for records that civil society seeks to monitor, such as historical records during the period of military dictatorship in Brazil. The commitment sought to improve transparency and compliance with regard to access to information procedures, as well as clarify how access to information requests should be addressed.

Status

Midterm: Substantial

The new MD regulation was first developed in March 2013. It then passed through a process of consensus-building among MD authorities and public officials in April 2013. In November 2014, different bodies of the ministry analysed the regulation.

End of term: Completed

The regulation was approved and published in May 2015.[1] It formally approves the ministry's Information Management Policy, and establishes a formal protocol for managing information and handling access to information requests.

Did it open government?

Access to information: Marginal

The ministry's new Information Management Policy sets new standards and criteria for the disclosure, classification, and management of information. According to the Brazilian Association of Investigative Journalism (Abraji):

> "The commitment represents important and fundamental progress, especially because the Ministry of Defence and the Armed Forces are still often cited as examples of secrecy being more common than transparency. The establishment of criteria for the management of documents in the area of defence can help to better define clauses I, V and VIII of Article 23 of the Law of Access to Information [allowing for classification of documents for reasons of defense, Armed Forces strategy, and intelligence], which are still applied much too broadly."[2]

In addition to improving the quality standards of the access to information process, the new regulation also created the Ministry of Defence Information Management Commission to support and evaluate the implementation of the new policy.[3] The commission has already met several times, and published a report on the status of the new policy in September 2016,[4] after the close of the action plan.

While the commitment formalised and systematised LAI practices, the most fundamental aspects of information disclosure by the MD had already been implemented prior to the commitment. The IRM researcher could not find evidence that the new regulation resulted in improved responses to information requests. The completion of the commitment is, therefore, a marginal improvement in access to information.

Carried forward?

The commitment is not part of Brazil's third action plan. If the commitment is carried forward in the future, the IRM researcher advises the government to expand civic participation, such as in the debate on the reclassification of secret and ultra-secret documents (an important topic for civil society), and via the use of technologies to promote active transparency in open data formats.

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[1] Ministry of Defence, Regulation N^0 1.000, 4 May 2015, http://bit.ly/2eYKOnf.
[2] E-mail correspondence to IRM researcher from Marina Atoji of the Brazilian Association of Investigative Journalism.
[3] Ministry of Defence Information Management Commission, http://bit.ly/2qdDt0J.
[4] Ministry of Defence Information Management Commission, Report on the Implementation of the Ministry of Defence Information Management Policy, September 2016, http://bit.ly/2qCw2DI.

Commitment 2.7. Development of a Database of Administrative Documents produced by Brazil's Navy

Commitment Text: To develop a database containing the description of all administrative documents produced by the Military Organizations of Brazil's Navy, as well as the documents transferred to the Navy's Archive, as to 2014 onwards. Online consultations shall be franchised to citizens.

Responsible institution: Ministry of Defense

Supporting institution: None

Start date: Not specified End date: 14 June 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.7. Overall				✔	✔			✔		✔						✔			✔		
																✔					

Commitment aim

This commitment promised to create an accessible database of documents produced by military organisations which, previously, could only be obtained in person. It also committed to digitalising transfers after 2014. This would align the database with the Law of Access to Information (LAI).

Status

Midterm: Completed

The commitment was completed by the midterm review. Archives are available online on a website that allows searches of the Navy Archives dating back to 2014.

Did it open government?

Access to information: Marginal

The commitment involves a theme of much importance for the country: the records of the armed forces. However, the records released online are limited to the most recent democratic periods of the country, and include only previously declassified documents. Moreover, all the information now available online was previously available on-site. Thus, the IRM researcher considers the commitment to have made only a marginal contribution to open government.

Carried forward?

The commitment is not included in Brazil's third action plan. For the future, the IRM researcher recommends scaling up and adopting open data standards and APIs to incentivise reuse of the data.

Commitment 2.8. Open Educational Data

Commitment Text: To adjust the educational data disclosed by the Ministry of Education (MEC) to a friendly open format, in compliance with open data principles and the National Open Data Infrastructure (INDA), including provision for consultations with filters, thus enhancing citizen access to information.

Responsible institution: Ministry of Education

Supporting institution: None

Start date: Not specified End date: 15 March 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.8. Overall				✔	✔			✔				✔	✔ ✔					✔			

Commitment aim

The commitment set out to improve the quality of one of the main data portals of the Ministry of Education (MEC). This was to comply with open data principles and the National Open Data Infrastructure (INDA) standards in order to enhance citizens' access to information.

Status

Midterm: Not started

The commitment did not begin, as the government postponed the dates for the commitment's deliverables. The principal source of data for the MEC, the MEC Panel, was not in open data format at the midterm review. Furthermore, government representatives challenged some of the basic principles of open data in interviews with the IRM researcher.

End of term: Not started

There is no evidence of further progress. The website http://painel.mec.gov.br/ still does not comply with open data standards. It should be noted that the Ministry of Education published its Open Data Plan in June 2016, although the specifics of the commitment are not mentioned in the plan.[1]

Did it open government?

Access to information: Did not change

The commitment was not started and, as such, has not contributed to open government.

Carried forward?

This commitment was not carried forward to the next action plan, but was highly supported by CSOs during consultations. An important next step would be for the MEC to familiarise itself with the basic principles of open data and INDA's procedures.

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[1] Ministry of Education, Institutional Plan of Open Data, https://goo.gl/SUUs8Y.

Commitment 2.9. Improvement of data transparency from the National Consumer Protection Information System (Sindec)

Commitment Text: To enhance transparency on the records of Sindec's demands through the regular disclosure of their data in an open format in the dados.gov.br Portal, in compliance with the principles of the Open Government Data policy. The disclosed content shall be used to the assessment of regulatory impact from the consumer's perspective, to the monitoring of the effectiveness of measures implemented by all entities of the system, besides other public agencies and the market, and to the assessment of the quality of consumption relationships, which shall be provided through the formulation of a proposal for indicators by the agency.

Responsible institution: Ministry of Justice

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.9. Overall				✔	✔			✔			✔					✔				✔	
																✔					

Commitment Aim:

This commitment references Sindec, which integrates the processes and procedures related to consumer services in the 26 state and 232 municipal institutions responsible for consumer protection (Procons). The commitment sought to regularly disclose Sindec data in an open format on the dados.gov.br portal, in order to assess the system's regulatory impact and monitor all of its entities.

Status

Midterm: Completed

The commitment was completed at the midterm review. Sindec data on consumer complaints are now disclosed regularly in open data format.[1] The Ministry of Justice also included Sindec in the Institutional Plan for Open and Spatial Data.[2] In June 2014, the government launched Consumidor.gov.br in coordination with government, businesses, and citizens to address consumer rights complaints.

Did it open government?

Access to information: Major

The major contribution of this commitment to open government in Brazil was the implementation of advanced open data standards and open data governance for Sindec data. Previously, the data were not easily accessible for research and analysis. Now, they are used by civil society organisations, such as the Brazilian Institute for Consumer Protection (IDEC); government agencies, such as the Brazilian Court of Auditors; and various media organisations.[3] The media's use of the data, in particular, illustrates the benefits of user-friendly and well-organised data for civil society. For example, Sindec data were used in widespread news coverage of the high level of consumer complaints in the telecommunications sector.[4,5] Citizens can now better identify which sectors and businesses are abusive to consumers, and businesses have incentives to find solutions to common consumer complaints and improve their services. However, its impact is long-term.

The launch of consumidor.gov.br has had more immediate impacts. It is a platform designed to reduce the reliance on judicial means for consumer complaints. The initiative is a virtual space for consumers and businesses to communicate directly with one another and resolve conflicts. According to the government's self-assessment, the system has over 53,000 consumer claims, and is utilised by more than 74,000 people and 230 major private sector organisations. Additionally, four out of every five complaints are resolved within a week.[6] The new platform allows consumers to filter companies, based on their consumer satisfaction grades or consumer complaints, and download this information in open data format. According to the IDEC, "…the platform is a viable solution to individual problems. As a result, IDEC supports this alternative channel for consumer conflict resolution and acknowledges that widespread use of this service by Brazilian consumers would popularise the virtual platform as a quick and effective way of resolving conflicts."[7]

It should be noted, however, that while the Sindec data release is a direct product of the commitment, the launch of consumidor.gov.br was not included in the action plan. Instead, it was a separate Ministry of Justice open data initiative. As such, the commitment, as defined in the action plan, is considered to have opened government in a major way, even though consumidor.gov.br has been an outstanding achievement for open government in Brazil.

Carried forward?

The commitment is not included in Brazil's third action plan. If it is carried forward in the future, the IRM researcher recommends coming up with collaborative ways civil society and government can improve consumer relations.

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[1] Portal Brasileiro de Dados Abertos, Sindec, http://dados.gov.br/dataset?q=sindec.
[2] Ministry of Justice, Institutional Plan for Open and Spatial Data, 2014, http://justica.gov.br/dados-abertos/plano.pdf.
[3] *Globo,* "Procons realizaram quase 2,5 milhões de atendimentos em 2014," 9 February 2015, http://glo.bo/2hBhuAX.
[4] *Folha de São Paulo*, "Setor de telecomunicações lidera queixas no Procon de SP em 2014," 24 March 2014, http://bit.ly/1MpJLnq.
[5] *Meio e Mensagem*, "Telefonia é a mais reclamada nos Procons," 9 February 2015, http://bit.ly/2h4Y0DO.
[6] Ministry of Justice, Balanço do consumidor.gov.br, 15 June 2015, http://bit.ly/2htlfXz.
[7] IDEC, 2015, http://www.idec.org.br/especial/consumidor-gov.

Commitment 2.10. Implementation of the Document Management Policy in the Federal Government

Commitment Text: To strength governmental archival services through the training of public officials in charge of document management in the bodies and agencies of the Public Federal Administration members of the Files Document Management System (SIGA). Additionally, technical meetings between central, sectorial and sectional agencies shall occur more often.

Responsible institution: Ministry of Justice

Supporting institution: None

Start date: Not specified End date: 13 December 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.10 Overall			✔		Unclear					✔						✔		✔			
																✔					

Commitment aim

With the adoption of the LAI, certain conditions became necessary for agencies to give access to their information. The commitment sought to strengthen governmental archival services by training public officials in charge of document management.

Status

Midterm: Completed

The commitment was completed by actions internal to the government. There was an internal improvement in public access to documents. More than 300 public servants from 65 different public agencies received training as part of the commitment, and more than 150 government agencies were involved in the process. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

The commitment was limited to only intra-government activities. Although the deliverables could improve future opportunities to advance open government, the commitment, as such, did not change the status quo.

Carried forward?

The commitment is not included in Brazil's third action plan. If the government considers it in the future, the IRM researcher suggests developing mechanisms of civil society participation, and aligning the Document Management Policy with access to information and public accountability policies.

Commitment 2.11. Disclosure of data from the execution of the Union budget and from Government purchases

Commitment Text: To disclose data from the Annual Budget Law (LOA), budget execution and government purchases in compliance with the open data principles, as well as data from the Integrated System of General Services Administration (SIASG). This commitment aims at releasing platforms to ensure citizen access to updated information on budget execution and on Federal Government purchases, including data from procurements and price registrations. The platform shall also provide for the development of new visions, applications and services from the open data on the budget and public purchases. This action shall facilitate the integration of budget and governmental purchases data in structuring and sectorial information systems, thus providing for the increased development of mechanisms to ensure the aforementioned systems' data integrity and for the development of assessments and management reports. Furthermore, the disclosure of data from these systems in an open format shall provide for deeper analysis, thus ensuring a more effective social control.

Responsible institution: Ministry of Planning, Budget and Management

Supporting institution: None

Start date: Not specified End date: 14 April 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.11. Overall				✔	✔			✔			✔					✔				✔	

Commitment aim

This commitment looked to create APIs for procurement and budget databases as a way to strengthen social oversight of public resources. It aimed to ensure citizens' access to updated information on budget execution, and on Federal Government purchases, data integrity for the development of assessments and management reports, and better social control.

Status

Midterm: Completed

Both the API for Procurement Data (SIASG/compras.dados.gov.br) and the API for the Budget (LOA/orçamento.dados.gov.br) were completed. Access to the budget data is user-friendly, and a technical manual was created for the developer community. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Major

The data released in open format are a major source of information for social oversight. Although the focus of the commitment was on data release, and not necessarily data use, the developed API is a major contribution to access to information, given the scale of information released. The new APIs include data on government suppliers, payments, contract details, intended use of funds, types of purchases, and contracting government institutions. They provide incentives for other institutions to use the system and to share datasets in an integrated manner. The transparency portal also allows integrated searches by citizens and the private sector. According to the Ministry of Planning, Budget, and Management, companies are using the system to check the back history of suppliers, and suppliers are using it to improve their services to clients. As for citizens, this is an area in high demand. Transparency Hacker and other CSOs have run hackathons to promote data use. Some of those events were conducted in partnership with other Latin American CSOs.[1] There is also evidence of usage of the new data, though uptake has been limited thus far.[2] Other recent innovations by the ministry in this field include a mobile app for citizens to understand how their city compares with others in the spending of public funds.[3]

Carried forward?

The commitment is not included in Brazil's third action plan. If carried forward in the future, the IRM researcher recommends creating milestones to incentivise data use. Integrating these databases with the National Open Data Meeting, for example, and using the data in hackathons could be a more systematic way of promoting synergy across initiatives.

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[1] Hacks/Hackers Sao Paolo, "O rastro do dinheiro-Hackatona Latino-Americana," 7 June 2014, http://bit.ly/2hA2jM1.

[2] Cirilo Max Macedo and Díbio Leandro Borges, Extração de dados da Web relativos a licitações e contratos públicos para inferência por reconhecimento de padrões estatísticos: estudo de caso, 2015, http://icofcs.org/2015/ICoFCS-2015-013.pdf.

[3] Diferentona, http://portal.convenios.gov.br/aplicativo-as-diferentonas.

Commitment 2.12. Dissemination of the public open data culture to the local governments

Commitment Text: To raise awareness of state and municipal managers, as well as representatives from the Executive, the Judiciary and the Public Prosecutor, on the importance of settling a culture of open data. Furthermore, federal managers shall share good practices, disseminate patters, and exchange experiences with other government levels and branches. The implementation of these collaborative processes shall increase the availability of data from other governmental levels at the dados.gov.br Portal.

Responsible institution: Ministry of Planning, Budget and Management

Supporting institution: None

Start date: Not specified End date: 14 November 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.12. Overall		✔			✔			✔		✔						✔			✔		

Commitment aim

This commitment grew out of the need to integrate open data initiatives among federal bodies. It aimed to share good practices, disseminate patterns, and exchange experiences with other government levels and branches, as well as increase government use of the dados.gov.br portal.

Status

Midterm: Completed

The commitment was completed with the Second National Open Data Meeting, a national open data contest, and the creation of a dedicated section in the national open data portal for inserting content from other government agencies. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Marginal

The commitment resulted in a series of informal events and side meetings with state leaders to share good practices. Although the initiative is valid and key to expanding open government to other levels of government, there is no evidence suggesting greater or better publication of information beyond the inclusion of existing local data initiatives in the national data portal. Most commitment actions promoted a culture of open government, and

improved existing tools and programs through lectures and events. This represents an important — yet marginal — contribution to open government.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. In the future if similar commitments are included in action plans or if work continues in this area, the IRM researcher advises the government to adopt more specific goals, such as adding milestones specifically related to data use of new or existing datasets published by the government. It is also important to establish a permanent mechanism to ensure awareness of open government, for instance, a portal of best practices or case studies of open government activities in Brazil.

Commitment 2.13. Development of Support Technologies and Licencing Models for the disclosure of open data

Commitment Text: To research, develop and disclosure technologies with the aim of facilitating data extraction, transformation and disclosure by public bodies and agencies, in compliance with the principles of open data, as well as the existing licensing models for Open Data within the Brazilian legal system with the purpose of assessing the need to develop a new licensing model. The compilation documents on the technological solutions and on the conclusions on licensing shall be develop with the participation of the society, the Academia, developers, and third sector communities, and shall be disclosed in the Brazilian Open Data Portal.

Responsible institution: Ministry of Planning, Budget and Management

Supporting institution: None

Start date: Not specified End date: 14 August 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.13. Overall				✔	✔	✔		✔		✔						✔			✔		

Commitment aim

The commitment was geared toward defining a data licence format for the use of open government data. This is key to fostering the reuse of open data among civil society and private sector enterprises. A secondary goal was to develop data publication tools to encourage the use of already released open government data.

Status

Midterm: Completed

The data licence proposal was completed by the midterm review. In addition, the government updated its data portal with greater data integration and classification, as well as launched an open data toolkit for government agencies.

Did it open government?

Access to information: Marginal
Civic participation: Marginal

The commitment consisted of an essential, yet preliminary step in fostering open data in the country. It was an improvement in access to information because the updated data portal and new toolkit provide a stronger and clearer framework for the public and private sectors

to reuse government data, and for the government to release datasets. However, the commitment's contribution is marginal in the short term — and uncertain in the long term — because the licencing has not yet been implemented and data release tools are still being adopted by government agencies.

In terms of civic participation, it is worth noting that the licence was developed using collaborative tools, such as a wiki and Google Groups. There is evidence of extensive participation by civil society organisations and activists in the discussion groups. Finally, CSOs had the lead role in developing the licenses themselves,[1] since the commitment was completed in partnership with the Open Knowledge Foundation.

Carried forward?

The commitment was not carried forward to the next action plan. If the government considers it in the future, the IRM researcher recommends implementing the licencing model and having civil society and the private sector monitor its implementation.

[1] INDA Google Group, https://groups.google.com/forum/#!forum/lista-inda-gt3.

Commitment 2.14. Disclosure of information from government systems in an open data format

Commitment Text: To encourage the increased disclosure of information in an open format by public bodies and agencies through the implementation of Institutional Open Data Plans, which shall be monitored and prioritized by the Steering Committee of the National Open Data Infrastructure (INDA), as described in INDA's Action Plan.

Responsible institution: Ministry of Planning, Budget and Management

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.14. Overall			✔		✔	✔		✔			✔					✔				✔	

Commitment aim

This commitment planned to encourage the adoption of Open Data Plans (PDA) as a way to improve the implementation of open data practices within government agencies. PDAs are orienting documents for opening data with minimum quality standards, and for increasing the efficiency, standardisation and public accountability of open data policies and public agency programs.

Status

Midterm: Completed

The Ministry of Planning's PDA underwent a collaborative and transparent process at the end of 2013 before being officially published. The government also put out a manual for creating PDAs, and held seminars with other ministries to promote the initiative. During the action plan period, both the Ministry of Planning and Ministry of Justice published PDAs, the latter going through a period of public comments. Given that the commitment text did not specify how many PDAs were to be published (indicating only that more than one would have to be produced), the commitment was considered complete.

Did it open government?

Access to information: Major
Civic participation: Major

The commitment addressed two very important topics: (1) the strategic promotion of the open data culture within government, and (2) the establishment of practices that promote the effectiveness and accountability of the open data process at the ministerial level. In terms of

access to information, the PDA model provides a framework for the improved quality, quantity, management, and sustainability of ministerial open data initiatives. A few examples of ministerial commitments are the disclosure of infrastructure spending and access to justice data, as well as the hosting of open data contests and conferences.

The major value of this new framework is evidenced by its breadth of scope. Though PDAs were implemented in only two key ministries (Ministry of Justice and Ministry of Planning, Budget and Management) by the time of the midterm assessment, additional agencies have published PDAs since the close of the action plan, including the Ministry of Finance,[1] the Brazilian Institute of Geography and Statistics,[2] and the Ministry of Science, Technology, Innovation, and Communication.[3] By December 2016, more than 20 agencies had published PDAs,[4] including those already involved in the second action plan (e.g., the National Fund for Education Development[5], Brazilian Health Surveillance Agency, [6] and the Ministry of Education[7]), and new agencies such as the Ministry of Tourism.[8]

As for civic participation, the PDA model institutionalised civil society participation in the governance of the Open Data Plans. Civil society now has a guaranteed place on the council to monitor the plans, and is also included, by default, in the consultation phase of the plans.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. If the government wishes to pursue it further in the future, the IRM researcher suggests expanding the culture of the PDA to other ministries, and developing a PDA model that interacts with the three branches of government and the Public Prosecutor's Office. Creating monitoring metrics to determine if the plans are being implemented, and documenting best practices to share experiences would also be useful activities.

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[1] Ministry of Finance, "Fazenda disponibiliza Plano de Dados Abertos (PDA)," 27 July 2016, http://bit.ly/2ipNE5m.
[2] "IBGE disponibiliza Plano de Dados Abertos," 6 September 2016, http://bit.ly/2iNshvL.
[3] Lúcia Berbert, "Por mais transparência, MCTIC institui Plano de Dados Abertos," 13 July 2016, http://bit.ly/2ifW7YL.
[4] List of Open Data Plans, http://wiki.gtinda.ibge.gov.br/Plano-de-Dados-Abertos.ashx.
[5] FNDE, PDA, https://goo.gl/PSRqtM.
[6] ANVISA, PDA, https://goo.gl/bOzzb0.
[7] MEC, PDA, https://goo.gl/2oKa13.
[8] Ministry of Tourism, PDA, https://goo.gl/iyOvWO.

Commitment 2.15. Corporative Information Management in Social Security (e-Governance)

Commitment Text: To implement the policy of Information Management in Social Security (e-Governance) within the Ministry of Social Security and its related agencies. This commitment includes the following actions: (i) implementing the information and document management policy; (ii) promoting initiatives aimed at preserving the institutional memory, (iii) adjusting the technological infrastructure; (iv) developing Information and Document Management Services (system); and (v) disseminating a Corporate Information Management culture.

Responsible institution: Ministry of Social Security

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.15. Overall				✔	Unclear					✔				✔				✔			
														✔							

Commitment aim

This commitment resulted from an internal government need to reform the information management system of the Social Security Administration and its associated agencies. It addressed the need to adapt internal archival systems to new federal regulations, which called for unified protocol systems to better enable access to information service delivery.

Status

Midterm: Limited

The commitment had limited completion; four of the five milestones were in progress, and one (improving institutional memory practices) had not begun. The four milestones in progress included implementing an information management policy (e-Documentation), developing an information management system, executing a communications plan for creating a corporate information culture, and improving technological infrastructure.

End of term: Limited

Two of the five milestones showed progress. The documentation and information management policy was implemented (Executive Decree 8.539/2015), and the e-DOC DATAPREV system was partly implemented. These milestones refer to intra-agency procedures on how to merge protocols in a unique tracking format, and how citizens (and government) can access the process online. The institutional memory milestone, the

corporate information communication plan, and the improvements to infrastructure technology are incomplete.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

While the social security system is extremely important for the country, the commitment focused on improving internal structures without clear relevance to open government. As such, the commitment did not directly improve open government practices in the country.

Carried forward?

The commitment is not included in Brazil's third action plan. Moving forward, the IRM researcher recommends focusing more on incorporating open data, promoting consultation mechanisms, and strengthening collaborative investigations of irregularities.

Commitment 2.16. Improvement of Active Transparency and of the Unique Health System' Ombudsman Unit

Commitment Text: To establish mediation between the government and the citizens – in compliance with Law No. 8,080/1990, regulated by the Decree No. 7,508/2011 – and to increase the access to information, in compliance with Law No. 12,527/2011. To this end, the Ministry of Health's Portal shall be improved by disclosing the Citizen Information Service's (SIC) frequently asked questions and the National Ombudsman System shall be expanded, in compliance with the Organizational Contract of Public Action, with the aim of enhancing the mechanisms for citizen participation in the improvement of public health policies.

Responsible institution: Ministry of Health

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.16. Overall				✔	✔	✔	✔	✔		✔						✔			✔		

Commitment aim

The National Ombudsman System of the Single Health System (SUS) works to integrate a complex network of ombudsmen overseeing health services at the federal, state, and local levels. The commitment aimed to both facilitate user participation in the permanent evaluation of health services through this system, and improve active transparency within the SUS.

Status

Midterm: Completed

The government simplified the ombudsman system during the action plan by adopting guidelines, conducting trainings, and releasing instructions for establishing additional ombudsmen within the SUS. The architecture of the system's online portal was also simplified, and a new regulation on the standardisation of municipal, state, and federal ombudsman practices was implemented. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

In addition to being a transparency and participation mechanism, the ombudsman is the federal government's main instrument of accountability. It analyses access to information processes; oversees the operations of the SUS Council, which comprises members from government and civil society; and is the most important public accountability institution of the SUS. Thus, by seeking to strengthen this ombudsman system, the commitment had the potential to make improvements in all OGP value areas.

Nevertheless, most of the commitment results revolved around internal regulations that did not greatly affect how SUS ombudsmen operate. For instance, while there are new agreements, guidelines, and manuals that formalise the structure of the SUS ombudsman system, there is no concrete evidence of significant improvements in ombudsman practices (e.g., lower average processing times, or more cases of holding government agencies accountable). Normative Ruling nº 2416, for example, sets core expectations and responsibilities for the SUS ombudsmen.[1] While local health administrators agree with these new guidelines,[2] there is no evidence that the ordinance has resulted in a change in behaviour.

On the other hand, the government collaborated with external partners to carry out trainings across the country for SUS ombudsmen.[3] The 80-hour-long course trained participants on health policy and legal frameworks, how to operationalise auditing and audit budgets, and best practices in the field.[4] In the short term, one of the main contributions of the trainings was the linking of SUS ombudsmen who have created new systems of ombudsmen as well as forums to further discuss SUS health policies.[5] As for access to information, the Ministry of Health carried out seminars and trainings on the Law of Access to Information, which constitutes a positive — yet marginal — step forward in access to information.

Carried forward?

Part of this commitment was carried forward to Brazil's third action plan. Specifically, the third plan contains a commitment to launch an active transparency platform with health data. Though the ombudsman element of the commitment was not carried forward, the IRM researcher recommends investing in mechanisms of collaboration between users and government to promote improvements in the system. It is also important to document the impact of the SUS ombudsman system in the country. This is a well-established network that organises national conferences regularly, has a strong regulatory framework, and aims to be more accessible to citizens (e.g., by adopting a dial-in number, 136). The lessons learned from the SUS ombudsman system can help improve the broader culture of ombudsmen in the country.

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[1] Ministry of Health, Ordinance Nº 2.416, 7 November 2014, http://bit.ly/2n4LyLF.
[2] Raelma Paz Silva et al., "The thought of municipal managers about the ombudsman as a potential tool of participatory management of SUS," 40, no. 110 (2016), http://bit.ly/2nPuJBi.
[3] Government of the State of Rio Grande do Sul, 23 June 2016, http://bit.ly/2nQ4aff.
[4] "Curso Nacional Qualificação de Auditorias e Ouvidorias do SUS: Detalhamento da Estrutura de Governança e Orientações de Funcionamento do Curso," http://bit.ly/2oRLqLO.
[5] Portal da Saúde, "Oficina prepara facilitadores para curso nacional de qualificação de auditorias e ouvidorias do SUS," 26 February 2016, http://bit.ly/2ouKWin.

Commitment 2.17. Strengthening of the National Audit System of the Unique Health System (SUS)

Commitment Text: To review the regulations on the National Audit System of the SUS. Additionally, the commitment provides for the monitoring of the Audit Actions' Annual Plan by the Office of the Comptroller General with the aim of ensuring that government expenditures on health follow the proposed objectives, thus increasing the quality of care provided by the SUS.

Responsible institution: Ministry of Health

Supporting institution: None

Start date: Not specified End date: 13 December 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.17. Overall				✔	Unclear					✔					✔			✔			
															✔						

Commitment aim

This commitment involved the revision of Decree 1.651/1995 regulating the National Audit System (SNA) of the Single Health System (SUS). The government sought to revise the decree to integrate the procedures of the SNA with those of the Office of the Comptroller General (CGU), and to focus legislation on the role of the SUS in directly managing relations between states and municipalities.

Status

Midterm: Substantial

The commitment was substantially completed. The draft decree proposal was formulated, but not published. However, the 2014 Audit Actions Annual Plan was submitted to the CGU, as stipulated in the commitment text.

End of term: Substantial

There has been no additional progress found by the IRM researcher since the midterm evaluation, even though the government end-of-term self-assessment report mentions that the commitment was due in December 2015. The revised decree was not published.[1]

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

Although the commitment was included at the suggestion of civil society, it does not clearly promote OGP principles. The scope of the commitment is to standardise intra-governmental practices and integrate systems. As a result, it aims to create better foundations for future advances in open government, rather than open government itself.

Carried forward?

The commitment is not included in the next action plan. In the future, the IRM researcher recommends publishing the primary results of the audits for consultation and citizen monitoring.

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[1] The Decree text from 1995 was not changed by any new resolution. See http://www.planalto.gov.br/ccivil_03/decreto/1995/d1651.htm for the still valid 1995 decree.

Commitment 2.18. Increasing public transparency of the Labour Relations Secretariat of the Ministry of Labour and Employment

Commitment Text: To increase transparency of the Labor Relations Secretariat of the Ministry of Labor and Employment by disclosing its Technical and Informative Notes on the internet, as well as the listing of processes related to ongoing union registration together with orders for analysis within the agency. Thus, the commitment shall provide for the disclosure of clear and transparent information, with the aim of demonstrating the impartiality of the procedure of union registration and of process analysis, as well as the integrity of other information disclosed by the agency.

Responsible institution: Ministry of Labor and Employment

Supporting institution: None

Start date: Not specified End date: 14 July 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.18. Overall				✔	✔					✔				✔	✔				✔		

Commitment aim

The Ministry of Labour and Employment (MTE) maintains and updates the registry of union organisations, and guarantees respect for union independence. The commitment aimed to give transparency and speed to the process of union registration, which faces strong criticism from civil society and unions that complain of biases in public service delivery.[1] There have been various reports in national journals that suggest a lack of transparency and possible irregularities in the process of union registration.[2]

Status

Midterm: Limited

The commitment was completed to a limited degree. Between 2012 and 2014, information on the process of union registration requests was partially published and updated online. However, the "Technical and Informative Notes" part of the registration process was not published. This information includes the actual content of the registration process, such as documents, analysis, and responses, rather than just information on protocol dates and other system indexing information.

End of term: Substantial

The government disclosed more information online as to the unions' registration process, including past decisions and precedents. However, not all Technical and Informative notes were published. The government is yet to publish the analyses of union registration requests.

Did it open government?

Access to information: Marginal

The topic of union registry is very important in Brazil. The commitment addressed a bureaucratic —but key — aspect of union procedures in the country. In Brazil, only registered unions can have access to certain public funds for their activities and, in some cases, depending on certain labour categories, funds are distributed through a winner-take-all system. In this context, unions have accused the government of bias in the registration process.[3] As a result, public access to information on the process and status of union registrations is key to allaying concerns of possibly corrupted procedures.

However, the commitment improved only marginally the transparency of the system and the perceived low transparency of the process among some union representatives. The main contribution of the commitment was to publish the names of the unions that applied for registration, as well as when they applied. This is important, given that unions are registered (and, therefore, eligible for funding) on a first-come, first-served basis. Unions and citizens can now check if and when processes have started. Still, the newly published information does not address the transparency of the process. This will only improve once more information is available to the public, for instance, why certain applications were processed first, and how each registration request was analysed and classified.

According to one of the largest unions in Brazil — the Brazilian Federation of Working Men and Women (*Central dos Trabalhadores e Trabalhadoras do Brasil*, CTB) — the commitment has not resulted in greater transparency, given that the underlying structure of union registration is still not transparent. In the view of the CTB, while the order of applicants determines the order in which requests are distributed, the process of analysing requests is not transparent. For this reason, the CTB recommends greater transparency with regard to the structure of the process, and a push e-mail system to notify applicants of changes in the status of their registrations.[4]

Carried forward?

The commitment is not included in Brazil's third action plan. The IRM researcher recommends allowing access to the full Informative Notes, and strengthening participatory mechanisms for the unions in the reforms.

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[1] Intersindical, "Dificuldades e desafios do movimento sindical", 28 August 2015, https://goo.gl/lHdJJh .
[2] Claudio Dantas Sequeira, "Eles fabricam sindicatos," Isto é, 11 August 2011, http://bit.ly/2hAy7vj.
[3] "Mundo do Trabalho: centrais querem mudar registro de sindicatos," Febranor, 7 May 2012, http://febranor.org.br/febranor/?p=3419.
[4] Portal CTB, "Em audiência pública, CTB apresenta ao MTE propostas para agilizar emissão do registro sindical," 18 September 2015, http://bit.ly/2nTEWwJ.

Commitment 2.19. Disclosure of recommendations to carry out public audiences to serve as reference for the Government

Commitment Text: To disclose recommendations to carry out public audiences to serve as reference for the Government, thus improving general knowledge on the use of this instrument, as well as its quality.

Responsible institution: General Secretariat of the Presidency

Supporting institution: None

Start date: Not specified End date: 14 February 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.19. Overall			✔		✔	✔			✔							✔		✔			

Commitment aim

The commitment aimed to systematise knowledge about public meetings as an instrument of popular participation. This was to improve their quality and efficiency when used by government to engage civil society.

Status

Midterm: Completed

The Institute of Applied Economic Research (*Instituto de Pesquisa Econômica Aplicada,* IPEA) carried out a study that led to a Technical Note published in May 2013. The Technical Note addressed the principal factors influencing the effectiveness of public consultations held by the executive branch. As required by the commitment, these recommendations were disclosed and incorporated into the National Policy for Social Participation and the National Commitment to Social Participation through collaborative consultation.

Did it open government?

Access to information: Did not change
Civic participation: Did not change

The main potential contribution of the commitment was to enhance the efficiency of an important method of civic participation: public consultations. It also had the potential to improve access to information standards, by adopting as a government default the publication of written feedback for all public consultations run by the government. Although the government published a series of recommendations that were later integrated into the National Policy for Social Participation and the National Commitment to Social Participation, the new principles and guidelines for holding public hearings have not been implemented in practice by the government (even within the implementing agency's own public consultation practices).

Carried forward?

The commitment is not included in the next action plan. Going forward, the IRM researcher suggests implementing the reference material, and adopting feedback procedures for the public to evaluate the quality of meetings, and monitor the quality of feedback received from the government.

Commitment 2.20. Participatory Audits on the Constructions of Brazilian Host cities for the 2014 FIFA World Cup

Commitment Text: To carry out participatory audits in all Brazilian host cities for the 2014 World Cup, focusing on the constructions of ports and airports, as a means of ensuring compliance to human rights and to the requisites for negotiations and agreements with social and labor movements. The audits shall be carry out jointly by government and civil society and aim at identifying critical points in projects, environmental licenses, expropriations and other technical and social barriers that may pose risks to the projects and to the population affected by them.

Responsible institution: General Secretariat of the Presidency

Supporting institution: None

Start date: Not specified End date: 14 October 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.20. Overall				✔	✔	✔	✔				✔					✔			✔		

Commitment aim

The commitment aimed to carry out participatory audits — instruments of social oversight that include the participation of organised civil society — in each of the 12 host cities of the 2014 World Cup. The government sought to work directly with the "World Cup Popular Committee" (*Comitê Popular da Copa*), a mobilisation of civil society groups, social movements, universities, and social organisations.

Status

Midterm: Completed

All 12 World Cup headquarters received participatory audits. Each audit resulted in a report that documented the government's actions, presented a general overview of proven problems, and proffered instructions for supporting complaints. Additional details can be found in the IRM Midterm Progress Report.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

By design, the commitment had the potential to open government significantly since participatory audits include citizens' participation by default. The goal of the commitment was for an auditing team to visit the 12 World Cup cities and partner with a civil society organisation. They would then publish a final report to disclose problems found from the perspectives of both government and civil society. Once published, the report would be sent to the federal government council responsible for organizing the World Cup and addressing the issues found by the team.

In spite of its potential, the commitment made only a marginal contribution to open government. The auditing team successfully engaged local CSOs in monitoring World Cup spending in all cities, forwarding the findings to the government, and publishing the report for public access. Nonetheless, there was little evidence of uptake of the final participatory audit recommendations. This opinion was shared by both government and civil society. In this sense, the commitment was more of a process of documenting irregularities, using civil society as a source of information, than a participatory exercise involving collaboration between government and civil society to identify and resolve public problems.

In addition, the audits focused on the relationship between human rights and public works in preparing for the World Cup. Though this was a major issue, the audits did not satisfy civil society's demand for identifying issues related to transparency and public integrity in the financing of public works. In 2013, following the completion of the audits, the Popular Committee of the World Cup and the Olympics in Rio de Janeiro indicated that "there remain situations of clear lack of respect for human rights and for the collective rights of city residents, including the right to housing, mobility, the environment, work, participation, and others."[1]

Carried forward?

The commitment cannot be continued, since the event has concluded. However, the participatory audits reflect important values of open government, and could be replicated for other types of projects.

[1] Right to Housing, "Megaeventos e Violações dos Direitos Humanos no Rio de Janeiro," 17 May 2013, http://direitoamoradia.org/?p=20277&lang=en.

Commitment 2.21. Development of Local Indicators for Citizenship, Participation and Human Rights – Strategic Tool for Assessing Participatory Municipal Management

Commitment Text: To gather information and develop local indicators with the aim of assessing and fostering the adoption of a participatory perspective in municipalities' public management. The commitment aims at gathering information on the level of participation and social control in municipalities; enhancing access to information on the municipal management; increasing the disclosure of information on municipal indicators to civil society representatives; and fostering the adoption of a rights perspective in social policies by local public managers.

Responsible institution: Secretariat for Human Rights

Supporting institution: None

Start date: Not specified End date: 15 July 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.21. Overall				✔	✔					✔				✔				✔			
														✔							

Commitment aim

This commitment is related to the production of information about human rights in the country. To this end, the government wished to use the Survey of Basic Municipal Information (MUNIC) as a tool to collect information and develop local indicators. These indictors would assess and foster the adoption of a participatory perspective in municipalities' public management.

Status

Midterm: Limited

The commitment was in progress, but delayed at the midterm review. According to the government's self-assessment, the delay was due to ongoing strikes at the Brazilian Institute of Geography and Statistics, the agency in charge of conducting the survey. The MUNIC was expected to include indicators for human rights and participatory structures at the municipal level.

End of term: Limited

The government's self-assessment noted that the MUNIC research was published in September 2015. However, at the time of the writing of this report, the Secretariat for Human

Rights was still analysing the data to develop the local indicators, the expected result of the commitment.

Did it open government?

Access to information: Did not change

The commitment was only partially completed and, at its current stage, there is no improvement in open government practices. If it had been completed, it would have provided key information on the level of institutionalisation of open government practices at the municipal level. This information is currently unavailable.

Carried forward?

The commitment was not included in Brazil's third action plan. If the government pursues it in the future, the IRM researcher recommends including open data models for index development, and making use of participatory mechanisms for discussing the indicators with civil society.

Commitment 2.22. Development of an Indicators Model for Transparency of Brazilian Municipalities Institutional Development

Commitment Text: To develop a proposal of indicators for transparency of the institutional development of the Brazilian municipalities with the aim of providing comparative information for public managers and citizens on the progresses and basic challenges of the municipal management.

Responsible institution: Institute for Applied Economic Research (IPEA)

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
2.22. Overall			✔		✔						✔				✔			✔			
															✔						

Commitment aim

The commitment sought to use the methodology and reach of the Survey of Basic Municipal Information (MUNIC) to create indicators on key questions that can impact transparency, such as the existence of transparency portals and specific legislation. The lack of a municipal transparency index was the motivation for the commitment.

Status

Midterm: Substantial

As a result of the June 2013 technical cooperation agreement between the Institute for Applied Economic Research (IPEA) and the Office of the Comptroller General (CGU), a questionnaire with municipal transparency indicators was formulated and applied nationally in 2014. The new questions dealt with topics such as free public access in access centres, the creation of tele-centres, the installation of computers with Internet access at public schools, and the existence of access to information legislation and transparency portals. At the midterm review, however, the MUNIC had not yet been published.

End of term: Substantial

According to the government's self-assessment, IPEA published the proposal of indicators for municipal institutional development.[1] The document was created on 4 August 2016, outside the dates of the action plan. As a result, completion of the commitment remained substantial.

Did it open government?

Access to information: Did not change

The key product of the commitment that could have improved open government practices (i.e., city-level transparency indicators) was completed after the end of the action plan. As such, this commitment did not change the status quo of open government in the country during the period evaluated by this report.

Carried forward?

The commitment is not included in the next action plan. If the government revisits it in the future, the IRM researcher advises promoting open data records, and making use of structured mechanisms for participation to discuss the research survey with civil society.

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[1] Brazilian Institute for Applied Economic Research, “Proposta Ipea sobre Modelo de indicadores de gestão para cidadania municipal plena CGU OGP,” 4 August 2016, http://bit.ly/2hWfUvq.

Theme 3: Improving Public Services

Commitment 3.1. Restructuring of the Brazilian Federal Government Transparency Portal

Commitment Text: To improve the Transparency Portal by refining its usability, by adjusting it to the open data principles and by making it more interactive and accessible, thus facilitating navigation for its several users. All information currently disclosed on the website shall be maintained and tools to facilitate the search for information shall be developed. Additionally, the new Portal shall incorporate innovative technologies, thus meeting the society expectations.

Furthermore, the Portal's databases shall be restructured by integrating them, thus ensuring the handling of large volumes of data in a more efficient and dynamic way.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.1. Overall				✔	✔			✔		✔				✔				✔			

Commitment aim

This commitment attempted to restructure the transparency portal to improve its navigability, integration with social networks, and search tools, as well as support more options for visualising data and content. The transparency portal is a hub for most federal transparency data, and provides citizens access to key open datasets and other information records. In spite of its pioneering record (it was released in 2004 as the first portal of its kind in the country), the technical aspects of the website had not been updated considerably since then. For example, the portal was unavailable for smart phones and tablets (the fastest growing means of Internet access in the country, particularly for the lower classes).

Status

Midterm: Limited

The commitment had a limited level of completion, due to new international financial regulations requiring changes to the data warehouse, and a new contracting process for the communications firm in charge of implementing the changes. Government information

suggests that there were deliverables and verified progress, including information from usability tests with citizen volunteers, meetings with organised civil society, an online interface usability survey with the University of Brasilia (UNB), and an internal survey carried out via feedback received from the 'Talk to Us' channel over the last five years.

End of term: Limited

There have been several internal improvements to the portal since the midterm evaluation, for example, data extraction, storage and processing improvements, and new prototypes (e.g., web page layouts). However, the transparency portal is not fully ready for citizen use. There are no results as described in the commitment, that is, the use of interactive, accessible, and innovative technologies aimed at facilitating navigation for general users. It is important to note the ongoing participatory nature of the project, as civil society members and organisations are involved in testing and designing the tools.

Did it open government?

Access to information: Did not change

The portal is the most important of its kind at the federal level. The main technical areas addressed by the commitment, however, were not completed, resulting in no change to the status quo for end users. This is the second time the government has included a commitment to modernise the transparency portal, and the second time it has not been completed. Nevetheless, it is worth recognising the government's effort to achieve progress in this area, as well as civil society's collaborative role in trying to move forward on the commitment.

Carried forward?

The commitment was not carried forward to the third Brazilian action plan. If it is carried forward in the future, the IRM researcher recommends trying to achieve the commitment's aim: to make the portal more interactive and accessible. This could include integrating the portal with mobile applications, data visualisation tools, public accountability institutions, and civil society or private sector third-party developers.

Commitment 3.2. Participatory development of the Federal Ombudsman System

Commitment Text: To provide for the participatory formulation of a draft regulation, which shall establish principles and mechanisms for the functioning of the Federal Ombudsman System.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 September 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.2. Overall				✔	✔	✔	✔	✔		✔						✔			✔		

Commitment aim

This commitment sought to produce a draft law to develop a Federal Ombudsman System. Such a system would strengthen the freedom of information law in Brazil, improve social control, and bolster the governance system of public institutions.

Status

Midterm: Completed

The commitment was completed. The draft decree was developed through a series of online and in-person consultations. At the end of the participatory process, the draft awaited analysis after being sent for final adjustments and signing. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Did not change
Civic participation: Marginal
Public accountability: Did not change

In 2015, almost 90 percent of municipalities were ranked 'low' in terms of transparency.[1] At the federal level, standards were higher, but there was still a lack of standardised needs and practices. The commitment aimed to address this problem by strengthening multi-sectoral networks of ombudsmen systems in the country.

The commitment successfully produced a draft regulation creating a Federal Ombudsman System, it was not signed. This meant no change in government practices with regard to access to information or public accountability. Still, citizens actively participated in the

consultation process leading to completion of the commitment. For example, citizens were given the opportunity to submit comments online through the main participation portal, Participa.br, as well as through the Ministry of Justice's *Pensando o Direito* portal. This demonstrated evidence of the strong interaction between government and civil society. The General Ombudsman's Office (OGU) also held discussions, and created a commission to systematise the results of those consultations**.**

Furthermore, the government carried out a project called Ombudsman Caravans: Towards a Participatory System, which disseminated information about social participation, exchanged experiences about the on-the-ground reality of ombudsmen, and discussed the creation of the federal system. The project consisted of several in-person events throughout Brazil that were viewed favorably by both ombudsmen and civil society representatives. For example, the president of a tenants' association in Manaus said the event helped raise awareness of the services ombudsmen provide to citizens. Several ombudsmen praised the program for facilitating the exchange of experiences.[2]

In addition, though the draft regulation was not signed, many of its proposals were included in the 2014 National Policy on Social Participation, including the definition and conceptualization of an ombudsman's office. Ultimately, then, the government did engage citizens and improve the framework of participation as part of the commitment.

Carried forward?

The commitment is not part of Brazil's third action plan. For the future, the IRM researcher suggests signing the draft bill to unify ombudsmen and consolidate their information, as well as replicating the collaborative drafting of laws in other areas.

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[1] Época Negócios, "Quase 90% dos municípios do país não são transparentes," 19 May 2015, http://glo.bo/2j8uygY.
[2] Portal do Holanda, "Manaus sedia quinta etapa da Caravana das Ouvidorias," 29 November 2013, http://bit.ly/2nH8L2y.

Commitment 3.3. "Brazil Transparent" Program

Commitment Text: To support the implementation of the Access to Information Law and combine efforts to increase public transparency and the adoption of measures for open government in States and Municipalities. To this end, seminars, workshops and training courses on technical and guiding topics of these themes shall be carried out. Furthermore, campaigns and disseminating actions for the Access to Information Law shall also be carried out, as well as capacity-building activities related to the development of Transparency Portals and Citizen Information System (e-SIC) in subnational level.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.3. Overall			✔		✔	✔	✔	✔			✔					✔				✔	

Commitment aim

The objective of the commitment was to assist states and municipalities in implementing the transparent government measures included in the Access to Information Law (LAI). The LAI outlines a set of requirements for government agencies to adopt, such as websites to receive freedom of information requests and trainings for public servants to handle requests. The commitment aimed to launch the Transparent Brazil program to support government agencies in implementing the LAI, thereby increasing public transparency and expanding open government efforts, particularly at the subnational level.

Status

Midterm: Completed

As of December 2014, 1,444 municipalities had joined the Transparent Brazil system, and various support materials (guides and manuals) were published. Another of the commitment's deliverables was to distribute the source code of the electronic Citizen Information System (e-SIC). For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Major
Civic participation: Marginal
Public accountability: Marginal

The commitment made a major contribution to open government by publishing a transparency index, supporting municipal governments in providing access to information, and involving citizens in the process. Perhaps the most visible outcome of the commitment was a transparency index portal that grades Brazilian municipalities and states on their compliance with the LAI and their level of passive transparency.[1] The government published two editions of the index highlighting success stories, worst offenders, and changes over time.[2] Both editions received widespread media coverage. The data from the rankings was also released in open data format.[3]

The ranking is crucial to expanding implementation of the LAI since government agencies need to voluntarily enter the Transparent Brazil program. By November 2016, 1,630 municipalities had joined the program.[4] These municipalities receive support, such as a free software system that manages freedom of information requests and integrates local data with national data. This means that government agencies that enter the program see a major increase in transparency and efficiency of freedom of information requests. The ranking has received strong media coverage nationally[5] and locally,[6] and is used by private sector institutions as a tool to improve private-public partnerships at the local level.[7] In addition, the latest edition of the ranking shows that transparency in most states and municipalities has improved.[8]

In terms of support to municipal governments, the government had trained approximately 9,000 public servants in 929 municipalities on transparency and access to information by the end of 2014. It also published standard practices for access to information, such as for implementing a transparency portal, regulating the LAI, and creating an access to information section on public websites, though it is unclear exactly how much these have been used. One hundred twenty-seven entities requested the e-SIC code and five municipalities are already using it, according to the government. Overall, the commitment's many contributions to regulating the LAI in all regions of the country are noteworthy, and are considered a major step forward in access to information.[9]

As for civic participation and public accountability, the government trained nearly 10,000 people on the LAI, including citizens and public servants on federal, state, and municipal councils. The Transparency Brazil community on the e-Democracy website served as a further space for citizens to provide feedback during the implementation of the commitment. Although the training could be transformative in the future, its contribution to civic participation and public accountability in the short term was only marginal.

Carried forward?

The commitment was not carried forward to Brazil's next action plan. If carried forward in the future, the IRM researcher recommends expanding the adoption of the e-SIC system, and including indicators published by cities. The IRM researcher also suggests adopting mechanisms for civil society to participate in the monitoring of the e-SICs.

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[1] CGU, Escala Brasil Transparente, http://bit.ly/2iYpqW8.
[2] For examples of media coverage, please see http://glo.bo/2jbwB3M; http://bit.ly/2hXGUfW; http://bit.ly/2hYsAP6; and http://bit.ly/2hXKJSg.
[3] CGU, Escala Brasil Transparente, Open Data, http://bit.ly/2iYhRWZ.
[4] CGU, Brasil Transparente, Mapa das Adesões, http://bit.ly/2ijElRs.
[5] Estadão, "Veja o ranking do Transparência Brasil," https://goo.gl/oGz5hl.
[6] 94 FM, "Dourados tem nota zero em transparência no poder público, diz CGU," https://goo.gl/398LxK.
[7] Instituto Votorantim, "Administração pública transparente ainda é desafio para gestores," https://goo.gl/0SkAAe.
[8] CGU, Escala Brasil Transparente, http://bit.ly/2iYpqW8.

[9] Working paper on the 5 years of implementation of the access to information law
http://transparencia.ebape.fgv.br/sites/transparencia.ebape.fgv.br/files/transparencyandopacity_pt.pdf

Commitment 3.4. Development of the Unique Health System Letter

Commitment Text: The Health System Letter is an evaluation survey (response card) with brief questions about the health care the citizen received from the Unique Health System. The quality of the professionals who provide public health services can be assessed through this survey from the perspective of the citizen who uses these services. The letter also contains data on the citizen care, including the amount that the Ministry of Health spent on this service.

Responsible institution: Ministry of Health

Supporting institution: None

Start date: Not specified End date: 15 March 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.4. Overall	✔						✔		✔							✔		✔			
																✔					

Commitment aim

The Single Health System (SUS) letter, a survey with brief questions about the quality of health care offered by the SUS, was launched in November 2011. It offered citizens more transparency about the services they receive, and gave them the opportunity to hold the government accountable for the use of public health resources. As such, the aim of the commitment was to promote better use of public assets and service delivery.

Status

Midterm: Completed

The commitment was completed in 2012 before the beginning of the action plan. There is, however, clear evidence of the systematic use of the channel during implementation of the plan, as well as progress in the internal flow of the letters. Twenty-eight million letters were sent to citizens for their feedback during the two first years of the plan, and 4% were returned for government analysis.

Did it open government?

Civic participation: Did not change
Public accountability: Did not change

According to its self-assessment, the government sent out nearly 50 million letters between 2012 and 2015. Nearly 2 million were returned. Of those, less than 0.4% included allegations of irregularities. These allegations were sent to the responsible agencies and are monitored by the auditing arm of the SUS. SUS auditors launched several investigations as a result of SUS letters. For example, a clinic in São Gonçalvo (RJ) received 28 complaints from citizens, alleging that it was charging double for services. This led to an investigation, which resulted in the de-credentialing of the clinic.[1] This practice was already in place before the first OGP action plan (the SUS letters were launched in 2011). Consequently, the commitment did not change the status quo. Moreover, it is important to mention that the return rate of the letters was low (4%).

Carried forward?

The commitment was not included in Brazil's third action plan. If the commitment is carried forward in the future, the IRM researcher advises the government to promote open data as a first step. It is also important to create participatory channels to discuss the research model and transparency mechanisms for accountability in the investigation of irregularities, or for citizens' identification of possible fraud.

Commitment 3.5. Digital Cities Project

Commitment Text: To implement the infrastructure for internet connection in municipalities, thus interconnecting public bodies and agencies. The project shall foster the use of electronic government tools in municipal public management, as well as provide for the development of an open digital network for the exchange of experiences and contents.

Responsible institution: Ministry of Communications

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.5. Overall			✔		Unclear							✔			✔			✔			
															✔						

Commitment aim

This project sought to improve digital inclusion in cities with fewer than 50,000 inhabitants. The commitment was designed to link public bodies and agencies by constructing Internet access infrastructure and conducting e-government training.

Status

Midterm: Substantial

The commitment was substantially completed. In the initial pilot phase of the project, 77 of the 79 pre-selected municipalities received new Internet infrastructure, 61 received training, and nine were in the process of receiving new e-government applications. According to interviews with government representatives, 262 municipalities were selected in the second phase of the project, 15 of which received new Internet infrastructure. The trainings for this last group had not yet begun.

End of term: Substantial

There has been no additional progress found by the IRM researcher since the midterm evaluation. The government's self-assessment reported that the second phase of the project is expected to be completed in December 2019.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

The commitment did not make clear its relevance to open government. Its main focus was on expanding the e-government capacity of disconnected cities, rather than promoting open government. It should be noted that the commitment did include in the pack of software delivered to each city important open government tools (such as the e-SIC system used to establish an ombudsman system). In addition, it showed positive results for e-government in Brazil. For example, there is evidence of cities using the new fiber optics and Internet access to monitor local security,[2] process traffic violations more quickly, and organise health care enrollments.[3]

Carried forward?

The commitment is not included in the next action plan. If carried forward in the future, the IRM researcher suggests explicitly promoting the use of open government software (such as the e-SIC), and maintaining open software policies in addition to implementation and capacity-building priorities.

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[1] Portal Brasil, "Carta SUS possibilita que cidadão avalie serviços de saúde e denuncie irregularidades," 18 July 2012, http://bit.ly/2oAgsew.
[2] Portal Brasil, "Programa Cidades Digitais leva internet a 71 cidades," http://bit.ly/2jjxdsz.
[3] Parque Tecnológico Itaipu, "Cidades Digitais é lançado em Toledo. Itaipu e Fundação PTI são parceiras," http://bit.ly/2i0Hesy.

Commitment 3.6. Development of the National System for the Promotion of Racial Equality (SINAPIR)

Commitment Text: To definitely institutionalize the policy for racial equality and for coping with racism throughout the country. The effectiveness of the policy shall be increased, which may lead to the improvement of the public services targeted at the black population.

Responsible institution: Special Secretariat for the Promotion of Racial Equality

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.6. Overall		✔			Unclear					✔				✔	✔				✔		

Commitment aim

This commitment is an extension of the Racial Equality Statute, and planned to institute the National System for Promoting Racial Equality (SINAPIR). The aim of SINAPIR was to institutionalise and strengthen policies of racial equality, and to distribute federal resources for this purpose.

Status

Midterm: Limited

Initial implementation of the SINAPIR was completed in 2014, after a consultation process between civil society and government. According to the government, over R$3 million were distributed to public entities that have racial equality policies. Given the vagueness of the commitment text, however, it was not clear which other milestones were necessary to achieve the overall objective, i.e., “to definitely institutionalize the policy for racial equality and for coping with racism throughout the country.”

End of term: Substantial

New government bodies have joined SINAPIR since the midterm assessment. By July 2016, 43 new entities had joined, and an additional 28 were in the process of joining.[1] Even so, the vagueness of the commitment text (i.e. the mention of a milestone that is difficult to measure, such as to "definitely institutionalize a policy for racial equality, instead of publishing a policy oriented to such aim") makes it impossible to conclude that it was fully implemented during the period of the action plan. For example, it is unclear how many entities were expected to join the SINAPIR, or if the government intended to institutionalise racial equality policies in ways beyond the creation of the system.

Did it open government?

Access to information: Did not change
Civic participation: Marginal
Public accountability: Did not change

Even though the commitment (as written) was not relevant to open government, its implementation made an important, albeit marginal, contribution to open government. The SINAPIR included civic participation in conferences and councils at the national, district, state, and municipal levels. Furthermore, as part of the commitment, the federal government now prioritises federal budget distributions for racial equality to entities that have joined the SINAPIR, and established channels for participation. As such, it incentivises the creation and maintenance of mechanisms of civic participation in the national system for the promotion of racial equity.

Carried forward?

The commitment is not included in Brazil's third action plan. If carried forward in the future, the IRM researcher advises the government to establish transparency data for the SINAPIR operations, and create accountability mechanisms to monitor distributed resources.

[1] Seppir, Participating Entities in Sinapir, http://www.seppir.gov.br/articulacao/sinapir/AdesesaoSinapir.xls.

Commitment 3.7. Improvement of Mechanisms for Social Participation in the formulation of Public Policies

Commitment Text: To improve and enhance mechanisms for social participation in the formulation of public policies through the establishment of references and general recommendations and the articulation of the existing mechanisms. These actions shall increase the effectiveness of forums for participation and of the public policies themselves.

Responsible institution: General Secretariat of the Presidency

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.7. Overall			✔			✔				✔						✔			✔		
																✔					

Commitment aim

This commitment aimed to enhance mechanisms for social participation in the formulation of public policies by developing a model regulation for all participatory practices at the General Secretariat of the Presidency.

Status

Midterm: Completed

Decree 8.243/2014 was published on 23 May 2014.[1] It instituted the National Policy for Social Participation and the National System for Social Participation, both to improve channels for social participation and provide better cohesion between existing channels. It contained general guidelines for Public Policy Councils, conferences, and ombudsmen, and could be used to justify other methods of participation, such as e-participation and open data standards.

Did it open government?

Civic participation: Marginal

The commitment did not necessarily propose new mechanisms of civic participation, but sought to institutionalise existing practices and promote their adoption at the state and municipal levels. It should be noted that the decree was published by the executive branch, and that the lower chamber passed an instrument to void the Decree's effect[2]. Nonetheless, due to the fact that it was later submitted for discussion of the plenary, the Decree is still valid legislation.

The decree was developed in a participatory manner through Participa.br in May 2014.[3] However, there was strong legislative opposition to it when it was published by the president. This led to a national debate in the media and among civil society organisations and other important policy players as to the pros and cons of such legislation. The public response to the decree was polarised. For example, the Brazilian Network for the Integration of Peoples, the Brazilian Interdisciplinary AIDS Association, the Brazilian Association of Non-Governmental Organisations, and the Brazilian Foreign Policy and Human Rights Committee all signed a memorandum in support of the decree,[4] while major newspapers published opinion pieces against the law.[5] Following the vigorous debate, the legislature voided the decree. The commitment did make a marginal contribution to civic participation in so far as it spurred the approval of similar policies at other levels of government. The city of São Paulo, for example, passed such a decree at the municipal level,[6] which it used to support its candidacy for the OGP subnational pilot program. Another such decree was also approved by the State of São Paulo.[7]

Carried forward?

This commitment was carried forward to Brazil's third action plan. In the new plan, the government commits to improving social participation by launching a portal in collaboration with civil society, and improving tools for participation, particularly at the local level. Moving forward, the IRM researcher recommends reconciling the differing points of view of the legislature and judiciary to systematise participation mechanisms.

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[1] Presidency of the Republic, Decree Nº 8.243, 23 May 2014, http://bit.ly/1mwQCqG.
[2] Projeto de Decreto Legislativo, 1491/14, https://goo.gl/BGhxmH.
[3] Arena da Participação Social, Planalto da República, 2014, http://goo.gl/25RMpd.
[4] Jornal GGN, "Em nota, entidades repudiam derrubada do decreto 8243 pela Câmara," 4 November 2014, http://bit.ly/2jj3L1L.
[5] Estadão, "Mudança de regime por decreto," 29 May 2014, http://bit.ly/13EYoln.
[6] Coordenação de Política Municipal de Participação Social, https://goo.gl/LfivJI.
[7] ALESP, "Assembleia aprova Política Estadual de Participação Social," http://www.al.sp.gov.br/noticia/?id=360867.

Commitment 3.8. Brazilian Portal for Social Participation

Commitment Text: To develop a Portal with the aim of disclosing information on opportunities for social participation in the federal level and of stimulating the creation of communities for discussing topics related to citizen participation. The Portal is part of the development of the National Policy for Social Participation.

Responsible institution: General Secretariat of the Presidency

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.8. Overall			✔			✔		✔		✔						✔					✔

Commitment aim

The goal of the commitment was to develop a virtual platform to carry out innovative participation practices, and to open up a space for citizens and organisations, including those within the government, to debate.

Status

Midterm: Completed

The commitment resulted in the creation of the Participa.br portal, which contains interactive and participatory functions for public consultation, as well as virtual screen casting for the transmission of conferences, events, and meetings. The site has become a repository of knowledge about social participation that was previously dispersed across the network. Some of the participation features available in previous portals were expanded upon by Participa.br. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Civic participation: Outstanding

The portal is ambitious as its technological innovation improves citizen involvement in the development of public policies. The portal allows for debate and discussion in Thematic Communities, which include both government and civil society participants. In addition, people can learn about social participation on the site, and exchange comments and questions in real-time through the integrated Google Hangout function.

By October 2015, the site contained 39 active communities (i.e., with at least one existing participation thread), and more than 13,500 users who produced 400,000 comments via more than 6 million logins.[1] The portal was used to involve citizens in important activities, such as the Regulatory Framework of Civil Society Organisations, the National Policy for Social Participation, and the Federal Public Ombudsmen. The platform was also used for consulting citizens on Internet governance. In the course of one month, it received 295 proposals and more than 280,000 votes.[2]

The public reacted positively to the site. A study carried out in 2014 found that nearly half of all registered users (44%) actively participated on the portal. Seventy-four percent of those users believed that public participation in national policy had clearly improved as a result of their interactions on the site.[3] While researchers have pointed out areas for improvement, such as user friendliness,[4] the involvement of government administrators,[5] and overly complex threads,[6] they all agree that the system is effective in bringing together civil society and government to co-develop policies. According to a survey of users, 56% of respondents thought that citizen participation on the platform influenced public policies, at least to a large extent.[7] In addition, the Head of Technology at ThoughtWorks Latin America praised the initiative for creating a platform for social participation while using open software, and emphasised expansion of Internet access in Brazil as the next step to ensuring greater access to these new mediums.[8]

Carried forward?

This commitment was carried forward to Brazil's third action plan. The latter includes a commitment on improving free access to technological tools for social participation. Going forward, the IRM researcher recommends further promoting Participa.br inside and outside of government to strengthen and expand the base of participants.

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[1] Abner da Costa Peixoto, "Instrumentos da Democracia Participativa: Um estudo sobre o Participa.br e o Dialoga Brasil," 2015, http://bit.ly/2i4EyMa.
[2] Secretary General of the Presidency, Public Consultation results, http://bit.ly/2o4tNef.
[3] Grazielle Machado Fernanda, UNDP, Project BRA/12/018 – desenvolvimento de Metodologias de articulação e gestão de políticas públicas para promoção da democracia participativa, produto 6, http://bit.ly/2jt1SUf.
[4] Raphael dos Santos Pinto, "Avaliação de Sistemas de Particiação Social Online," August 2016, http://bsi.uniriotec.br/tcc/201608Pinto.pdf.
[5] Vanderlei de Menezes Souza, "Plataforma Participa.br: Um Estudo Sobre a Participação Social na Formação das Políticas Públicas," 2014, http://bit.ly/2nbFlh6.
[6] Abner da Costa Peixoto, "Instrumentos da Democracia Participativa: Um estudo sobre o Participa.br e o Dialoga Brasil," 2015, http://bit.ly/2i4EyMa.
[7] Vanderlei de Menezes Souza, "Plataforma Participa.br: Um Estudo Sobre a Participação Social na Formação das Políticas Públicas," 2014, http://bit.ly/2nbFlh6.
[8] "Participa.br é destaque na Conferência Latino-Americana de Software Livre," 20 October 2014, http://bit.ly/2oJBbKs.

Commitment 3.9. Open Data in the Ministry of Justice

Commitment Text: To standardize open government data with the aim of handling and connecting information, which shall increase the possibilities of its use by citizens. The disclosure of government data in an open format provides for the development and monitoring of indicators for transparency in public policies. Furthermore, it fosters the development of solutions and applications for managing and analyzing open data to be used by civil society organizations, research institutions and IT companies in the private sector.

Responsible institution: Ministry of Justice

Supporting institution: None

Start date: Not specified End date: 13 December 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.9. Overall			✔		✔	✔	✔	✔			✔					✔ / ✔			✔		

Commitment aim

The commitment aimed to standardise the Ministry of Justice's open data. This was to improve transparency indicators for public policies, and to encourage the development of tools for civil society and the private sector to monitor and analyse data.

Status

Midterm: Completed

The Ministry of Justice published data, ran hackathons, and publicised an Institutional Open Data Plan (PDAE) that encompassed strategic and tactical questions of an open data culture. The plan included all open data activities run by the ministry, and defined in detail the open data standards adopted, those parties responsible for updating and maintaining the data, and next steps to further open data.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Did not change

The commitment resulted in improved standards for Ministry of Justice data and events to foster data consumption and use for public accountability. The Ministry of Justice was the first government agency to publish an open data plan. The plan, which was published in 2014, sets guidelines for improving the quality of public datasets, and proposes activities such as releasing justice and geospatial data, training public servants, and hosting data workshops and competitions. Because the plan is supervised by the Ministry of Planning, which is responsible for open data standards in the country, the level of detail and technical accuracy is considerably high. Eleven datasets are open to the public; at least two were made available and the others updated during the action plan period. The datasets, which revolve around consumer protections, complaints, and traffic accidents, among others topics, are of major importance, but refer to a practice already well-established before the action plan. As a result, they constitute only a marginal improvement in access to information.

In relation to civic participation, the Ministry of Justice held the Second Open Data Application Competition. This was a continuation of an activity that predated the action plan, but it did result in new data visualisation tools for data on traffic accidents and fines, according to the government's self-assessment. The commitment also used public consultation tools (e.g., Participa.br), though civil society participation was low.[1] It is worth mentioning, however, the partnership established with The Brazilian Internet Steering Committee (CGI.br) — a key multi-stakeholder institution in Brazil responsible for Internet governance — and with key CSOs in the field, such as Open Knowledge Foundation and W3C Brasil.

There were no activities that explicitly improved public accountability channels. As a result, there was no change in the status quo as it relates to this OGP value.

Carried forward?

Though this specific commitment was not carried forward to Brazil's third action plan, the latter does include a commitment to disclose open data on the penitentiary system. If this particular commitment is carried forward eventually, the IRM researcher suggests increasing accessibility and creating data visualisation tools.

[1] Participa.br, "Plan de dados abertos e espaciais do Ministério da Justiça," 15 April 2014, http://bit.ly/2nbLLMQ.

Commitment 3.10. Electronic System for Public Consultations

Commitment text: To implement an electronic system with the aim of making the Brazilian Health Surveillance Agency (ANVISA)'s Public Consultation process, with emphasis on the FormSUS, more accessible, agile and transparent. Furthermore, it shall provide for real time monitoring of contributions. The project's primary objective is to ensure greater transparency of contributions and encourage social participation in AVISA's Public Consultations.

Responsible institution: Ministry of Health

Supporting institution: None

Start date: Not specified End date: 14 November 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.10. Overall				✔	✔	✔	✔	✔		✔						✔			✔		

Commitment aim

This commitment attempted to improve the online consultation system of the Brazilian Health Surveillance Agency, and to adopt the FormSUS tool to visualise all contributions received. In addition, the FormSUS produces a Contribution Report that compiles the suggestions and returns quantitative information about the consultation.

Status

Midterm: Completed

Since 2013, all public consultations for proposed regulatory acts are held via FormSUS, a system that compiles consultation contributions and produces quantitative information about the consultations. For additional details, please see the IRM Midterm Progress Report.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Marginal

The commitment improved the civic participation tool on the consultation portal of the Brazilian Health Surveillance Agency. The tool, which was implemented before the start of the action plan, enhanced open government in two ways. First, it increased the quality of information published during and after each consultation, because it publishes online, by default, all contributions made during the consultation period. For example, the tool recorded 1,578 contributions on 33 proposed regulatory acts in 2013. Participation varied by consultation though, as evidenced by the proposed provision on allergies in 2014, which received 3,500 contributions. The second improvement was that FormSUS bolstered public accountability by automatically sending the result of consultations to all individuals who participated in the process. The government is further required to explicitly address which contributions were considered or not in the feedback form. Finally, FormSUS was well-received. According to the government self-assessment report, 87% of users found the tool easy to use, 86% found input fields and instructions clear, and 83% indicated that the look and feel of the form was good or very good. There is also evidence of greater public use of the consultation site since the beginning of the commitment. In 2013, 63 public consultations were hosted by the platform. This number grew to 108, 114, and 169 in 2014, 2015, and 2016, respectively.

Carried forward?

This commitment was not included in Brazil's third action plan. If it is carried forward in the future, the IRM researcher advises adjusting the tool to open data formats, distributing it as free software, and improving the report-back system to highlight the long-term impacts of consultations on public policies. In addition, it is important to expand this practice to other consultation processes.

Commitment 3.11. Improvement of health services through the increased use of the National Health Card

Commitment Text: To improve the health services provided by the Unique Health System (SUS) by increasing the benefits of the National Health Card, which are inherent to a greater availability of the Card. This commitment shall enable linking procedures performed in the SUS to the public health care users, to the professionals who performed them and to the health units where they were performed. Thus, the implementation of this project shall enhance the guarantee of access to health care and increase the quality and effectiveness of services to citizens, as well as improve the quality of information and its use in the development and management of health policies.

Responsible institution: Ministry of Health

Supporting institution: None

Start date: Not specified End date: 13 December 2013

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
3.11. Overall			✔		Unclear					✔					✔ ✔			✔			

Commitment Aim

The National Health Card, or SUS Card, links data among citizens, health professionals, and health establishments. The commitment sought to increase the benefits offered by the card so as to increase the quality and effectiveness of health care.

Status

Midterm: Substantial

The commitment was partially completed. While there was no evidence of health service improvements or expansion of the benefits of the SUS Card, there were improvements in the collection and processing of data, such as investments in technology infrastructure for greater connectivity and cleaner databases.

End of term: Substantial

The IRM researcher found no additional progress on this commitment since the midterm evaluation.

Did it open government?

Access to information: Did not change
Civic Participation: Did not change
Public accountability: Did not change

The commitment is not relevant to open government values. Information is released on an individual basis, and is not available to civil society as general data. As a result, the commitment focuses more on e-government public service delivery, than on open government-oriented practices.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. If carried forward in the future, the IRM researcher recommends improving tools for transparency (e.g., publishing data in open format and online monitoring tools), participation (e.g., developing tools for health councils to use the data), and/or accountability (e.g., associating the data with such programs as the ombudsman system).

Theme 4: Increasing Corporate Accountability

Commitment 4.1. Improvement of the Pro-Ethics Company Registry

Commitment Text: To improve the Pro-Ethics Company Registry with the aim of increasing the number of companies listed in the registry, which implement effective and impactful compliance programs. To this end, the disclosure policy of the registry shall be improved, as well as the strategy to give visibility to the companies listed in the registry. Furthermore, the registry rules and the integrity verification tools shall also be improved and new partnerships with other bodies and agencies of the public sector, the private sector and the civil society shall be established with the aim of strengthening the scope of the initiative.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 15 March 2015

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
4.1. Overall				✔	✔	✔	✔			✔				✔		✔			✔		

Commitment aim

The Pro-Ethics Company Registry is an initiative to improve corporate ethics, integrity, and transparency by publicly recognizing companies that commit to fighting corruption and other types of fraud. Companies submit information on their anti-corruption practices, and the best scoring companies receive an "ethics accreditation." The commitment attempted to improve the registry's tools and policies to encourage more companies to join the initiative.

Status

Midterm: Limited

The commitment had to be revised, as the Anticorruption Law (Law 12.846/2013) forced it to redesign the company registry's principles and practices. The registry's website was renovated, a new regulatory norm regarding the system's restructuring was proposed, and a new evaluation survey was designed. However, company evaluations were suspended until the program was restructured.

End of term: Completed

Since the midterm report, the following improvements were made to the program in fulfillment of the commitment:

- The questionnaire used to obtain information from companies about their practices was revised to include the latest requirements enacted by the Anticorruption Law.[1]
- The program website was updated to disclose the most recent regulations and requirements for companies desiring certification.[2]
- A new communications strategy was employed. This included hosting two Clean Business (*Empresa Limpa*) conferences to share the results of the accreditation process.[3]
- The Brazilian Institute of Ethical Competition (ETCO) joined the committee that reviews applications.
- The registration and accreditation of new companies was reopened in 2015, and continued in 2016.[4]

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Did not change

The Pro-Ethics Company Registry program evaluates and highlights firms engaged in best practices in integrity and anti-corruption. The commitment's objective was to expand the scope of the initiative by remodeling the submission of candidacies and investing in awareness-raising for registered companies and the program's results. In this sense, the results of the commitment were quite positive, as changes to the program significantly expanded the number of companies listed in the registry. In 2016, 195 companies applied for the system, as opposed to 170 between 2011 and 2013, and 97 in 2015. The number of businesses evaluated also rose from 33 in 2015 to 74 in 2016.[5]

These results mark an improvement in access to information because they provide citizens with more information on which businesses are following best practices, and how they scored on publicly available transparency and integrity criteria. In terms of civic participation, ETCO's integration into the selection committee represents a growing partnership between the government and civil society in managing the program and applying the accreditation criteria (the program is co-led by the Office of the Comptroller General and the Ethos Institute).

It should be noted that the Pro-Ethics Company Registry was launched in 2010, before the start of the action plan. Hence, even though the program has raised awareness of the certified businesses and expanded the number of applicants, the improvements made during the action plan represent incremental improvements to an existing program. In addition, although the commitment is an important corporate accountability initiative, it does not contribute to greater *government* accountability, which is why there was no change in public accountability.

Carried forward?

The commitment is not included in the next action plan. If carried forward in the future, the IRM researcher suggests publishing the scores and results of business applicants, as well as creating accountability mechanisms for civil society to monitor the registered companies.

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[1] Ministerio da Transparencia Fiscalizacao e Controladoria-Geral da Uniao, Empresa Pró-Ética, Histórico, http://bit.ly/2nc6ekJ.

[2] Ministerio da Transparencia Fiscalizacao e Controladoria-Geral da Uniao, Empresa Pró-Ética, Regulamento, http://bit.ly/2oD0YH6.
[3] Ethos Institute, "CGU promove a 2ª Conferência Lei da Empresa Limpa," 9 November 2015, http://bit.ly/2nLv8Ed
[4] Office of the Comptroller General, "Pró-Ética 2016: Empresas têm até 13 de maio para solicitor adesão," 1 March 2016, http://bit.ly/1WUOfXg.
[5] Office of the Comptroller General, "Pró-Ética em Números," 23 January 2017, http://bit.ly/2o4zite.

Commitment 4.2. Expansion of the database of the National Debarment List (CEIS)

Commitment Text: To increase, through partnerships, the amount of information on the National Debarment List – a database maintained by the Office of the Comptroller General, with the aim of consolidating the list of companies and individuals that have suffered penalties that hinder the participation on procurements and the celebration of contracts with the Public Administration.

Responsible institution: Office of the Comptroller General

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
4.2. Overall			✔		✔		✔	✔		✔						✔				✔	
																✔					

Commitment aim

The National Debarment List (CEIS) comprises businesses and people banned from the right to sign contracts with the public administration. The commitment intended to improve the CEIS by consolidating information on companies and individuals who have violated public contract or procurement rules in the country. This information was previously available, but not indexed with other major open datasets.

Status

Midterm: Completed

During the period of implementation, the Anticorruption Law (12.846/13) came into force. This law significantly expanded the reach of the CEIS by requiring all public entities to maintain and update the registry of penalised companies. It also created the National Registry of Penalised Companies (CNEP), which lists the companies in violation of the new anti-corruption legislation. The government produced the new deliverables required by both the law and commitment by creating the Integrated CEIS/CNEP Registry System. Public bodies directly submit to the Registry System the names of companies they have sanctioned for violating contracting or procurement rules, or the Anticorruption Law. The data from this system are now publicly available at the Federal Transparency Portal. According to the government's self-assessment, since the implementation of the new system, five states had joined, while others were in the process of doing so.

Did it open government?

Access to information: Major
Public accountability: Major

The commitment enhanced the transparency of a key registry system to fight corruption and improve public service delivery: the National Debarment List – a database that consolidates the names of companies and individuals who have broken public contracting or procurement rules. For the first time, this database is now public, rather than limited to internal government use. In addition, the linkage of data on companies that have transgressed the Anticorruption Law, as well as the use of state and municipal datasets when possible, considerably increased the effectiveness of this list. By December 2016, the CEIS recorded 7,000 new entries in the course of the year.[1] As of January 2017, there are more than 13,000 data entries on the site, which allows filtering by type of sanction, such as declaration of bad standing, suspension, and ban.[2] According to the government, 87 organisations and subnational agencies (including state and municipal governments) were using the CEIS and CNEP by July 2016.

Civil society has largely been supportive of the commitment. According to Transparency Brazil, the CEIS is:

> "a relatively simple measure to implement, but fundamental for guaranteeing that sanctioned companies are not eligible for public contracting. The lack of a single registry, however, reveals common management and communication problems between the different entities of the public administration and spheres of government that need to be corrected immediately. It is common for information released by the administration to be under-utilised, if not lost. The judiciary, the courts of auditors, the comptrollers, and other auditing agencies need to work together since isolated efforts will produce limited results."[3]

The Ethos Institute presented a proposal for a similar registry of companies involved in corruption as far back as 2004.[4] Today, the CEIS has become an important tool, mentioned often in the media, to draw attention to corrupt corporations.[5] In this way, the commitment has significantly improved public access to information on government anti-corruption practices and relations with the private sector. Moreover, given that the government is not allowed to procure from companies on the CEIS, citizens now have an important new tool to hold it accountable for its procurement practices.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. Nonetheless, the IRM researcher recommends expanding the registry to include other branches and agencies of government, especially the judiciary. The IRM researcher also recommends putting in place consultation mechanisms regarding other data to be incorporated into the system, and strengthening accountability mechanisms for those registered who may have problems with the data.

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[1] Antonio Carlos Vasconcellos Nóbrega, "Lei Anticorrupção melhorou relações entre setores público e privado," http://bit.ly/2idxoVh.
[2] Portal de Transparência, Cadastro Nacional de Empresas Inidôneas e Suspensas (CEIS), http://www.portaldatransparencia.gov.br/ceis.
[3] Natália Paiva (President, Transparency Brazil), e-mail correspondence with the IRM researcher.
[4] Paulo Itacarambi, "Lei anticorrupção aprovada na Câmara beneficia empresas responsáveis," 26 April 2013, http://bit.ly/2iW5MUG.
[5] O Globo, "CGU declara inidônea empresa investigada na Lava-Jato," 23 December 2016, http://glo.bo/2juXYdw. See also http://bit.ly/2j06CA0 for an article about 96 companies in Espírito Santo that are prohibited from contracting with the government.

Theme 5: Creating Safer Communities

Commitment 5.1. Monitoring of the National Plan for Food and Nutrition Security (PLANSAN)

Commitment Text: To develop and implement a monitoring methodology for the National Plan for Food and Nutrition Security, with the aim of enhancing the transparency of government actions and the accountability of financial resources for food and nutrition security.

Responsible institution: Ministry of Social Development and Fight against Hunger

Supporting institution: None

Start date: Not specified End date: 14 June 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
5.1. Overall				✔	✔	✔	✔			✔						✔			✔		
																✔					

Commitment aim

The 2012-2015 National Plan for Food and Nutrition Security (PLANSAN) integrates the activities of government entities working on issues related to production, strengthening family agriculture, food supply, and healthy nutrition promotion. The commitment aimed to systematise goals and expand the monitoring of the plan through channels such as the National Conference, the National Food Security and Nutrition Council, and the Inter-ministerial Chamber of Food Security and Nutrition.

Status

Midterm: Completed

During the implementation period, the government developed a monitoring strategy and created the PLANSAN Computerized Monitoring System (SISPLANSAN), to which government bodies contributed information and data about the execution of PLANSAN's goals. Throughout the period, these goals were systematised and prioritised (though not made public), resulting in a total of 150 goals from approximately 300 at the start of the action plan. In addition, the government prepared a report with specific targets that was presented at the IV National Conference of Food Security and Nutrition +2 in March 2014.

Did it open government?

Access to information: Marginal
Civic participation: Marginal
Public accountability: Did not change

The commitment had the potential to improve access to information by implementing a monitoring methodology for PLANSAN, and frequently releasing updated reports on the use of financial resources for food and nutrition security. The presence of civil society representatives in PLANSAN councils also presented an opportunity to improve civic participation and public accountability. However, the online PLANSAN monitoring system was implemented within the agency only, and was not available to the public. While the government published and presented a status report with specific targets at the IV National Conference of Food and Security +2, this was an incremental step forward in light of the fact that: (1) these conferences are not new; they go back to 1994; and (2) citizens did not have access to the online data, which would have enabled real-time monitoring.

Nonetheless, the conference served as a space for civil society and government to discuss the findings of the status report and make proposals. The coordinator of advisers at the Institute for Socioeconomic Studies (INESC) stated that "the conference was extremely productive, revealing the growth of debate that can be perceived in the quality of proposals made to improve the Plan. It is clear that meaningful progress has been made in recent years, though it is also evident that major gaps need to be filled."[1] To be sure, citizens received more information about the implementation of the PLANSAN, and were involved in discussing the topic with government. For this reason, the commitment made a positive contribution to both access to information and civic participation. Since citizens were not involved directly in monitoring implementation in real-time and did not have a mechanism to translate the information they received at the conference into consequences or change, there was no change in public accountability.

Carried forward?

The commitment is not included in Brazil's next action plan. For the future, the IRM researcher recommends including civil society in more steps of the monitoring process, making the PLANSAN's online monitoring system available to the public, and establishing channels for citizens to hold government agencies accountable for implementing the PLANSAN.

[1] INESC, "Encontro Nacional 4ª+2 discute Segurança Alimentar e Nutricional," 21 March 2014, http://bit.ly/2nOSbhq.

Commitment 5.2. Development of an Information System on the Maria da Penha Law (Law No. 11,340/2006)

Commitment Text: To develop a system for collecting and storing standardized information on the public policies related to the Maria da Penha Law.

Responsible institution: Secretariat for Women's Policies

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
5.2. Overall				✔	✔	✔		✔		✔					✔				✔		

Commitment aim

The Maria da Penha Law, approved in 2006, planned to create a unified information system for data on domestic and family violence against women. The commitment proposed to create the system, standardise national data, compare different government branches and states, and enable civil society to monitor the government's policies on women.

Status

Midterm: Substantial

The Secretariat for Women's Policies adapted the Dial 180 tool to feed into a national information system. This transformed a passive system that offered information on violence against women into an active channel to register complaints. One example was the launch of the "Women, Living without Violence" program, which used the Dial 180 system to route complaints to public security authorities while copying the public prosecutor's office in each state. To be completed, the system needs to increase its capacity to collect and standardise information. At the midterm review, the government had begun preparing for this increased capacity by hiring additional tele-operators, expanding contracts for more phone lines to cover free calls, and restructuring the system of assistance for women who have suffered violence.

End of term: Substantial

The government held inter-ministerial meetings to prepare a draft of the national information system. Several government bodies, such as the Institute of Applied Economic Research (*Instituto de Pesquisa Econômica Aplicada,* IPEA) and the Civil House, worked on defining the indicators and variables to be included in the data system. However, there was no concrete additional progress on the system since the midterm evaluation. In addition, the Secretariat for Women's Policies, which was responsible for implementing this commitment, was integrated into the Ministry of Justice and Citizenship in 2016. According to an information request by Article 19, there is currently no agency assigned to the implementation of this commitment, which means it is not possible to identify an expected date of completion.[1]

Did it open government?

Access to information: Marginal
Civic participation: Did not change

The commitment resulted in an important (yet partial) process for managing and disclosing data on violence against women. Although the information system promised in the commitment text was not completed by the end of the action plan, the government did improve the Dial 180 tool to collect and disclose information about violence against women. During the action plan, the government promoted the 180 dial-in system through a public awareness campaign to encourage women to dial in and provide information. In addition, the government increased the number of tele-operators from 90 to 300, and established a mechanism for incidents to be routed directly to law enforcement agencies.[2] These improvements led to a surge in usage of the system. In 2016, the service received more than a million calls (over 3,000 per day), 51% more than the previous record reached in 2015,[3] which was already 54% more than the number of calls received in 2014.[4] According to government data publicised by the national press, 12% of all calls mentioned violence against women, and reports of violence alone increased 129% from 2014 to 2015,[5] and 83% from 2015 to 2016.[6] Experts agree that the increase in the number of calls is a result of greater dissemination of the Dial 180 system.[7]

These results point to greater access to both information and justice. Given that many people call to access information on rights and services,[8] there are now more people receiving this information than before. In addition, the system is innovative in so far as it provides standardised data to the public in a country where, previously, data on violence against women were not widely available. There is now strong evidence of the media's use of the data to highlight greater levels of violence against black women,[9] and to inform citizens about the realities of gender violence.[10]

Important though they are, the activities carried out during the action plan constituted marginal improvements to an existing program. Dial 180 was created in 2005, and recorded 3.36 million calls between 2006 and 2013.[11] According to Article 19, the results of the commitment are not very impactful, and the Dial 180 system "is far from being a national system, given that it is not integrated with other databases, such as health and public security databases, and it does not allow one to follow up on victim cases. In other words, there is no follow up after a call is made to see how the government responded."[12]

Carried forward?

The commitment is not part of Brazil's third action plan. However, the IRM researcher recommends opening the data, reviewing the systematisation process, and inviting civil society organisations to map the data and help improve data gathering, quality, and quantity.

[1] Bárbara Paes, “How is Open Government Related to Violence Against Women in Brazil?” 8 March 2017, http://bit.ly/2nxM2ph.
[2] Portal Brasil, “Ligue 180 dá salto no apoio ás mulheres e bate recorde de atendimentos,” 8 March 2016, http://bit.ly/2nIlcdP.
[3] Rafael Gregorio, “’180’ teve recorde de denúncias em 2016; negras são maioria entre vítimas,” Folha de São Paulo, 8 March 2017, http://bit.ly/2oO9PTt.
[4] Agência Brasil, “Relatos de violência sexual aumentaram 129% em 2015 no Ligue 180,” 8 March 2016, http://bit.ly/2oJPSQt.
[5] Ibid.
[6] Rafael Gregorio, “’180’ teve recorde de denúncias em 2016; negras são maioria entre vítimas,” Folha de São Paulo, 8 March 2017, http://bit.ly/2oO9PTt.
[7] Rute Pina, “Denúncias de violência doméstica e familiar crescem 133%,” Brasil de Fato, 10 August 2016, http://bit.ly/2p6rCVd.
[8] Portal Brasil, “Ligue 180 dá salto no apoio ás mulheres e bate recorde de atendimentos,” 8 March 2016, http://bit.ly/2nIlcdP.
[9] Rafael Gregorio, “’180’ teve recorde de denúncias em 2016; negras são maioria entre vítimas,” Folha de São Paulo, 8 March 2017, http://bit.ly/2oO9PTt.
[10] Luisa Bustamente, “Ligue 180: as mentiras e verdades do debate sobre a violência de gênero,” 9 March 2017, http://bit.ly/2oeJpMz.
[11] Compromisso e Atitude, “Com ampliação do Ligue 180, serviço passará a registrar e encaminhar denúncias de violência doméstica,” 6 March 2014, http://bit.ly/2o2cY1J.
[12] Joara Marchezini (Project Officer on Access to Information, Article 19), e-mail correspondence with the IRM researcher.

Commitment 5.3. Development of processes for prior consultation under the 169 Convention of the International Labour Organization's (ILO)

Commitment Text: To study and assess the procedures for prior consultations provided for the 169 Convention of the ILO on indigenous and tribal peoples with the aim of ensuring the effective participation of these peoples on decision-making processes regarding legislative or administrative measures that affect them directly. This commitment is a joint effort of the General Secretariat of the Presidency and the Ministry for Foreign Affairs, with the support of the Ministry of Justice.

Responsible Agencies: General Secretariat of the Presidency, Ministry for Foreign Affairs and Ministry of Justice

Supporting institution: None

Start date: Not specified End date: 14 January 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
5.3. Overall			✔			✔					✔			✔		✔		✔			

Commitment aim

Convention 169 constituted the first binding international instrument that specifically addressed the rights of indigenous and tribal peoples. The commitment focused on evaluating the convention to develop a consultation process to ensure the involvement of indigenous and tribal peoples in decisions that affect them.

Status

Midterm: Limited

An inter-ministerial working group held nine meetings with Quilombola communities to map stakeholder preferences for the development of a consultation process. According to the government, 800 Quilombola community representatives from 24 states participated in these meetings. From the discussions, the government outlined a normative text, which it presented to the National Coordination of Quilombola Communities (CONAQ) for further consultation. However, by the midterm review, there was still no consensus on how to implement the 169 convention requirements as described in the commitment.

End of term: Completed

On 17 December 2015, the government published Decree 8.593/2015, which institutes the National Council for Indigenous Policies (CNPI). The CNPI is composed of 45 members: 15 representatives from the executive branch, all with a right to vote; 28 from villages and indigenous organisations, 13 of whom can vote; and two from indigenous entities who can vote. The Council is designed to develop, monitor, and implement public policies that affect indigenous and tribal peoples. The CNPI was officially established on 27 April 2016. It met for the first time on 28 and 29 April 2016 to discuss the internal regulations of the council, present the results of the first National Conference of Indigenous Policy, and develop a work plan for 2016.

Did it open government?

Civic participation: Did not change

The commitment had the potential to transform civic participation in the country by regulating and implementing consultation tools for indigenous and Quilombolas groups. However, both the development and implementation of the new CNPI were controversial, as there were differing opinions inside and outside of government as to its legitimacy.

Indigenous groups were largely critical of the consultations during the planning phase of the commitment. The Network of Indigenous Peoples in Brazil (APIB) came out against the commitment, while the Center of Indigenous Labour stated that "establishing Working Groups to 'standardise' indigenous participation on the fate of their lands is nothing more than a smokescreen to cover up the real intention of undercutting the legitimate means of consultation…"[1] Opinions were divided among government agencies as well. The Ministry of Foreign Relations supported the regulation of prior consultation, but the National Indian Foundation (FUNAI), the government agency in charge of indigenous affairs, preferred utilising the already existing channels for prior consultation.

Indigenous groups heavily criticised the lack of decision-making power of the CNPI, which was designed for consultation. Conectas, for example, decried "the government's efforts to regulate Convention 169 without recognising the right of indigenous and traditional peoples to have the final word on the benefits or adoption of measures that imply restrictions on the enjoyment of their rights, lands, beliefs, cultural habits, in short, their immaterial and material wealth."[2]

Despite the criticism, the CNPI institutionalised a formal mechanism to consult indigenous and tribal peoples in decisions that affected them. Sonia Guajajara, a representative of indigenous peoples on the CNPI, stated, "There were many challenges in getting to this very important moment, but the process of choosing councillors was legitimate and brings to this space people who receive an important mission: to ensure that we are heard." She added, "Although the Council is not the ideal one we wanted… we will occupy this space showing that we, the indigenous peoples, will not accept setbacks."[3]

Although the commitment had potential, by the end of the action plan (June 2016), there was no clear evidence of significant improvement in the participation of those directly affected by the commitment. According to DHESCA Brazil (a network of CSOs that promote economic, social, cultural, and environmental rights), "Though April was positive [with the establishment of the CNPI] — from a formal point of view — for the promotion of indigenous rights, if these measures are not accompanied by continued commitment during the current context, it risks being only rhetorical discourse in light of the historical and repeated violations against indigenous populations."[4]

Carried forward?

The commitment was not carried forward to Brazil's third action plan. Still, the IRM researcher believes the consultation process should be made more inclusive in light of the deep polarisation of stakeholder views.

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[1] Center of Indigenous Labor, "A quem interessa a regulamentação da convenção 169 da OIT?" 16 October 2013, http://bit.ly/2oMtlCH.
[2] Conectas, "Nota pública sobre regulamentação da Consulta Previa," 4 October 2013, http://bit.ly/2nlKbZ3.
[3] FUNAI, "Conselho Nacional de Política Indigenista é instalado durante ato no Ministério da Justiça," 27 April 2016, http://bit.ly/2p9Ajy5.
[4] DHESCA Brazil, "Nota sobre a instalação do Conselho Nacional de Política Indigenista," 2 May 2016, http://bit.ly/2nlQrjy.

Commitment 5.4. Redesign of the Current Protection Programs

Commitment Text: To develop a new model for execution of protection programs with the aim of standardizing procedures and optimizing resources, tools and structures used to its operationalization. The process of transfer of resources under protection programs shall be improved to the achievement of this action's objectives. Furthermore, intragovernmental coordination mechanisms shall be developed with the aim of improving the articulation of several agencies in actions relating to these programs. There shall also be a risk assessment for those who are under protection programs.

Responsible institution: Secretariat for Human Rights and Ministry of Justice

Supporting institution: None

Start date: Not specified End date: 14 December 2014

Commitment Overview	Specificity				OGP Value Relevance (as written)				Potential impact				Completion		Midterm / End of term		Did it open government?				
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency &	None	Minor	Moderate	Transformative	Not started	Limited	Substantial	Completed	Worsens	Did not change	Marginal	Major	Outstanding
5.4. Overall				✔		✔					✔			✔ / ✔				✔			

Commitment aim

Originating in 2013, the commitment was designed to improve public service efficiency in protection programmes for threatened people, including the implementation and expansion of participatory mechanisms (e.g., councils). It aimed to develop a new model of protection programmes, with civil society participation, to standardise procedures and optimise resources, tools, and structures.

Status

Midterm: Limited

According to the government, working meetings were held throughout 2013 with representatives from civil society and state governments. In addition, discussions were held between the technical departments involved in the programmes' operations. Intergovernmental coordination was carried out to create the Inter-ministerial Committee for the Protection of Threatened People, but this was not implemented. Finally, the government began developing the National System for the Protection of Threatened People, but this too was not finalised.

End of term: Limited

There has been no additional progress found by the IRM researcher since the midterm evaluation. The government's self-assessment reported that a new deadline of December 2017 had been set for the completion of the commitment.

Did it open government?

Civic participation: Did not change

The commitment aimed to use civic participation as a mechanism to improve public service delivery. The government proposed improving and expanding councils and public participation as a way to improve public service delivery and public accountability. Nonetheless, due to limited completion of the commitment, there was no change in open government practices during the action plan.

Carried forward?

The commitment was not carried forward to Brazil's third action plan. The IRM researcher proposes implementing the National System for the Protection of Threatened People, and creating online mechanisms of public accountability that take into account the sensitive nature of the data.

METHODOLOGICAL NOTE

Commitments are clustered based on the original OGP action plan. This report is based on a desk review of government programmes, draft laws and regulations, government decrees, a review of the government's self-assessment report, analysis of the commitments, as well as on monitoring the process of elaboration of the third national action plan. The IRM researcher also relied on written feedback from stakeholders cited in the text, as well as reports and articles from the Brazilian media to evaluate completion of the action plan.

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, to empower citizens, to fight corruption, and to harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and to improve accountability.