

Independent Reporting Mechanism (IRM) Preliminary Review 2017: São Paulo

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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. In 2016, OGP opened to subnational participants in their own right as part of a pilot program. The OGP Subnational Pilot Program consists of 15 subnational governments who submitted action plans and signed onto the Subnational Declaration at the Paris Global OGP Summit, and will be implementing them from 1 January 2017 to 31 December 2017.

The Independent Reporting Mechanism (IRM) carries out an annual review of the activities of each government that participates in OGP. As part of the pilot status of the reports, the IRM is releasing this early version of the review of process and commitment form (Specificity, Relevance, and Potential Impact). The final report will be released in the first trimester of 2018.

The early release will be reviewed by the IRM staff and the International Experts Panel (IEP). Thereafter, it will undergo two commenting periods. In the first period (14 calendar days), each OGP-participating government is invited to review the release in draft form before it is put out for broader comment. For the second phase of comments (14 calendar days), there will be a space on the OGP website for broader public comment, which may include formal responses by governments.

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Process of development and monitoring of the action plan

Governments participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation. This section summarizes the performance of São Paulo, Brazil during the development of their first action plan.

OGP basic requirements

Subnational governments received the following guidance on participation during action plan development and execution:

May – November 2016: Development of commitments: Participants set up ways to work with civil society organizations and other groups outside government and use these mechanisms to identify priority areas for commitments. Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones. Draft commitments should be shared with the OGP Support Unit as they are being developed and for comment and advice in October-November. Commitments should be finalized and agreed by the end of November, so they can be published and announced at the OGP Summit in December.

The São Paulo municipal government met all but one of the OGP basic requirements during the development of its action plan. Despite the tight calendar, and facing a pre-municipal election atmosphere, a mechanism was set in place to work with civil society organizations to formulate the action plan.

To make participation the central component of the action plan development and implementation processes, the government of São Paulo began by calling two open meetings. These were to introduce the OGP to a broad range of municipal stakeholders, and to engage them in the very process of creating shared governance over the subnational pilot, and defining a work plan for the development of the action plan.¹

The São Paulo Aberta Initiative (Open São Paulo Initiative) was a pilot project launched by São Paulo's City Hall in January 2014.² It is currently hosted within the Municipal Secretariat for International Relations. It aims to decentralize and foster the open government agenda at the municipal-level.³ Together with the Municipal Comptroller Office – through its Integrity Promotion Coordination (COPI/CGM),⁴ São Paulo Aberta designed a roadmap for the action-plan co-creation process.⁵ The first step was to elect civil society organizations (CSOs) to partner with government in co-managing the development and execution of the action plan, through a Shared Management Forum (hereafter, the Forum). Both the São Paulo Aberta and COPI/CGM teams designed the voting process, relying on inputs from civil society representatives received during the two open introductory meetings.⁶ An administrative decree by the Inter-Secretarial Open Government Committee (CIGA)⁷ subsequently formalized the Forum's composition and election criteria. According to the decree, both the São Paulo City Hall, through representatives from São Paulo Aberta and the COPI, as well as a group of elected CSOs have seats in the Forum. Twenty-two CSOs have registered to participate either to vote and/or be voted for. On 12 September 2016 (voting day), eight organization presented themselves as candidates. Ten civil society representatives were present in the official voting meeting, and agreed to conduct all the candidates to the Forum.⁸ Through the Forum, the elected CSOs and government representatives from São Paulo Aberta Initiative and COPI/CGM carried out a participatory process for the development of the action plan.

This process was divided into three main phases:

- (i) *Diagnosis phase:*⁹ São Paulo’s City Hall surveyed citizens (online and offline) and civil society organization to map open government gaps in the city, and identify priority areas for commitments;
- (ii) *Commitments’ drafting phase:* The Forum organized three open face-to-face workshops¹⁰ and a virtual consultation to draft the action plan commitments; and
- (iii) *Virtual voting phase:* The Forum led an online poll from 26 October to 26 November 2016 to select five commitments from the pool of proposals it designed during the drafting phase for this pilot.¹¹

The Forum clustered the proposed commitments (a total of 16) drafted by civil society during the in-person consultations in five priority areas (“participation,” “capacity building/knowledge,” “communication,” “institutionalisation,” and “open data/technology”). During virtual voting, each voter chose five commitments, one for each theme. This methodology, agreed upon by Forum members, sought to guarantee thematic diversity in the action plan.¹² According to Joara Marchezini, a civil society representative from RETPS (Rede pela Transparência e Participação Social), an umbrella network of CSOs and a Forum member, the lack of time forced the Forum to draft the commitment milestones without further open consultations with citizens.¹³ Nonetheless, milestones were debated during the Second National Open Government Meeting on 29 November 2016, which was attended by 230 people in São Paulo.¹⁴

São Paulo’s final action plan was submitted at the end of November, without being officially reviewed by OGP’s Support Unit. According to Gustavo Vidigal, the OGP Point of Contact during the action plan development process, the municipality opted to continue engaging with civil society members for a longer period of time, and missed the OGP Support Unit review deadline. However, there were informal exchanges between government representatives and the Support Unit on the proposed commitments prior to the plan’s completion and submission.¹⁵ In June 2017, the São Paulo government submitted a revised version of its plan, with an updated version of its fifth commitment.¹⁶

Table 3.1: Basic Requirements

1. Participatory Mechanism: Was there a way of working with CSOs and other groups? <i>Guideline: Participants set up ways to work with civil society organization and other groups outside government and use these mechanisms to identify priority areas for commitments.</i>	Yes
2. Priority identification: Was civil society able to help identify priority areas for commitments? <i>Guideline: Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones.</i>	Yes
3. Commitment development: Did civil society participate in the [development/drafting] of commitments and milestones? <i>Guideline: Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones.</i>	Yes
4. Review: Were commitments submitted for review to the Open Government Partnership Support Unit prior to finalization? <i>Guideline: Draft commitments should be shared with the OGP Support Unit as they are being developed and for comment and advice in October-November.</i>	No
5. Submission: Were commitments submitted on time?	Yes

Guideline: Commitments should be finalized and agreed by the end of November, so they can be published and announced at the OGP Summit in December.	
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Openness of Consultation

Who was invited?

Consultations were open to a wide range of stakeholders, including CSOs, social movements, academia, municipal public servants, and citizens in general. Gustavo Vidigal, former São Paulo Aberta coordinator, and Laila Belix, former COPI/CGM coordinator at the time the action plan was developed, stated that as soon as the government decided to submit their candidacy for the OGP subnational pilot program, they proactively reached out to organized civil society representatives, including grassroots movements, to include them as active players in the process from the start.¹⁷ Those invited to the first introductory meetings in August 2016, the largest one being “Dialogues on OGP Action Plan,”¹⁸ were mostly CSOs already working on transparency matters, academics, and local social movements working on issues such as racial equality, health, and housing.¹⁹ The Forum’s CSOs members believe the initial turnout for this first meeting was considerably high.²⁰

The government set as a priority to extend participation beyond the ‘usual suspects’ (i.e., organization actively engaged in issues related to transparency and open government).²¹ To this end, the São Paulo Aberta and COPI/CGM teams hosted additional introductory meetings with social movements to encourage them to participate and integrate the Forum.²² Engaging a broader spectrum of São Paulo’s diverse civil society was also the reason the three face-to-face workshops were decentralised (held downtown, and in West Zone and East Zone).²³ Local councilors (elected citizen and civil society representatives taking part in existing participatory structures) and training agents who worked on the training program, ‘Open Government Agents’ (2015-2016), were also invited to take part in these consultations. Further, City Hall carried out virtual consultations during the commitments’ drafting phase (which is explained in greater detail below) to engage individuals directly, without the mediation of organized local groups.²⁴

How was awareness raising carried out?

Both government and civil society representatives agree that time for a comprehensive awareness-raising process was too short due to the 2016 pre-electoral context in São Paulo. Electoral rules also limited public agents’ use of their official communication channels to invite people to the consultations.²⁵ Key informants believe this negatively impacted the whole process. These challenges were circumvented by strategically sending invitations through the existing networks of the two City Hall bodies leading the process (São Paulo Aberta and COPI), and through the networks of CSOs in the Forum.²⁶ Invitations targeted groups that were already mobilised, and those that previously engaged with municipal open government initiatives.

Participants in the open introductory meetings were not informed about the overall timelines, since the final methodology (and specific rules of the game) for the consultation process was not set at the start. Once the Forum agreed on the phases of the process, a general invitation to the consultations – including an overall flow for the whole process – was made public, albeit without a specific timeline and dates.²⁷ All the online and offline activities to identify priorities, propose commitments, and select commitments were disseminated through government and CSO networks, and open to public participation. Those who attended the face-to-face workshops were also informed about the consultation’s next step, the virtual voting phase.²⁸

Which parts of civil society participated?

A diverse range of actors participated in the consultation process for the formulation of the São Paulo action plan, including CSOs, social movements, academia, City Hall public servants, and citizens in general. Most participants in the commitments' drafting phase were from organized civil society and local social movements, including:

- CSOs already working on transparency and accountability, such as Rede pela Transparência e Participação Social (RETPS),²⁹ Transparência Brasil, Movimento Nossa São Paulo, and Instituto Ethos;
- CSOs working on cultural and environmental issues, such as SOS Mata Atlântica;
- Grassroots groups (i.e., neighborhood associations and health-related movements) such as the Associação Cultural Morro do Querosene and the Movimento Popular de Saúde.
- Local councilors, and citizens taking part in district-based thematic participatory councils.

Organization elected to the Forum actively participated during the whole process, in all phases, and had significant decision-making powers. The Forum met formally six times during the process.³⁰ CSO Forum representatives mentioned that they were constantly in touch with government representatives as to a series of operational decisions, even beyond formal meetings.³¹

São Paulo Aberta official attendance sheets³² reveal:

- 26 civil society representatives attended the first open meeting;³³
- 41 civil society representatives attended the three decentralized face-to-face commitments' drafting workshops (mainly civil society organization and local social movements, but also a few elected councilors of local participatory bodies and non-affiliated/autonomous citizens);
- 34 civil society representatives participated in the online consultation; and
- 711 civil society representatives voted online to select the final commitments.³⁴

Taking into account these different consultation spaces, the final participation list is significantly diverse, encompassing actors such as academics, local councilors, and non-transparency CSOs, as well as independent individuals. Forum representatives believe consultation was a success considering the time and resources they had, as well as the electoral context. Both the CSOs from the Forum as well as government representatives from São Paulo Aberta and COPI/CGM agree the process could have engaged broader participation, for instance with larger numbers of participants in the face-to-face regional workshops,³⁵ and more diverse participation. Including, for instance, a broader range of neighborhood associations, cultural movements, and youth movements would have made the process more representative of the plurality of actors in a city like São Paulo. Civil servants involved in the development of the action plan noted that, although the online platforms were key to circumventing electoral restrictions on official communication channels,³⁶ limiting the voting phase to those online tools might have excluded potential participants in a city where e-participation is not always the rule.³⁷ Still, the overall assessment is that the process itself was highly participatory.³⁸

Level of Public Input

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.³⁹ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire to be "collaborative."

The IRM researcher believes the process of formulating São Paulo's first action plan was collaborative. Throughout the three stages of the consultation process, there was iterative dialogue

between government members and a set of representatives from CSOs who were elected to the Shared Management Forum. The Forum had decision-making powers over most parts of the process, including:

- (i) *Diagnosis phase*: Contributing to redefining the diagnosis methodology;
- (ii) *Priority identification*: Designing the workshop’s methodology to identify thematic areas for commitments;
- (iii) *Face-to-face workshops*: Choosing locations, acting as moderators, and consolidating the inputs received; and
- (iv) *Final drafting phase*: Creating criteria to choose the final five commitments to make the final action plan comprehensive and diverse (embracing a wide range of OGP thematic areas).

Interviews confirmed to the IRM researcher that Forum members (civil society and government representatives) believe the development of the plan was highly participatory and a true co-creation process. However, they also agree that, given more time, participation could have been even greater in terms of numbers and diversity, particularly from citizens and CSOs that were not within the structure of the Forum.

Importantly, input from Forum members and other CSO representatives consulted or involved in one or another of the consultation phases (e.g., face-to-face workshops or online voting) reveal areas where the process could have been more participatory. A CSO representative, having participated in one decentralized face-to-face workshop, missed formal feedback to participants after the consultation with regard to their inputs. However, the representative confirms having been invited to the final virtual voting phase.⁴⁰ The representative felt that moderators restricted participants’ suggestions, in the name of feasibility or scope. Civil society and City Hall Forum members who were consulted by the IRM researcher acknowledge that the agreed upon methodology framed the process leading to the creation of feasible, cross-cutting, and structuring commitments. The process is not completely open to citizens to formulate alternative commitments (e.g., highly specific sectorial ones).⁴¹ Still, moderator guidelines were clear and created a safe environment for citizens to express themselves.⁴² Moreover, in the process of reviewing the online votes and deciding on the final commitments to be included in the action plan, Forum members did not alter the original language coming from citizens. Overall, the mixed accounts reveal a genuine intention on the part of those leading the process in São Paulo to develop an inclusive action plan with high levels of public input. There is still room, nevertheless, for implementation improvements in the future years, as recognized by government members and CSOs.

Table 3.2 Level of public input

Level of public input		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	✓
Involve	The government gave feedback on how public inputs were considered.	
Consult	The public could give inputs.	
Inform	The government provided the public with information on the	

	action plan.	
No Consultation	No consultation	

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¹ Focus group with São Paulo Aberta and CGM civil servants, 4 May 2017; focus group with CSOs that are part of the Shared Management Forum, 18 May 2017; interview with Gustavo Vidigal, former OGP POC, 8 May 2017; and interview with Laila Belix, former COPI/CGM coordinator, 2 June 2017.

² Executive Decree N° 54.794, 28 January 2014, institutionalises the initiative and sets up a municipal open government inter-secretarial committee (CIGA). The decree is available at http://www3.prefeitura.sp.gov.br/cadlem/secretarias/negocios_juridicos/cadlem/integra.asp?alt=29012014D%20547940000.

³ For more on the Initiative, see São Paulo Aberta, “Memória da Iniciativa São Paulo Aberta,” São Paulo, December 2016, https://issuu.com/anadferraz/docs/livro_sp_aberta.

⁴ The Integrity Promotion Coordination (COPI) is a division of the São Paulo Comptroller’s Office (CGM), which is in charge of integrity promotion. It is the main body overseeing the implementation of the municipal access to information law, particularly in its active and passive transparency dimensions. It also has a division to foster citizen oversight on transparency and integrity issues.

⁵ See a first version of this roadmap in São Paulo Aberta’s ‘Diagnosis Results Presentation’ in the ‘São Paulo IRM Repository of Evidences,’ <http://bit.ly/2v0fBYy>. For the final version of the roadmap, with the exact steps included in the consultation, see ‘Figure 1 – Action Plan Development Roadmap’ in the ‘São Paulo IRM Repository of Evidences.’

⁶ See attendance sheet, Open Meeting, “Diálogo sobre Plano de Ação da OGP,” 4 August 2016 in the ‘São Paulo IRM Repository of Evidences,’ <http://bit.ly/2v0fBYy>.

⁷ See CIGA’s Administrative Decree Number 1 from 25 August 2016 in the São Paulo IRM Repository of Evidences,’ <http://bit.ly/2v0fBYy>.

⁸ Although only six seats were originally planned for CSOs, there was an agreement on election day among all present to expand this number to eight. The following organization were elected to the Forum in September 2016: Associação de Projetos Integrados e Desenvolvimento Sustentável – PIDS, Laboratório Brasileiro de Cultura Digital (LabHacker), Liga Solidária, Movimento Popular de Saúde, Open Knowledge Brasil, Rede pela Transparência e Participação Social – RETPS, Transparência Brasil, and WRI Brasil Cidades Sustentáveis.

⁹ The diagnosis phase consisted of: a) surveys of citizens participating in open government training programs, b) online surveys, and c) surveys of CSOs. City Hall received 429 responses to the citizens’ survey, and 35 responses from the CSOs’ survey. The results were analysed and systematised by the Forum so as to inform the drafting phase of the commitments. See São Paulo Aberta’s ‘Diagnosis Results Presentation’ in ‘São Paulo IRM Repository of Evidences,’ <http://bit.ly/2v0fBYy>.

¹⁰ For the official invitation to the face-to-face workshops, see ‘Figure 2 – Action Plan Development Consultations invite’ in ‘São Paulo IRM Repository of Evidences,’ <http://bit.ly/2v0fBYy>.

¹¹ For an official flyer from the São Paulo City Hall with all the action plan development phases, see ‘Figure 1 – Action Plan Development Roadmap’ in ‘São Paulo IRM Repository of Evidences,’ <http://bit.ly/2v0fBYy>.

¹² Interview with Joara Marchezini, 20 April 2017; focus group with São Paulo Aberta and CGM civil servants, 4 May 2017; focus group with CSOs that are part of the Shared Management Forum, 18 May 2017; interview with Gustavo Vidigal, former OGP POC, 8 May 2017; and interview with Laila Belix, former COPI/CGM coordinator, 2 June 2017.

¹³ Interview with Joara Marchezini, 20 April 2017.

¹⁴ According to Vanessa Meneguetti, public servant from the CGM, during this occasion an activity was held in which participants were divided into groups. Each group debated one commitment and a Forum proposal for the milestones. Participants’ feedback was discussed and their suggestions taken into account by the Forum when it finalised the milestones’ language.

¹⁵ Information provided by Program Manager Brittany Lane, Subnational Pilot Program, Open Government Partnership Support Unit, and Gustavo Vidigal, former São Paulo Aberta coordinator, June 2017.

¹⁶ A more in-depth explanation is presented in the commitments’ assessment section of this report.

¹⁷ Interviews with former City Hall civil servants, Gustavo Vidigal, 8 May 2017, and Laila Belix, 2 June 2017.

¹⁸ São Paulo City Hall attendance sheet, “Diálogo sobre o Plano de Ação da OGP,” 4 August 2016.

¹⁹ It is worth recalling that the open government agenda existed in the city at least since 2013. It involved a significant amount of exchange between governmental and non-governmental actors. The Workers Party (PT, its acronym in

Portuguese) administration also made use of its existing network of interlocutors in social movements to bring them equally on board.

²⁰ Focus group with civil society representatives from the Shared Management Forum.

²¹ Interviews with former City Hall civil servants, Gustavo Vidigal, 8 May 2017, and Laila Belix, 2 June 2017; and focus group with current COPI/CGM and São Paulo Aberta public servants, 4 May 2017.

²² The attendance sheet for the additional meeting held subsequently with social movements could not be retrieved. This, according to the main civil servants in charge of developing the action plan during the previous administration, Gustavo Vidigal and Laila Belix. Nonetheless, those groups were effectively integrated into the following consultation phases, as shown in the remaining attendance sheets the IRM researcher was given access to.

²³ See the IRM online repository for the consultation invitation. The initial idea was to host face-to-face meetings in all the five city regions. See the 'Diagnosis Results Presentation' in the 'São Paulo IRM Repository of Evidences,' <http://bit.ly/2v0fBYy>. For feasibility reasons, the workshops were only held in three regions. Forum members have expressed their frustration with the insufficient time for hosting more face-to-face consultations and workshops in other city regions.

²⁴ Interview with Gustavo Vidigal, 8 May 2017.

²⁵ Interviews with former City Hall civil servants, Gustavo Vidigal, 8 May 2017, and Laila Belix, 2 June 2017. Interview with civil servant Fernanda Campanucci, 15 May 2017.

²⁶ Focus group with São Paulo Aberta and CGM civil servants, 4 May 2017.

²⁷ See 'Figure 1 – Action Plan Development Roadmap' in the 'São Paulo IRM Repository of Evidences,' <http://bit.ly/2v0fBYy>.

²⁸ Interview with Paula Oda, Instituto Ethos, 19 July 2017.

²⁹ RETPS is a network and umbrella platform for about 30 organization working on citizen participation, transparency, and accountability in Brazil. The Brazilian Access to Information Law, budgetary transparency, and the OGP are among the network's main thematic priorities.

³⁰ São Paulo City Hall repository and World Resources Institute, "São Paulo escolhe seus compromissos para o Plano de Ação de Governo Aberto," 1 November 2016, accessed 21 June 2017, <http://wricidades.org/noticia/s%C3%A3o-paulo-escolhe-seus-compromissos-para-o-plano-de-a%C3%A7%C3%A3o-de-governo-aberto>.

³¹ Focus group with civil society representatives from the Shared Management Forum, 18 May 2017.

³² The source is São Paulo's City Hall. The figures for the face-to-face consultations presented here vary slightly from City Hall's, as the IRM researcher did not double count individuals who had participated in more than one meeting. City Hall representatives were also excluded from this account. Nonetheless, attendance sheets reveal that 11 City Hall public servants attended the face-to-face consultations, and 12 were present at the first opening meeting in August 2016.

³³ According to the main civil servants in charge of developing the action plan during the previous administration, Gustavo Vidigal and Laila Belix, the attendance sheet for the additional meeting held subsequently with social movements could not be retrieved.

³⁴ São Paulo Aberta, "Memória da Iniciativa São Paulo Aberta," São Paulo, December 2016, https://issuu.com/anadferraz/docs/livro_sp_aberta. A full version is also available in the 'São Paulo IRM Repository of Evidences,' <http://bit.ly/2v0fBYy>.

³⁵ Interview with Laila Belix, former COPI/CGM coordinator, 2 June 2017.

³⁶ Interview with civil servant Fernanda Campanucci, 15 May 2017, and former COPI/CGM coordinator Laila Belix, 2 June 2017.

³⁷ Focus group with São Paulo Aberta and CGM civil servants, 4 May 2017.

³⁸ Focus group with civil society representatives from the Shared Management Forum, 18 May 2017.

³⁹ "IAP2's Public Participation Spectrum," International Association for Public Participation Federation (2014), http://c.yimcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

⁴⁰ Interview with Paula Oda, Instituto Ethos, 19 July 2017.

⁴¹ Focus group with civil society representatives from the Shared Management Forum, 18 May 2017.

⁴² See 'Guidelines to the Workshops' in the 'Sao Paulo IRM Repository of Evidences,' <http://bit.ly/2v0fBYy>.

Early assessment of commitments

I. Participation: Increase the power of intervention of the Municipal Participative Councils

Commitment text:

Increase the power of intervention of the Municipal Participative Councils in each Subprefecture (city district),⁴³ creating deliberative open sessions to receive proposals and demands from the citizens.

Milestones

1. The Municipal Participative Councils, supported by their respective Subprefectures, shall make available in print and electronic means, duly in advance, the agenda, schedule and minute[s] of the meetings.
2. The 32 city district mayors will be responsible for holding intersectoral open meetings with other local councils every 6 months, enabling a greater mobilization within each of the 32 districts, and also involving other local government actors.
3. Subprefectures shall produce semestral reports, making it [them] available electronically and in print, to inform the respective Councils and citizens in the district of the status of projects, works and actions that will be developed, to guarantee proper oversight, evaluation and monitoring.

Commitment overview

Start date in action plan:	January 2017
Intended completion date:	December 2017
Responsible Office:	Municipal Secretariat for International Relations, in partnership with the Office of the Municipal Comptroller, the Municipal Secretariat for Regional Prefectures and the Municipal Special Secretariat for Governmental Relations
Lead CSO partners:	Participative and Thematic Municipal Councils

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall			✓		✓	✓					✓	

Commitment aim

Overall Objective & Relevance

This commitment seeks to address the low participation rates among São Paulo citizens in the existing local participatory structures, namely, the Municipal Participative Councils and Thematic Municipal Councils functioning in each of the city's 32 sub-municipalities or boroughs. Although São Paulo has a long tradition of participatory structures dating back to the 1980s, the Municipal Participative Councils were established only in 2013.⁴⁴ They operate at the local level in all 32 regional prefectures, and perform consultative monitoring and oversight roles over a series of local policies and service delivery actions.

To address these participation challenges, this commitment aims to enhance the work of the Municipal Participative Councils. It calls for the creation and improvement of information, communication, and accountability channels between citizens and the councils. It also seeks to empower these local participatory structures vis-à-vis regional prefectures (*prefeituras regionais*) through 'deliberative open sessions,' as stated in the commitment text.

The rationale for this commitment relies on a two-way dynamic. On one hand, by establishing open local inter-council meetings, and making use of regional prefectures' websites to publish what both the councils and regional prefectures' mayors are doing, this commitment hopes to make those participatory bodies more open and useful to citizens. On the other hand, by reinforcing the councils' monitoring and oversight role through open meetings, which create spaces for local mayors to 'inform' the councilors of local government actions, this commitment is also empowering the local councils in relation to regional prefectures.

Considering the commitment's overall objective to strengthen, revitalize, and empower formal participatory structures at the local level, this commitment is relevant to the value of "civic participation." It aims to improve existing spaces for citizens to take part in the local decision-making process. Additionally, through its standalone, yet complementary milestones, this commitment is also relevant to "access to information." Milestones one and three call for the (print and online) publication of new, local government-held information (e.g., status of projects, works, actions, etc.), as well as information on participative councils, such as meetings' agendas, calendars, and minutes.

The IRM researcher contends that the commitment is not relevant to the value of "public accountability." Milestones two and three require regional mayors to host the 'open deliberative' inter-council meetings, and to provide councilors and the local community with reports on their work and actions, twice a year. However, City Hall representatives who led the development of the action plan, and those currently working to implement the plan have informed the IRM researcher that the commitment is not intended to transform councils' consultative roles into deliberative ones.⁴⁵ The reason is that such reform would require legislative changes, which the team currently working to implement the action plan believes will not succeed in mobilizing support.⁴⁶ As such, although informative, the commitment requires regional mayors to provide information or data without having to justify their actions, act upon criticisms or requirements, and/or accept responsibility for failure to perform with respect to laws or commitments.⁴⁷

Specificity and Potential Impact

The IRM researcher believes this commitment is only somewhat specific, and will have only a moderate potential impact.

The first and third milestones are clear and achievable activities to be fulfilled through a partnership between local councilors from Municipal Participative Councils (namely, through their coordinators) and regional prefectures. These reforms could have a major impact on access to information

practices, considering the fact that the Municipal Participative Councils are called to systematically publish information for citizen use, thereby impacting the behavior of citizens' councils and local authorities.

The second milestone, which tackles the over-fragmentation of existing local civic participatory spaces and their low impact, is more complex and less specific. When referring to the inter-council meetings, the commitment language does not specify what the 'other local councils' are (i.e., whether all local thematic councils operating in each of the 32 sub-municipalities, such as public security, health, food security and nutrition, housing, etc., are to take part in the 'intersectoral open meetings' hosted by the regional prefecture every six months, and what the means and incentives are to invite and assure thematic councilors' participation). Additionally, the commitment does not provide landmarks for assessing elected councilors' participation rates and deliberation outcomes from those 'deliberative sessions' inter-sectoral meetings. Finally, it lacks clarity on the concrete outputs of those meetings, and how (through which specific channels and procedures) those joint meetings will feed into the broader decision-making process at the regional prefecture level, at the thematic/sectoral level (for instance in terms of health-issues that could be raised), and at the overall City Hall planning level.

Thus, the IRM researcher believes this commitment will have a potentially moderate impact overall, as it aims to reform and update information channels, and expand engagement and citizen participation at the sub-municipal and local levels. It is a first and important step toward revitalizing the existing participatory structures and empowering citizens at the local level, from a territorial-based approach in all 32 regional prefectures. This commitment could be greater in scope if it were supplemented with: (1) other actions taken at the sub-municipal and City Hall levels to make regional mayors more responsive to local councils; and (2) a roadmap to incorporate these new and/or enhanced practices beyond the one year action plan, including specific hands-on training for local civil servants to carry on with the planned tasks, such as those listed in the first and third milestones.⁴⁸ As a parallel note, it is important to underscore São Paulo Aberta's recognition of the importance of capacity building, as well as its belief that some of the required training needs are being addressed through the activities for local civil servants, including those from regional prefectures under commitments 2 and 4, namely the Open Government Agents Program and the Open INFO network.

⁴³ *Editorial Note:* For administrative purposes, the São Paulo municipality is divided into 32 regional prefectures (*prefeituras regionais*), which are sometimes referred to as sub-municipalities or boroughs in English. Each is comprised of districts (*distritos*) or wards. In total, there are 96 districts in São Paulo. Up until the end of 2016, when the OGP action plan was designed and approved, regional prefectures were officially called "subprefectures" (*sub-prefeituras*), and that is the language found in São Paulo's official action plan. In its English version, São Paulo's action plan equates subprefectures with 'city districts.' The IRM report respects the official translation provided by City Hall, which used both 'subprefectures' and 'city districts' to refer to the existing 32 regional prefectures.

⁴⁴ See Executive Decree N° 54.156, from 1 August 2013,

http://www3.prefeitura.sp.gov.br/cadlem/secretarias/negocios_juridicos/cadlem/integra.asp?alt=02082013D%20541560000.

For a comprehensive account of local participatory dynamics in São Paulo, see AVRITZER, Leonardo (Org), *A participação em São Paulo* (São Paulo: Unesp, 2004).

⁴⁵ Focus group with São Paulo Aberta and CGM civil servants, 4 May 2017.

⁴⁶ Written communication between the IRM researcher and Ana Dienstmann, São Paulo's current OGP focal point, 18 October 2017.

⁴⁷ See the IRM Procedures Manual, <https://opengovpartnership.org/documents/irm-procedures-manual>.

⁴⁸ Interview with Gustavo Vidigal, 8 May 2017.

2. Training: Expand and institutionalize the ‘Open Government Agents’ Training Program

Commitment text:

Expand the Training Program “Open Government Agents”, becoming a permanent education and citizenship program, ensuring territorial mobilization and ramification in order to reach the largest number people in São Paulo.

Milestones

1. Map and identify the level of territorial participation in the program and, in partnership with other secretariats, entities, social movements, universities and actors involved in the pilot project, to reflect and elaborate a restructuring and expansion plan to spread the workshops and perpetuate the program.
2. Launch a public notice of the Open Government Agents Program with more vacancies to select innovative projects which reflect the city’s diversity and develop a user-friendly language in order to democratize knowledge on open government.
3. Hold activities of Open Government Agents Program in each of the 32 Municipal Subprefectures (city districts) in partnership with public municipal venues, in accordance with the mapping and planning of the first milestone.

Commitment overview

Start date in action plan:	December 2016
Intended completion date:	November 2017
Responsible Office:	São Paulo Aberta and Municipal Secretariat for International Relations, in partnership with the Office of the Municipal Comptroller
Lead CSO partners:	Social movements and collectives, universities and actors engaged in the pilot project, and the CSO elected to the Shared Management Forum

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall				✓		✓					✓	

Commitment aim

Overall Objective & Relevance

This is an awareness-raising/capacity building commitment for São Paulo citizens, local councilors (elected citizens taking part in local participatory councils), and civil servants on open government concepts, tools, and initiatives. In addition to filling an awareness and knowledge gap on open government, the commitment addresses the lack of citizens taking part in City Hall's open government initiatives, making use of open government tools and concepts, and disseminating the open government culture.

Responding to these challenges, the commitment seeks to promote greater inclusivity and expand São Paulo Aberta's Open Government Agents Program, which was first launched in 2015. In 2017, the program was chosen as one of the country's four best initiatives on public sector social innovations by Connected Smart Cities.⁴⁹ Through the program, citizen-trainers host workshops to train civil servants, city councilors, and regular citizens (focusing on vulnerable youth) in the use of tools and mechanisms for participating in open government, including how to file access to information requests, how to take part in participatory councils, how to monitor local health policies, how to monitor the public budget, and how to create georeferenced maps for public services.⁵⁰

As such, this commitment is relevant to the value of "civic participation." By broadening the operating environment for civic participation through capacity building and training on open government values, themes, and tools, citizens can champion local actions and policies to promote access to information, integrity, participation, and technology innovation.

Specificity and Potential Impact

This commitment is highly specific, in that it provides clear and verifiable activities and a coherent set of cumulative deliverables that are measurable. If fully implemented as written, the commitment could have a moderate impact, since it consolidates this citizen-led open government training program, and further incorporates lessons learned for greater inclusivity from the previous 2015-2016 edition. This is particularly important in a context of budgetary restrictions, such as São Paulo's. Yet, this same context has brought some scale restrictions to this commitment, which limits the expansion of the program and, thereby, can affect the overall potential impact.

⁴⁹ Prefeitura de São Paulo, "Programa Agentes de Governo Aberto é premiado no Fórum de Inovação Social no Setor Público," 23 June 2017,

http://www.prefeitura.sp.gov.br/cidade/secretarias/relacoes_internacionais/noticias/index.php?p=236436.

⁵⁰ For an official account of several of the previous trainings held during the first edition of the Open Government Agents Program, see São Paulo Aberta, *Memória da Iniciativa São Paulo Aberta* (Prefeitura de São Paulo, São Paulo: 2016), https://issuu.com/spaberta/docs/livro_sp_aberta.

3. Communication: Increase governmental communication on open government actions

Commitment text:

Increase the use of means of communication by São Paulo City Hall to spread open government actions in newspapers, TV channel, buses, public municipal venues, alternative media, dialoguing with the Legislative Branch, in order for these means to become strategic and permanent ways of communication.

Milestones

1. Develop a communication plan to expand and diversify outreach efforts of open government initiatives so that it reaches more civil servants and citizens, starting from a previous analysis of the means currently in use.
2. Integrate outreach actions on open government with the institutional general communication strategy of São Paulo City Hall, so that municipal administration incorporates open government values.
3. Execute this communication plan on Open Government actions.

Commitment overview

Start date in action plan:	January 2017
Intended completion date:	December 2017
Responsible Office:	São Paulo Aberta, in partnership with the Municipal Secretariat of Communication and the Municipal Secretariat of Government
Lead CSO partners:	Shared Management Forum

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall		✓			Unclear Relevance					✓		

Commitment aim

Overall Objective & Relevance

This commitment addresses citizens' lack of awareness and knowledge of São Paulo City Hall's open government actions and policies. The objective, as stated in the action plan, is to expand, diversify, and ensure continuity in the dissemination of open government actions by the São Paulo municipal

government.⁵¹ To address this communication and outreach challenge, the government has committed to developing and implementing a communication plan with respect to São Paulo's open government initiatives. It makes use of a diverse set of communication tools, including online platforms, billboards, newspapers, etc. These tools, which are designed to enhance communication, could improve the general understanding of government activities. However, it is unclear which information is to be distributed, and whether it pertains to government-held information, as opposed to information on general government activities that could be found by other means. Although the purpose of this commitment, to increase awareness of open government actions, is laudable, the IRM researcher believes the commitment is not relevant to the value of open government as defined in the IRM Procedures Manual.⁵²

Specificity and Potential Impact

This commitment was broadly framed. It is low on specifics, since it describes activities that can be verified, but requires some interpretation on the part of the reader to identify measurable deliverables. For example, it is not sufficiently precise on what exactly will be included in the communication plan, which vehicles and/or media will be prioritized, and which audiences (if any) are targeted for this outreach effort. Considering this, if fully implemented as written, the commitment would have a minor but positive impact on improving the lack of awareness and knowledge of open government.

⁵¹ Opening speech by Eduardo Barboza, public servant at São Paulo Aberta Initiative, Open Dialogue with the Participative Council, Jabaquara, 11 July 2017.

⁵² See IRM Procedures Manual, 44, <https://opengovpartnership.org/documents/irm-procedures-manual>.

4. Institutionalization: Create a network of civil servants working on open government

Commitment text:

Create a network of civil servants involving all City Hall secretariats, entities and public venues, dialoguing with CIGA (the Intersecretarial Committee on Open Government) and São Paulo Aberta (Open São Paulo Initiative).

Milestones

1. Create a statute to this network with the definition of principles and roles for its members, elaborating a campaign of outreach and sensibilization on the importance of open government initiatives and mobilizing servants to take part in the network.
2. Nominate two servants per secretariat, with a participative profile, being one of them a permanent civil servant.
3. Conduct meetings with CIGA and São Paula Aberta representatives every three months to develop transversal initiatives on open government and promote open government trainings in each secretariat.

Commitment overview

Start date in action plan:	January 2017
Intended completion date:	December 2017
Responsible Office:	Office of the Municipal Comptroller (CGM)
Lead CSO partners:	Shared Management Forum

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall			✓		Unclear Relevance							✓

Commitment aim

Overall Objective & Relevance

This commitment attempts to address the lack of an institutional open government agenda within the São Paulo administration, and to promote awareness, involvement, and commitment to open government themes from civil servants working at City Hall. It moves toward internal reform,

promoting greater buy-in of the open government agenda within the municipal public administration and among civil servants.

The proposed solution is to set up a wide network of civil servants committed to open government initiatives within their own areas of work. This network would work in close collaboration with the Inter-Secretarial Committee on Open Government (Comitê Intersecretarial de Governo Aberto, CIGA), which is in charge of strengthening, interconnecting, and disseminating the open government agenda, actions, and policies in São Paulo.⁵³

Through this network, civil servants would receive theoretical and hands-on training in open government, including training on how to improve compliance with the municipal access to information law, and how to develop open government pilot initiatives.

The commitment is a laudable step toward raising internal awareness, building the capacity of civil servants' commitment to and skills in open government, and promoting political buy-in for open government reforms. However, as articulated, it does not meet the IRM test of "clear relevance" to OGP values, due to the lack of a "public facing element." According to the IRM Procedures Manual, commitments that are clearly relevant are those that are not privileged or internal only to government. Hence, in spite of aims to strengthen internal mechanisms and capacity-building activities among public civil servants, the commitment – at this stage – lacks the necessary complementary activities on open government targeted to the general public (municipal citizens), such as initiatives calling for the publication of government-held information, or involving citizens in decision-making processes.⁵⁴

Specificity and Potential Impact

Some of the language of the commitment is subject to interpretation. Hence, it should be fine-tuned to present clearer, verifiable activities and measurable deliverables. For example, it is unclear how many "transversal initiatives on open government" and "open government trainings in each secretariat" are to be carried out, or what their timeframes are. More specific language would strengthen the implementation of the commitment and planning for future network activities.

If fully implemented as written, the commitment could have a transformative impact. The network is a major step forward in institutionalizing municipal open government initiatives, and could serve as a concrete tool to foster internal change among local civil servants and political buy-in. In the long run, and accompanied by other internal consolidation efforts, such as CIGA enlargement and empowerment, this network can be a highly transformative tool. A positive sign in this direction was the inclusion of the five OGP-related commitments in the São Paulo mayor's goals for 2017-2020, which were approved in early 2017 (please refer to the Institutional and Subnational Context section). As part of the mayor's goals, some activities have four-year implementation plans, with concrete deadlines and deliverables.

⁵³ See Executive Decree N° 54.794, 28 January 2014,

http://www3.prefeitura.sp.gov.br/cadlem/secretarias/negocios_juridicos/cadlem/integra.asp?alt=29012014D%20547940000.

⁵⁴ See IRM Procedures Manual, 30-32, <https://opengovpartnership.org/documents/irm-procedures-manual>.

5. Innovation: Bolster São Paulo City Hall’s network of innovation spaces and labs

Commitment text:

Improve and straighten [strengthen] the network of innovation spaces and labs from São Paulo City Hall, such as the Laboratório de Mobilidade Urbana de São Paulo (MobiLab), the Pátio Digital (SME) and the LabProdam, to become more open to social participation, technological innovation and to the use of open data, mapping the groups already working on free technology (as, for example, free software, open data principles and web patterns), youth groups, startups and collectives to develop open government projects.

Milestones

1. Conduct a collaborative mapping of the existing groups working on open technology and innovation and create a public network with interested entities in becoming partners of the innovation spaces from the City Hall.
2. Provide spaces for coworking, attending [abiding by] each innovative space guidelines, where young people, startups and collectives can develop projects in a collaborative format, having as reference the Laboratório de Mobilidade Urbana de São Paulo (MobiLab) and the Pátio Digital (SME).
3. Develop projects in partnership with these groups in order to encourage social participation, transparency and/or integrity through technological innovation, using free open tools (as for example free software and applying the open data principles and web patterns).

Editorial Note: This commitment was updated by the Government of São Paulo and re-submitted to OGP on June 2017. The reason this commitment was modified relates to changes in the city’s administration following the 2016 municipal elections.

Commitment overview

Start date in action plan:	January 2017
Intended completion date:	December 2017
Responsible Office:	Municipal Secretariat for Innovation and Technology, and Municipal Secretariat for International Relations
Lead CSO partners:	Shared Management Forum

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall			✓			✓				✓		

Commitment aim

Overall Objective & Relevance

This commitment seeks to address (1) the lack of sufficient accessible data from São Paulo City Hall, and (2) the lack of a mechanism to stimulate technological innovations, social participation, and use of public data. To tackle these challenges, the government is attempting to foster innovation and citizen participation in a series of City Hall innovation hubs and labs, such as the São Paulo Urban Mobility Laboratory (Laboratório de Mobilidade Urbana de São Paulo, MobiLab), the Education Secretariat-led Digital Courtyard (Pátio Digital), and the Public Company Laboratory (LabProdam). It also aims to integrate those innovation hubs into one network capable of boosting project development and innovative technological solutions to city problems.⁵⁵

Concretely, the solution advanced by this commitment is to map and engage civil society groups working on open technology, to open the existing innovation hubs and labs to those actors, and to develop joint open government-related projects with them.

Therefore, by consolidating spaces for citizen-driven and citizen-led technological innovation to urban challenges, and integrating existing technological innovation hubs and labs, this commitment contributes to two OGP values, namely, civic participation and technology and innovation for transparency and accountability.

Specificity and Potential Impact

The IRM researcher considers this commitment to be of medium specificity. It provides a set of activities to be implemented that could be verified. However, fully measuring the outcome requires interpretation on the part of the reader. For instance, in the first milestone, the planned 'public network' with civil society technology and innovation groups is vaguely defined in terms of its format, as well as activities. Also, the creation of a 'network of innovation spaces' (mentioned as part of the overall commitment text) is neither explored further nor translated into concrete activities in a separate milestone. Finally, regarding the second and third milestones, more specificity could have been provided to the planned joint projects to be developed within this network of innovation hubs and labs, such as the type of projects and/or the number of new initiatives.

Considering the intentions behind this commitment as well as the way it was framed, if fully implemented as written, the commitment would have an incremental but positive impact insofar as strengthening existing open technological innovation hubs and labs, and creating opportunities for developing new innovation pilots in other thematic/sectorial policy areas.⁵⁶

⁵⁵ See São Paulo action plan, <https://www.opengovpartnership.org/about/working-groups/sao-paulo-brazil-ogp-subnational-pioneers/action-plan>.

⁵⁶ Interview with Fernanda Campanucci, civil servant, 15 May 2017.

Methodological note

List of interviews (as of September 2017)

Government representatives

- Mr. Gustavo Vidigal, former Municipal Secretariat for International Relations (SMRI)/São Paulo Aberta Initiative Coordinator and OGP POC,⁵⁷ 8 May 2017
- Ms. Laila Belix, former Municipal Comptroller Office's (CGM) Integrity Promotion Coordination (COPI) Coordinator.* Currently works for the non-for-profit *Agenda Pública*, a RETPS network member. RETPS is a member of the *Shared Management Forum*.
- Focus Group with current SMRI/São Paulo Aberta Initiative and CGM/COPI representatives (Mr. Thomaz Barbosa da Silva, Ms. Vanessa Meneguetti, Ms. Amanda Faria Lima, Ms. Letícia Figueiredo, Ms. Fernanda Nascimento), 4 May 2017
- Ms. Fernanda Campannuci, civil servant at the Municipal Education Secretariat, 15 May 2017
- Mr. Celso Henriques, Municipal Participative Councils Coordinator at the Municipal Special Secretariat for Governmental Relations, 17 August 2017
- Ms. Ana Dienstmann, civil servant at the SMRI/São Paulo Aberta Initiative, 17 August 2017
- Mr. Eduardo Barboza, civil servant at the SMRI/São Paulo Aberta Initiative, 17 August 2017
- Mr. Vitor Cipriano de Fazio and Bruno Martinelli, Municipal Secretariat for Innovation and Technology (SMIT), 1 September 2017

Civil society representatives

- Ms. Joara Marchezini, policy officer at *Artigo 19 Brasil*, 20 April 2017. *Artigo 19 Brasil* represents RETPS in the *Shared Management Forum* together with W3C.
- Focus Group with Shared Management Forum CSOs (Ms. Joara Marchezini – *Artigo 19 Brasil*/RETPS, Mr. Manoel Galdino – *Transparência Brasil*, Ms. Maria Angélica and Mr. José Adão de Oliveira – *Projetos Integrados de Desenvolvimento Sustentável – PIDS*, Ms. Marileide Luna – *Movimento Popular de Saúde*), 18 May 2017
- Ms. Paula Oda, Project Coordinator - *Business practices and Public Policies*, *Instituto Ethos*, 19 July 2017
- Mr. Allan Greicon, elected councilor, Municipal Participative Council Butantã, 8 August 2017
- Mr. Mauro da Silva, representative of neighborhood association, CONSABEJA, 11 August 2017.
- Mr. Bernardo Crispim Barone, Open Government Agent, 4 September 2017

In addition to the semi-structured interviews, the IRM researcher also attended the following meetings and action plan-related events and activities:

- São Paulo government representatives' meeting with OGP Subnational Pilot Program Manager, Brittany Lane, 24 April 2017
- Civil society representatives' meeting with OGP Subnational Pilot Program Manager, Brittany Lane, 24 April 2017
- Launching Open INFO Network (*Rede INFO Aberta*) (Commitment #4), 18 May 2017
- Open Dialogue Regional Prefecture - Itaquera (Commitment #1), 29 June 2017
- Open Dialogue Regional Prefecture – Jaçanã (Commitment #1), 6 July 2017
- Open Dialogue Regional Prefecture – Jabaquara (Commitment #1), 11 July 2017
- Open Dialogue Regional Prefecture - Sé (Commitment #1), 27 July 2017
- Open Dialogue Regional Prefecture – Butantã (Commitment #1), 3 August 2017
- Second Open Government Workshop - Open INFO Network (*Rede INFO Aberta*)

- (Commitment #4), 4 August 2017
- Open Government Agents Training Program Workshop (Commitment #2)
 - Shared Management Forum Meeting, 24 August 2017

⁵⁷ During the administration of Fernando Haddad, which ended on 31 December 2016.