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OPEN DATA AND THE FIGHT AGAINST CORRUPTION IN BRAZIL

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This research was conducted in cooperation with the World Wide Web Foundation. Established by the inventor of the web, the World Wide Web Foundation works for digital equality for all. For more, please visit webfoundation.org.

ISBN: 978-3-96076-039-9

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EXECUTIVE SUMMARY



Brazil has implemented some institutional mechanisms to encourage open data and to tackle corruption. Nonetheless, open data is still underutilised, and anti-corruption enforcement is weak.

There should be more public incentives to encourage an explicit link between open data and the fight against corruption. Existing open data policies and a functioning right to information (RTI) law (the Lei de Acesso à Informação) are aligned with the G20 Principles, in spite of not being connected to government anti-corruption efforts. In addition, key anti-corruption datasets – especially those covering private sector operations – have yet to be made available. The Brazilian government has demonstrated much concern over the provision of public transparency to encourage social control and democratic participation. Nonetheless, translating the G20 Principles into practical actions and measures has not been effective, as open data policies and practice are being developed without taking into consideration their great importance to the fight against corruption.

KEY FINDINGS



- 1** The ‘open by default’ principle and the RTI law are relatively new regulations and do not explicitly grant unlimited access to documents relevant to fighting corruption, leaving the use of open data to tackle corruption largely underutilised.
- 2** Of the ten analysed datasets that can foster anti-corruption practices, Brazil publishes all of them except for the lobbying register and the beneficial ownership dataset – both of which are still not regulated in Brazil (see table below).
- 3** There is still room for improvement in the quality of these datasets, to ensure that the data is timely, comprehensive, complete and accurate.
- 4** Open data sets are diffuse and available on different websites apart from the government’s main data platform (www.dados.gov.br).
- 5** While the government does encourage public participation in open data, there are no state-sponsored incentives (financial or knowledge-based, for instance) for civil society organisations (CSOs) or private sector organisations to publish open data.
- 6** The latest changes in the country’s political landscape have brought uncertainty to open data action plans and anti-corruption measures. The new federal administration has requested a review of enactments issued immediately before the impeachment process against former president Dilma Rousseff – which includes the publication of the open data policy.

PREFACE



In recent years there has been an increase in the availability of open data – data that can be freely used, modified and shared by anyone for any purpose.¹

Open government data is emerging as an important tool in the fight against corruption in that, by enabling increased transparency in terms of government activities, budgets and expenditures, it becomes an important ingredient in various accountability interventions. There is demand for government to open up more data and processes to improve information disclosure and transparency, to facilitate public scrutiny and to allow for information that is easier to work with and compare, which should reduce the mismanagement and misallocation of resources and help secure a fair deal for governments and citizens.

In 2015 the G20 Anti-Corruption Open Data Principles² (hereafter G20 Principles) were adopted as a first step towards leveraging open data as a crucial tool to enable a culture of transparency and accountability in order to address corruption. It was agreed to follow a set of principles, based on the International Open Data Charter,³ to enhance access to, and the release and use of, government data so as to strengthen the fight against corruption. As is the case with international standards, what is crucial now is to ensure that these G20 Principles do not solely remain lofty words on paper but are translated into national-level policy and practice across the G20 countries.

The purpose of this report is to assess the extent to which Brazil is meeting its commitments to fighting corruption by applying and implementing the principles and actions set out in the G20 Principles. This is one of five reports; others have been compiled for France, Germany, Indonesia and South Africa.

The purpose of the five-country study is to gain a better understanding of how different countries are performing in terms of implementing the G20 Principles, and to highlight how these principles can be implemented so that open data becomes an effective tool in the fight against corruption. It also seeks to present selected examples of good practice in the use of open data to combat corruption.

1. See <http://opendefinition.org>.

2. See www.g20.utoronto.ca/2015/G20-Anti-Corruption-Open-Data-Principles.pdf.

3. See <http://opendatacharter.net/history>.

METHODOLOGY OF THE STUDY⁴



This study establishes a baseline regarding the implementation of the G20 Anti-Corruption Open Data Principles, which were adopted in 2015. The main goals of the analysis are to find answers to the following questions. How much progress have G20 governments made in implementing open data as part of an anti-corruption regime? What are the main national government policies and practices for open data and anti-corruption? And where is there room for improvement in moving towards the Principles?

The G20 Principles commit governments to data that should be as follows:

1. Open by Default
2. Timely and Comprehensive
3. Accessible and Usable
4. Comparable and Interoperable
5. For Improved Governance and Citizen Engagement
6. For Inclusive Development and Innovation

For each principle, the specific global commitments made by the G20 have been turned into questions that can measure anti-corruption policies and practices. There are 35 questions in total, including both general questions and specific questions for ten datasets that have been identified as key to anti-corruption efforts. For the questions directed at anti-corruption datasets, binary responses have been created, enabling us to score performance.

The key anti-corruption datasets are the following:

1. Lobbying Registers
2. Company Registers
3. Beneficial Ownership Registers
4. Directories of Public Officials
5. Government Budget Records
6. Government Spending Records
7. Public Procurement Records
8. Political Financing Records
9. Legislative Voting Records
10. Land Registers

Five countries were selected; each has its own report and there is also a summary report. The five countries represented a variety of G20 economies from around the world but included countries whose international leadership has or will be in the spotlight, via the G20 presidency or the Open Government Partnership chair, for instance. For this reason, it can be expected that they have a keen interest in implementing open data for anti-corruption purposes.

To carry out these studies, consultant researchers with both open data and corruption expertise were hired for each country report. The research consists of both desk research and key informant interviews. The Web Foundation and Transparency International have guided the research process and provided relevant materials to support the process.

⁴ For full methodology, please see <https://www.transparency.org/whatwedo/publication/7666>

ANTI-CORRUPTION DATASETS



commitments have been translated into open data practice.

- 1** Lobbying register– containing a list of registered lobbyists, together with details of who they are lobbying and who they are lobbying on behalf of.
- 2** Company register– containing a list of every company legally registered to operate within a jurisdiction. It should include information on when companies were formed and whether they are still active, as well as including details of company directors.
- 3** Beneficial ownership register – containing the natural person or persons who is or are the beneficial owner(s) of an asset, including at a minimum the beneficial ownership of companies or land.
- 4** Directories of public officials – containing a list of all public officials above a certain level of seniority, along with details of their role.
- 5** Government budget – including the national government budget at a high level (e.g. spending by sector, department, sub-department, etc.).
- 6** Government spending – records of actual national government spending at a detailed transactional level: monthly government expenditure on specific items (usually this means individual records of spending amounts under \$1 million, or even under \$100,000).
- 7** Public procurement – details of the contracts entered into by the national government.
- 8** Political financing – containing data on the financial contributions received by a politician and/or a political party.
- 9** Voting records – containing registers on individual votes in parliament (including session, chamber and law category, such as amendment, new bill, nomination, etc.).
- 10** Land register – including national-level information on land ownership, tenure and location.

The findings for Brazil are presented below, and are based on an assessment as outlined in the methodology.^{i,ii}

INDICATOR	Dataset Online	Timeliness	Granularity	Formats	Openness	Accessibility	Open Standards	Metadata	Documentation	TOTAL DATASET SCORE
Lobbying registers	✗	✗	✗	✗	✗	✗	✗	✗	✗	0
Company registers ^{III}	✓	✗	✓	✗	✗	✓	✗	✗	✗	3
Beneficial ownership	✗	✗	✗	✗	✗	✗	✗	✗	✗	0
Public officials ^{IV}	✓	✗	✗	✗	✗	✓	✗	✗	✗	2
Government budget ^V	✓	✓	✓	✓	✗	✓	✓	✓	✗	7
Government spending ^{VI}	✓	✓	✓	✓	✓	✓	✓	✓	✗	8
Public procurement ^{VII}	✓	✗	✓	✓	✓	✓	✓	✓	✗	7
Political financing ^{VIII}	✓	✓	✓	✗	✗	✓	✗	✗	✗	4
Voting records ^{IX}	✓	✗	✗	✗	✗	✓	✗	✗	✓	3
Land registers ^X	✓	✗	✗	✗	✗	✗	✗	✗	✗	1

I All the datasets assessed are from the official government portal: www.dados.gov.br. Two of the datasets assessed received zero scores, as they are not available on the platform or elsewhere.

II See <https://www.transparency.org/whatwedo/publication/7666>

III Ministério da Fazenda, Secretaria da Receita Federal: <http://idg.receita.fazenda.gov.br>.

IV The government shares details of senior public officials, but the information is not compiled in a single list. Every ministry and agency shares data on its own website, as part of compliance with the Lei de Acesso à Informação. The dataset in reference was taken from the Ministry of Justice's website: Governo Federal, Ministério da Justiça, 'Quem é Quem', www.justica.gov.br/Acesso/institucional/sumario/quem-e-quem.

V SIOP – Sistema Integrado de Planejamento e Orçamento: www1.siof.planejamento.gov.br/acessopublico/?pp=acessopublico.

VI Comptroller General of the Union (Controladoria-Geral da União: CGU) – Portal da Transparência: <http://transparencia.gov.br>.

VII Dados.gov, Compras Públicas do Governo Federal: <http://dados.gov.br/dataset/compras-publicas-do-governo-federal>.

VIII Tribunal Superior Eleitoral, 'Demonstrativos: Prestação de Contas 2015', www.tse.jus.br/partidos/contas-partidarias/prestacao-de-contas-partidarias/demonstrativos-prestacao-de-contas-2015.

IX Voting records are not compiled in one single document; a user would need to verify each representative's profile to check his or her voting pattern within each legislative year. Records consist of plenary votes only. Câmara dos Deputados, Deputada Bruna Furlan, 'Relatório de Votações em Plenário – 55ª Legislatura (2015–2016)': www.camara.leg.br/internet/deputado/RelVotacoes.asp?nuLegislatura=55&nuMatricula=335&dtInicio=01/01/2015&dtFim=26/10/2016.

X INCRA – Instituto Nacional de Colonização e Reforma Agrária; SIGEF – Sistema de Gestão Fundiária, <https://sigef.incra.gov.br>.



COUNTRY OVERVIEW

OPEN DATA AND CORRUPTION IN BRAZIL



Corruption

In a country in which personal enrichment seems almost endemic, following a year of scandals at the highest levels, there are many high-risk areas that are prone to corruption in Brazil. Currently Brazil scores 38 out of 100 points in Transparency International's Corruption Perceptions Index, ranking it 76 among the 168 countries analysed in terms of their level of public sector corruption.⁵

Corruption is embedded in Brazilian society as means of 'justified' personal gain in a country in which the right connection can bring plenty of personal, financial and professional advantages.^{6,7} Related wrongdoings across public sector institutions have been consistently spotted. For example, corruption has tended to plague procurement in Brazil, on account of the high-value nature of the transactions taking place between public institutions and private companies. Some private companies have historically presented a heavy dependence on public contracts, sometimes being established for the sole reason of providing products and services to the public administration.⁸ The public health, social security and public education sectors are other areas where the diversion of state funds often happens. Finally, there is the challenge of institutionalised tax evasion, by individuals and companies alike.

5. See www.transparency.org/cpi2015.

6. Idem, reference 29.

7. CGU, *Prevenção e combate à corrupção no Brasil: 6º Concurso de Monografias da CGU* (Brasília: Controladoria-Geral da União, 2011), pp. 55–103, www.cgu.gov.br/Publicacoes/controle-social/arquivos/6-concurso-monografias-2011.pdf.

8. B. Guedes and A. Ribeiro Neto, 'Institutional Sources of Corruption in Brazil', *Third World Quarterly*, vol. 13 (1992), pages 641–661, www.jstor.org/stable/3992381.

In 2003 the Ministry of Justice created the Anti-Corruption and Anti-Money-Laundering National Strategy (Estratégia Nacional de Combate à Corrupção e à Lavagem de Dinheiro: ENCCLA).⁹ This is the first unified strategy for anti-corruption in the country. Its network is formed by more than 60 different institutions, from the executive, legislative and judiciary branches, plus CSOs and the public prosecutors' offices. The actions taken under the strategy are decided yearly and by consensus among the members, focusing on corruption prevention, detection, investigation, prosecution and punishment.

The country has produced strong criminal and administrative laws to punish bribery, graft, tax evasion and other forms of corruption, though their enforcement is weak.¹⁰ Prosecutors often complain that penalties are light compared to the institutional and financial damage brought by the wrongdoing.^{11,12} Specific legislation on anti-corruption matters is under review in the Congress, but it has been met by some resistance from lawmakers and politicians. In addition, the high level of bureaucracy in every government branch has hindered the ability to implement new laws rapidly, as well as stamp out bribery practices.^{13,14}

Notwithstanding these challenges, the fight against corruption has been intensified in recent years. Joint anti-corruption investigations by the CGU (the office of the comptroller general), the Federal Prosecution Service (MPF) and the federal police continue to make headlines on a daily basis. These actions are part of fulfilling Brazil's international anti-corruption obligations. Brazil observes the OECD Anti-Bribery Convention and the United Nations Convention against Corruption. Since 2015 it also has followed the G20 Principles, which encourage the use of open data to tackle corruption.

Finally, it needs to be highlighted that Brazil has been engulfed in political turmoil since 2014, which has made it difficult to advance on anti-corruption and open data. It is unclear whether President Rousseff's successor, Michel Temer, will undertake measures that could negatively impact open data and the fight against corruption. For example, the Temer administration has asked for a review of the legal documents signed by President Rousseff from April 2016 until her dismissal¹⁵ – which includes Decree no. 8777/2016 (the governmental open data policy). As for the fight against corruption, there is a draft law being reviewed in the House of Representatives that is being named as an 'Anti-Corruption Law'.¹⁶ It has come under attack by some for potentially violating people's rights, and by others who are trying to amend the bill by watering down the penalties and providing for amnesty measures for politicians.

9. Ministério da Justiça, 'Combate à Corrupção e à Lavagem de Dinheiro: ENCCLA', www.justica.gov.br/sua-protecao/lavagem-de-dinheiro/enccla.

10. Gan Integrity, business anti-corruption portal, 'Brazil Corruption Report', November 2015, www.business-anti-corruption.com/country-profiles/brazil.

11. *Jornal Cruzeiro do Sul*, 'Para Juiz, Promotor e Advogado, Falta Punição', 22 March 2015, www.jornalcruzeiro.com.br/materia/600483/para-juiz-promotor-e-advogado-falta-punicao.

12. R. Corrêa, 'Justiça Lenta Anula Trabalho do MP', *O Tempo*, 6 May 2007, www.otempo.com.br/capa/pol%C3%ADtica/justi%C3%A7a-lenta-anula-trabalho-do-mp-1.285974.

13. N. Barrizzelli, 'Burocracia e Corrupção', *Gazeta do Povo*, 4 September 2015, www.gazetadopovo.com.br/opiniaao/artigos/burocracia-e-corruptcao-dw1ch35fqzgrjsihqgg7topbv.

14. M. C. Poli, 'Burocracia Contribui para o Aumento da Corrupção no Brasil', *Diz Professor da Universidade de Columbia*, Federação do Comércio de Bens, Serviços e Turismo do Estado de São Paulo (FecomercioSP), 7 April 2016, www.fecomercio.com.br/noticia/burocracia-contribui-para-o-aumento-da-corruptcao-no-brasil-diz-professor-da-universidade-de-columbia.

15. S. Iglesias, D. Fariello and M. Beck, 'Temer Manda Rever Últimos Atos de Dilma Realizados a Partir de Abril', *O Globo*, 16 May 2016, <http://oglobo.globo.com/brasil/temer-manda-rever-ultimos-atos-de-dilma-realizados-partir-de-abril-19312540>.

16. Idem, reference 91.

Open data

Over the last five years Brazil has put in place various initiatives to open up data in the country. It is ranked among the top 20 countries for open data globally (in terms of policy, practice and implementation), and second in the region (behind Mexico).¹⁷

Until 2015 Brazil was one of a number of countries promoting the creation of a national infrastructure for open data, setting out clear processes for the institutionalisation of open data policy, established via an open collaboration space, building out open data technologies and modelling data. It is also worth noting that, out of 92 surveyed countries, only two make open data regarding government spending available: Brazil and the United Kingdom. A series of government decrees and plans helped to advance this agenda. On 15 September 2011 a government decree created the National Action Plan on Open Government, the initial step to promoting greater openness in Brazil.¹⁸ The Plan was followed the next year by the Ministry of Planning's Normative Instruction no. 4/2012, which created the National Infrastructure of Open Data – INDA.¹⁹ INDA provides a set of standards, technologies, procedures and control mechanisms for the dissemination and sharing of public information. Open Government Partnership (OGP) action plans are revised every two years and updated, along with public consultations on the tasks highlighted both by government and civil society organisations. In May 2016 Presidential Decree no. 8777/2016 was issued to regulate INDA. The same decree also established a national open data policy to be observed by all federal government institutions.²⁰

Brazil is also a founding member of the OGP and is among the countries that have already developed two action plans to promote increased government openness.²¹ The initiative is being led by the CGU. There is an interministerial committee called CIGA (Comitê Interministerial Governo Aberto), which coordinates the work among the ministries and CSOs, lists out priority tasks and monitors their completion under what is listed in the Action Plan.²² The Ministry of Planning, also a member of CIGA, has responsibility for the government data portal (www.dados.gov.br),²³ created as part of the OGP's commitment to transparency and in response to other government initiatives – including the Brazilian right to information law,²⁴ the Lei de Acesso à Informação (known as the LAI: Law no. 12527/2011).²⁵

A key challenge remains for Brazil's open data strategy, namely multiple institutions are responsible for its implementation and the policy is not centralised under one department. Each ministry is tasked to develop an open data action plan and must, on its own, promote openness within its own institutions.

17. Scores based on 2015 results for the Open Data Barometer; see <http://opendatabarometer.org/3rdedition/regional-report/latin-america>.

18. Presidência da República, Decreto sem número, 15 September 2011, www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/dsn/dsn13117.htm.

19. Ministério do Planejamento, Orçamento e Gestão. Instrução Normativa no. 4, 13 April 2012, www.governoeletronico.gov.br/documentos-e-arquivos/3%20-%20IN%2004%2013-04-12.pdf.

20. Presidência da República, Decreto no. 8777, 11 May 2016, www.planalto.gov.br/ccivil_03/_Ato2015-2018/2016/Decreto/D8777.htm.

21. Open Government Partnership, 'About Brazil', www.opengovpartnership.org/country/brazil.

22. Comitê Interministerial Governo Aberto: www.governoaberto.cgu.gov.br/no-brasil/comite-interministerial.

23. Portal Dados.gov.br. <http://dados.gov.br>.

24. Portal da Transparência, <http://transparencia.gov.br/downloads>.

25. Lei no. 12527, 18 November 2011, www.planalto.gov.br/ccivil_03/_ato2011-2014/2011/lei/12527.htm.



OPEN DATA PRINCIPLES

IMPLEMENTATION OF THE G20 PRINCIPLES



Along with the other G20 countries, in 2015 Brazil adopted the G20 Anti-Corruption Open Data Principles, which recognised open data as a crucial tool to enable a culture of transparency, accountability and access to information and to more effectively prevent corruption. The G20 Principles are based on the International Open Data Charter,²⁶ which Brazil has not yet adopted.

The following assessment provides an overview of country progress on setting out policies that support the commitments contained within each of the six G20 Principles. A common methodology²⁷ has been used that looks at the different elements contained within each of the principles.

Principle 1: Open Data by Default



The 'open by default' principle commits each G20 government to proactively disclose government data unless certain exceptions apply. The principle goes beyond transparency, as it requires the proactive provision of reusable data from its source in order to increase access in equal terms for everyone while at the same time assuring the necessary protection of personal data in accordance with existing laws and regulations.

26. See <http://opendatacharter.net>.

27. The methodology was developed by the Web Foundation and Transparency International: see <https://www.transparency.org/whatwedo/publication/7666>

Existing open data policies

Despite government efforts towards achieving greater openness, Brazil does not currently meet the requirements of the ‘open by default’ principle.

Brazil has legally institutionalised open data and access to information policies in government, but these do not meet the criteria for being open by default, and practice is weak when it comes to applying them.

The National Infrastructure of Open Data and Decree no. 8777/2016 have established the framework for an open data policy across the entire federal government by defining what open data is and how it should be published by agencies.

The Ministry of Planning (MP) and the Office of the Comptroller General are trying to encourage openness by default both in the federal government and in subnational governments.

Exceptions to the ‘open by default’ principle

There are personal data and security exceptions that apply to information disclosure, as the principle of open data by default has yet to be enshrined in law or policy.

Some exceptions are defined by Brazil’s right to information legislation in cases of personal privacy and national security issues. The 1988 constitutional right of personal data protection, article 5,²⁸ still has not been transposed into law, however, which would allow for the regulation of the matter.

More generally, CSOs and researchers have a hard time collecting information from the armed forces, intelligence services and public security agencies – including data that is supposed to be legally shared as open.²⁹

Open data practice

The Brazilian government is delivering increased levels of data on the basis of access to information policies, though such data is not necessarily provided in reusable formats.

Government data-sharing is based on the LAI. The law sets out strict timelines for government agencies to adhere to the LAI and to answer information requests (articles 40, 41 and 42). Every government website now features an ‘Access to Information’ section that

users can use to request data not available online. Citizens can also search directly at the Access to Information Portal (www.acessoainformacao.gov.br) to check whether their request has already been the subject of a previous search.

The CGU is the government unit responsible for monitoring correct and on-time replies for information requests. The regulation does not mandate that information requested via the LAI needs to be presented in a reusable format, however. Users may request the information to be handed in specific formats, but the government has the discretion to reply to the request fully or just partially (such as by providing the needed data but not in a machine-readable format).

ICT infrastructure to support the publication of and access to government data

Brazil has the information and communication technologies (ICT) infrastructure required to meet the standard of open government data by default once such a policy is adopted.

The government has been using the latest in ICT systems for data management and sharing, as demanded by INDa. INDa and open data regulation are the responsibility of the Logistics and Information Technology Secretariat of the Ministry of Planning, which demonstrates the government’s concern with applying and using adequate ICT systems. Open data can be provided directly in this format, and this is how it is demanded by the policies currently in place, though enforcement is weak. An application programming interface (API) is also provided by www.dados.gov.br.

Open data for anti-corruption skills at the national level

A culture of openness is being encouraged via training programmes within the public administration.

The National School of Public Administration’s e-learning courses on open data constitute just one example of trainings and tools that are being made available to Brazilian public servants. Different online resources are also available for government staff to build their open data skills. INDa and its www.dados.gov.br portal share diverse guidelines on how to open data, how to publish/catalogue it and how to work with

28. Constituição Federal de 1988, article 5, www.planalto.gov.br/ccivil_03/Constituicao/Constituicao.htm.

29. F. Leali, ‘Lei de Acesso é Desrespeitada por Órgãos do Governo’, *O Globo*, 10 June 2016, <http://oglobo.globo.com/brasil/lei-de-acesso-desrespeitada-por-orgaos-do-governo-16110382>.

data.³⁰ The CGU has established an area on its website for transparency and open data,³¹ besides setting up a website about the open government process in Brazil.³² Both sites offer information on the benefits of open data for better public management and accountability. The Ministry of Planning, working under INDA, has set up a permanent forum for discussion and training on the subject.³³

Subnational open data awareness programmes

Training programmes on open data use in states, cities and municipalities have been linked to anti-corruption issues.

The Ministry of Planning and the CGU, along with tasks mandated by the OGP National Action Plan, have served to promote awareness-raising and support of the anti-corruption agenda in subnational governments. The Ministry of Planning's open data team has established training programmes for state- and city-level governments, in addition to ensuring their attendance at national open data and open government events.³⁴ Moreover, the Ministry of Justice has presented on-site and online anti-money-laundering courses to public servants at federal, state and city levels.³⁵ Around 16,000 agents have been trained since 2004.³⁶

Data protection laws

The 1988 constitution upholds the right of personal data protection, though this has not been transposed into law.

The discussion regarding a specific law to address data protection has carried on in the country for some years. On 28 January 2015 the Ministry of Justice set up a public consultation on drafting such a law.^{37,38} The draft project was sent for review by the House of Representatives in early 2016.³⁹

While specific legislation is under development, some other laws have helped to provide limited amounts of protection: 'Marco Civil' (2014, articles 7, 8, 10, 11 and 12); Law no. 12414/2011, known as the Positive Credit Law; and Law no. 12527/2011, the RTI law. The Positive Credit Law ensures privacy protection when dealing with financial data.⁴⁰ Lastly, article 31 of the RTI law regulates how personal data should be treated.⁴¹

Right to information legislation

There is a functioning and widely used right to information law in Brazil. The Brazilian RTI law, known as the LAI, entered into force in 2012, and it is responsible for ensuring that information is accessible in all three branches of government, and at all levels (at the federal, state and municipal levels).⁴² Requests for information can be made in person at the specific institution or via the web, through a portal specifically built to handle such requests.⁴³ The CGU is the government body in charge of monitoring such requests and assisting states and municipalities in implementing RTI tools and initiatives. The law grants 30 days for a request to be fulfilled, but the CGU claims that requests are being responded to within about 12 days, as there is an electronic system in place to respond to requests.⁴⁴

The LAI ensures that information is granted for free or at minimal cost within the legal time period, with explanations for refusal to release data. It is important to highlight that the LAI in Brazil has been used greatly by CSOs and the press, to gather information on public policies or to access documents that should have already been declassified.⁴⁵

30. See www.dados.gov.br (see bottom of page for list of 'how to's').

31. CGU, 'Dados Abertos', www.cgu.gov.br/assuntos/transparencia-publica/escala-brasil-transparente/dados-abertos.

32. Governo Federal, portal de Dados Abertos, 'Entrevista', 9 February 2015, www.governoaberto.cgu.gov.br/noticias/2015/entrevista-com-o-ministerio-do-planejamento-portal-de-dados-abertos.

33. INDA, 'II Encontro Nacional de Dados Abertos', <http://wiki.gtinda.ibge.gov.br/II-Encontro-Nacional-de-Dados-Abertos.ashx>.

34. Governo Federal (9 February 2015).

35. Ministério da Justiça, 'Programa Nacional de Capacitação e Treinamento para o Combate à Corrupção e à Lavagem de Dinheiro – PNLD', www.justica.gov.br/sua-protecao/lavagem-de-dinheiro/institucional-2/capacitacao/pnld-1.

36. ENCCLA, 'PNLD', <http://enccla.camara.leg.br/pnld>.

37. Ministério da Justiça, 'Proteção de Dados Pessoais', <http://participacao.mj.gov.br/dadospessoais>.

38. Ministério da Justiça, 'Proteção de Dados Pessoais – Draft Law, English Version', http://participacao.mj.gov.br/dadospessoais/wp-content/uploads/sites/3/2015/02/Brazil_pdp_bill_Eng1.pdf.

39. Câmara dos Deputados, 'PL 5276/2016', www.camara.gov.br/proposicoesWeb/fichadetramitacao?idProposicao=2084378.

40. Lei no. 12414, 9 June 2011, www.planalto.gov.br/ccivil_03/_Ato2011-2014/2011/Lei/L12414.htm.

41. Ibid.

42. Lei no. 12527.

43. Governo Federal, 'Acesso à Informação', www.acessoainformacao.gov.br.

44. GovLab Academy, 'Impact Story. Roberta Solis Ribeiro: Access to Information Law, Brazil', <https://youtu.be/yNtge3Yd4q8>.

45. *Folha de São Paulo*, 'Itamaraty Tenta Blindar Documentos sobre Odebrecht e Lula, Diz Jornal', 12 June 2015, www1.folha.uol.com.br/poder/2015/06/1641267-ministerio-tenta-blindar-documentos-sobre-odebrecht-e-lula-diz-revista.shtml.

Principle 2: Timely and Comprehensive Data



Principle 2 of the G20 Principles commits a government to identify and publish key high-quality and open datasets. Publication of the data should be informed by actual demand and identified through ongoing public consultation. The principle also encourages a government to apply a consistent dataset management strategy according to the open data principles. Such data openness, it is suggested, will allow a better understanding of government processes and policy outcomes in as close to real time as possible.

Online availability of key anti-corruption datasets

Brazil publishes eight out of the ten datasets analysed in this study.

Of the ten proposed datasets the country produces eight of them: company registers, directories of public officials, the government budget, government spending, public procurement, political financing, voting records and land registers. The missing ones are lobbying registers and beneficial ownership – which are still not covered under law in the country. Not all of the eight published datasets can be considered strictly open data, however, given that there are some restrictions with respect to licences, metadata and accessibility. An analysis of the datasets in detail shows that making financial data accessible and open is a top concern.

Timeliness of available key anti-corruption datasets

Brazil partially meets the requirement of making available detailed data, a fact that may hinder the data's usefulness in combating corruption.

Out of the ten datasets analysed, only three are updated in a timely manner: the government budget, government spending and political financing. The same datasets, with the addition of the public procurement one, are released without data aggregation. A breakdown of the details for each dataset can be found in the 'Anti-corruption datasets' section above.

Granularity of the data

The majority of Brazil's anti-corruption datasets do not provide granular data. Of the ten datasets analysed, four datasets are released without aggregation: the government budget, government spending, political financing and public procurement.

Feedback loops

Data feedback tools are provided through the main data portals. Both www.dados.gov.br and transparencia.gov.br have dedicated pages for user suggestions, complaints and comments.^{46,47} As part of the LAI, every governmental website also has to provide a 'Contact' web page, on which any kind of feedback can be submitted.

Data management

Proper data management systems exist, but the process of implementing them needs to be more consistent across all public institutions.

INDA provides a set of needed standards, technologies, procedures and control mechanisms that meet the conditions for the dissemination and sharing of public information, and a manual can be found at www.dados.gov.br.⁴⁸ INDA follows a structure called e-PING (Electronic Government Interoperability Standards) and it states that open formats should be used in preference to the default option.⁴⁹ INDA's action plans are revised every two years and updated along with public consultations on the tasks highlighted both by government and CSOs. Nonetheless, no consistent processes for data management or future updates could be identified.

46. Dados.gov, 'Sugestões: Contato', <http://dados.gov.br/contato>.

47. Governo Federal, Portal da Transparência, 'Fale Conosco', <http://transparencia.gov.br/faleConosco>.

48. Dados.gov, 'Cartilha Técnica para Publicação de Dados Abertos no Brasil v1.0', <http://dados.gov.br/cartilha-publicacao-dados-abertos>.

49. ePING – Padrões de Interoperabilidade de Governo Eletrônico, www.governoeletronico.gov.br/eixos-de-atuacao/governo/gestao/interoperabilidade/eping-padroes-de-interoperabilidade-de-governo-eletronico.

Principle 3: Accessible and Usable Data



Principle 3 seeks to address the challenges that users face in locating, accessing and using data. It commits G20 governments to increase data accessibility and usability by lowering unnecessary entry barriers and by publishing data on single-window solutions, such as a central open data portal. Principle 3 also requires governments to promote open data initiatives to raise awareness and increase data literacy and capacity-building among potential data users.

Open data catalogue

Brazil does not meet the requirement of publishing on a central portal all the anti-corruption datasets.

Although there is a central platform – www.dados.gov.br – not all datasets can be found there. The portal is established under an open licence and is set to hold ‘any and all kinds of open data’,⁵⁰ though at present it holds only part of the data for the executive branch of the federal government. While new datasets are uploaded daily, it seems that the ones already on the site are not being updated.

As a result, a user needs to check various ministry sites to retrieve information as well as the Transparência portal (www.transparencia.gov.br), which provides data on the government’s budget and expenses. This data is open to the public and, currently, is up to date.

Legal requirements for the publication of anti-corruption data by companies

The Brazilian government does not require companies to release key anti-corruption data.

Companies are not legally required to release information on their ownership or lobbying activities.

Although there is Law no. 12846/2013 and its regulations, which outline the setting up of a compliance programme, such a step is not mandatory on the part of companies.⁵¹ Moreover, lobbying activities are not regulated.

Machine-readable, multiple and open formats

Only part of the data available is machine-readable and in multiple formats.

Commonly used machine-readable formats are JSON, XML and CSV. Datasets are provided in at least two of the formats mentioned. The Transparência portal uploads only part of its data in machine-readable formats.⁵² In the case of the portal, most of the datasets are provided in only one format (CSV) and without any licence information.

Access costs and licensing

Only two of the ten datasets in this study were assessed as being free of charge and released under an open licence. These datasets are for government spending and public procurement data. The main issue here resides in the lack of information pertaining to licences; the websites do not state either the copyright or the licence, so neither can be confirmed. The challenges for the other datasets are demonstrated by the case of the land registry data. To access it, the user needs to hold a digital certificate, and needs to pay a fee to obtain one.

Registration to access data

Most datasets assessed require some form of registration to be accessed in Brazil.

The majority of the datasets in this study require mandatory registration in order to be released. Only the datasets for the government budget and spending, public procurement and political financing can be accessed anonymously.

50. Dados.gov, ‘Sobre o Portal’, <http://dados.gov.br/sobre>.

51. CGU, *Programa de Integridade: Diretrizes para Empresas Privadas* (Brasília: Controladoria-Geral da União, 2015), www.cgu.gov.br/Publicacoes/etica-e-integridade/arquivos/programa-de-integridade-diretrizes-para-empresas-privadas.pdf.

52. Governo Federal, Portal da Transparência, ‘Downloads’, <http://transparencia.gov.br/downloads>.

Open data awareness, data literacy and capacity-building

The government needs to do more to improve open data awareness and build capacity in the use of data by civil society and the private sector.

CSOs and the private sector have been consulted by the government before now, and especially around the time that the open data and open government policies started to be adopted in Brazil (2011/2012). Since July 2014, however, such outreach appears to be weak, largely because of broader political concerns and turmoil. Even so, the government, across all branches, recognises the importance of open data and is trying to develop a participative agenda towards it.

On many occasions the gathering and exchange of ideas are promoted by and among CSOs, such as through Open Knowledge Brasil.⁵³

There have been past activities that could serve as models. For example, the first National Conference on Transparency and Social Control (CONSOCIAL), held in 2012, still has an active online forum, on which ideas, suggestions and new applications regarding open data and open government are posted frequently. CONSOCIAL also held weekly meetings until 2015.⁵⁴

Principle 4: Comparable and Interoperable Data



Enabling the comparability of datasets and allowing for the traceability of data from numerous anti-corruption-related sources increases the possibility of detecting patterns, trends or anomalies that could be used to expose or counter corrupt practice.

This principle commits governments to implementing open standards, and ensures that open datasets include consistent core metadata as well as adequate descriptions and documentation. It also specifies that governments will engage and collaborate with existing anti-corruption standards bodies, identify gaps and encourage interoperability.

Open standards

The majority of the assessed datasets lack open standards in terms of data formats, interoperability, structure, licensing and/or common identifiers.

In order to enable data traceability and comparison, open standards must be in place. Of the ten studied datasets, only three are published in open formats and with metadata that allow for interoperability: the government budget, government spending and public procurement.

Metadata

Only three of the analysed datasets contain some very basic metadata: the government budget, government spending and public procurement.

The information included contains file titles and size, time of publication and available open formats. Metadata is essential to ensure interoperability. It allows for different datasets to be merged efficiently when each of them contains such connecting and sequential details.

53. Open Knowledge Brasil: <http://br.okfn.org>.

54. Fórum de Transparência, 'Participação e Controle Social', <http://consocial.com.br>.

Documentation

Only one of the analysed datasets, voting records, is accompanied by some supporting documentation.

The dataset includes references to draft bills and proposals that were voted on. The provision of better documentation would allow civil society to use open data more effectively by rewording technical terms into plain language.

Data and transparency standards

Until 2015 the Brazilian government was largely committed to promoting transparency standards globally.

Other than the OGP, however, Brazil has only formally become a member of one other global transparency standard: the Global Initiative for Fiscal Transparency (GIFT).^{55,56} Research has shown that Brazil is at the forefront of fulfilling the OGP's National Action Plan commitments.⁵⁷ In terms of its financial transparency, the country is very committed and is seen as a role model. On the Open Budget Index 2015, conducted by the International Budget Partnership (IBP), Brazil scores 77 out of 100⁵⁸ and ranks sixth in the index.⁵⁹

Principle 5: Data for Improved Governance and Citizen Engagement



Open data empowers citizens and enables them to hold government institutions to account. Open data can also help citizens to understand, influence and participate directly in the decision-making processes and in the development of public policies in support of public sector integrity. This can be an important process in building trust and strengthening collaboration between government and all sectors of society.

This principle commits governments to promote the use of online collaboration to engage with anti-corruption organisations, and to equip government officials so that they may use open data effectively. It stipulates that governments will improve mechanisms and procedures, and report regularly to the public, in order to strengthen ties with citizens and the public sector.

In Brazil, engagement is ensured by digital tools, though impact reports on the level of commitment cannot be verified. Government officials often have access to several materials on how to use open data in a general sense; seeing it as a powerful tool to combat corruption needs further development. As a consequence, assessment of the impact of open data in anti-corruption matters cannot be carried out. It is also hard to assess how citizens and the public sector deal with open data because there is a considerable gap between the law and its implementation in practice.

Data needs

Brazil engages with citizens in order to assess their data needs via digital tools, but the impacts of this have not been gauged.

In Brazil, e-Democracia (e-Democracy) is the most well-known platform designed to foster citizen engagement with open data as a tool in the fight against corruption.⁶⁰ It is hosted by the House of Representatives and was developed by its hacker laboratory, a department that develops legislative solutions to respond to citizens' demands.

55. GIFT, *Country Reports: Brazil* (Washington, DC: Global Initiative for Fiscal Transparency, 2013), www.fiscaltransparency.net/eng/resource_open_public.php?IdToOpen=20151009132.

56. B. Wampler, *Expanding National-Level Participation: Update on Brazil* (Washington, DC: Global Initiative for Fiscal Transparency, 2015), www.fiscaltransparency.net/eng/resource_open_public.php?IdToOpen=20150729122.

57. GIFT, *Fiscal Transparency in Open Government Partnership Countries, and the Implementation of OGP Commitments: An Analysis* (Washington, DC: Global Initiative for Fiscal Transparency, 2015), www.fiscaltransparency.net/eng/resource_open_public.php?IdToOpen=20151028136.

58. IBP, 'Country Report – Brazil', April 2016, www.internationalbudget.org/budget-work-by-country/findgroup/group-data/?country=br.

59. IBP, 'The Open Budget Index 2015', www.internationalbudget.org/wp-content/uploads/OBS2015-OBIndex-Rankings-English.pdf.

60. Câmara dos Deputados, 'e-Democracia': <http://edemocracia.camara.gov.br>.

The CGU has also set up an ombudsman portal: e-Ouvidoria, or e-OUV. The portal is a one-stop shop for complaints, suggestions and responses that is overseen by the executive branch of the federal government and covers all its agencies.⁶¹ As in the case of e-Democracia, inputs can be sent by individuals or CSOs. Requests for data can also be made through both platforms, which are used as a complementary tool to the RTI law.

Toolkits

Public officials have access to several materials about data openness and its benefits, but not to specific toolkits for how open data can be used in the fight against corruption.

For example, the portal www.dados.gov.br presents a data kit for ensuring openness by every agency,⁶² and a wiki forum is hosted by INDA, which also gathers related legislation.⁶³ The use of open data to combat corruption has only been presented by the Federal Prosecution Service quite recently, however, by featuring transparency portals as a way to promote better public oversight. The tutorials are available to everyone.⁶⁴

Research

No government studies on the use of open data to prevent corruption could be found. Numerous materials are available on corruption prevention through transparency and public oversight, however, and are available at the CGU,⁶⁵ MPF⁶⁶ and ENCCLA⁶⁷ websites.

Reporting

Public reporting on the use of open data to prevent corruption could not be found.

An increasing number of anti-corruption stings and investigations are listed by the MPF⁶⁸ and CGU,⁶⁹ but they do not mention the use of open data. As an example, there are no mentions of the use of open data in the wide-ranging Lava Jato ('Car Wash') anti-corruption investigation.⁷⁰

Interaction

Despite the existence of legislation and policies aimed at fostering engagement between citizens and the public sector, governmental actions still need to be more structured and focused on the end users.

The governmental open data policy, specified by Decree no. 8777/2016,⁷¹ is the institutional mechanism to encourage the production, use and application of open data by the public sector and its subsequent use by citizens. The policy aims to facilitate data exchange among public agencies and subnational units, besides enhancing public transparency, public oversight and participatory public management. This was adopted only in May 2016, however, so more time is needed to assess whether it will achieve its aims.

Civic engagement with anti-corruption open data

The combination of political polarisation and substantial digital and skills gaps contributes to low civic engagement with the use of open data to fight corruption.

Overall, and in general terms, citizens are concerned with the fight against corruption, but doing so through open data is a new departure. The need to develop anti-corruption measures and attitudes has gained a greater importance for Brazilian society in recent years. Nonetheless, civic engagement is low, and political polarisation makes it hard for citizens to undertake joint discussions and actions towards any common goal. Moreover, there is a considerable digital gap in Brazil,⁷² which means that marginalised groups tend to be excluded from the benefits of ICT. For example, open data monitoring by citizens is difficult due to the nature of the issues. Public budgeting, for instance, requires a technical understanding of governmental institutions that most people do not possess.⁷³

61. CGU, 'e-Ouvidoria': <https://sistema.ouvidorias.gov.br/publico/Manifestacao/RegistrarManifestacao.aspx>.

62. Dados.gov, 'Kit de Dados Abertos', <http://kit.dados.gov.br>.

63. INDA, 'Política de Dados Abertos', <http://wiki.gtinda.ibge.gov.br/Politica-de-Dados-Abertos.ashx>.

64. Ministério Público Federal (MPF), 'Combate à Corrupção: Tutoriais', <http://combateacorrupcao.mpf.mp.br/tutoriais>.

65. CGU, 'Publicações', www.cgu.gov.br/Publicacoes.

66. MPF, 'Combate à Corrupção: Tutoriais'.

67. ENCCLA, 'Biblioteca', <http://enccla.camara.leg.br/biblioteca>.

68. Idem, reference 36.

69. Idem, reference 35.

70. MPF, 'Caso Lava Jato', <http://lavajato.mpf.mp.br/entenda-o-caso>.

71. Presidência da República, Decreto no. 8777, 11 May 2016.

72. World Wide Web Foundation, 'Web Index 2014 Data: Brazil', thewebindex.org/data/?indicator=INDEX&country=BRA.

73. I. de Meiroz Dias, 'Auditores de Poltrona e os Dados Abertos', iGovSP, 1 April 2015, <http://igovsp.net/sp/auditores-de-poltrona-e-os-dados-abertos>.

Principle 6: Data for Inclusive Development and Innovation



Principle 6 of the G20 Principles commits governments to support other G20 open data work and encourage civil society, the private sector and multilateral institutions to open up data. It specifies that governments will engage in new partnerships with anti-corruption stakeholders and share technical expertise and experience with other governments and organisations.

Government's anti-corruption agenda

Legal attempts to impose stricter anti-corruption regulation for both the public and private sectors are currently in the spotlight.

With the passage of Law no. 12846/2013⁷⁴ and its accompanying regulations,⁷⁵ companies wishing to do business with the public sector are advised to implement a compliance programme.⁷⁶ Open data is not mentioned in the regulations, however, and there is no specific law criminalising corruption in high-risk sectors, such as infrastructure or health, for instance.

More recently, the MPF has sent a draft bill to the National Congress containing ten stricter measures against corruption⁷⁷ in the public sector, but, once again, open data is not cited.

Anti-corruption data ecosystem

Unfortunately, the open data discussion in Brazil is concentrated in open governmental data only.

There are no public incentives for CSOs, private sector entities or other types of organisations to open up their data. A better environment for exchange between private initiatives, civil society and the public sector should be encouraged, since currently open data is limited to government production. Along with fostering the production of open data from varied sources, partnerships within the anti-corruption sector are much needed to support and maximize the impact of openness in such endeavours.

Partnerships

There is room for improvement in terms of partnerships with different stakeholders to forge better links between open data and the fight against corruption.

The government has been in touch with Transparency International and the OGP to foster expertise and actions in the fight against corruption. Using open datasets for such activities, as previously mentioned, has not been promoted explicitly.

Networks

Brazil is active, especially in South America, in fostering regional and transnational networks of anti-corruption expertise.

Brazil has consistently shared its anti-corruption expertise with other countries and international organisations, usually to promote the need for transparency in public sector activities. ENCCLA has also trained public officials from Peru, Paraguay, Bolivia, Colombia and Angola on its money-laundering prevention programme. Open-data-based tools to fight corruption still need to be developed, however.

Tools

The House of Representatives and the Court of Auditors (TCU) have launched initiatives encouraging citizens to develop open data tools, though their explicit purpose is not the fight against corruption.

The use of applications, visualisations and tools based on open data and open sources have been promoted and the topics of transparency and democratic participation have always been present (albeit without a specific focus on anti-corruption). For instance, the TCU is currently hosting its 2016 edition of Digital Social Control, a challenge promoted to foster the development of civic tech mobile apps to help citizens monitor data from the health, education and social security sectors.⁷⁸

74. Presidência da República, Lei no. 12846/2013, www.planalto.gov.br/ccivil_03/_ato2011-2014/2013/lei/l12846.htm.

75. Presidência da República, Decreto no. 8420/2015, www.planalto.gov.br/ccivil_03/_Ato2015-2018/2015/Decreto/D8420.htm.

76. CGU (2015).

77. MPF, '10 Medidas contra Corrupção', www.dezmedidas.mpf.mp.br.

78. TCU, 'Controle Social Digital 2016', <http://portal.tcu.gov.br/desafio-aplicativos-civicos>.

CASE STUDY: BRAZIL

ENCCLA Hackathon: Preventing Corruption Through Open Data

IN FEBRUARY 2016 the Ministry of Justice launched a hackathon competition for the development of anti-corruption applications. The event was jointly promoted by the CGU, the Ministry of Planning and other members of ENCCLA. Being part of the strategy's action plan for 2016, the hackathon's objective was to foster social participation through instruments of active transparency in order to monitor federal resource transfers to subnational units. Such information was provided to the teams through the open data sets that were already being published by the government.

The Participation and Innovation Laboratory (LabPI) of the Ministry of Justice, an initiative that seeks to promote innovative tools and methods for public management and public service delivery, was also enrolled in the event. Winning apps were released in May 2016,⁷⁹ but no widespread dissemination of the tools or their impact was promoted.

79. Ministério da Justiça, 'Hackathon Participação no Combate à Corrupção', www.justica.gov.br/labpi.

CONCLUSIONS AND RECOMMENDATIONS



Research shows that open data activities and policies are not aligned to anti-corruption efforts in Brazil. There are some open data sources available, but those are viewed as accountability tools and have not been fully explored yet, not even by government officials themselves.

From an analysis of best practices and the available literature, several preconditions need to be met to ensure that anti-corruption reforms are effective, sustainable and not easily subverted. These include the empowering of stakeholders; comprehensive legal and institutional safeguards to prevent corruption; and the political leadership and will to tackle corruption.⁸⁰ Securing meaningful data to inform policy and strategy is an equally important condition.⁸¹ The findings from this report on Brazil speak to these required conditions as follows.

1. Since 2011 the Brazilian government has demonstrated much concern in connection with providing public transparency to encourage social accountability and democratic participation. Notwithstanding this, open data is still a new topic in the country and has been used more within technical circles and academia. The existence of an RTI law is cherished, though its implementation requires better monitoring.
2. Of the ten anti-corruption datasets assessed in this study, few are available as open data and with proper information on licensing. Open datasets exist as per a legal matter, but there is room for improvement in terms of quality, granularity and supporting documentation.
3. Most of the analysed datasets are available in some form. The datasets covering public finances are the most up to date and the ones that are shared in open format. An open data culture is not yet entrenched in the country, and so openness is mainly a matter covering public sector data. Critical open datasets for lobbying, land registers, company registers and beneficial ownership are not available. As a consequence, there are few opportunities to promote shared responsibility for transparency and accountability across sectors.
4. The six G20 Principles have been observed by the country since 2015, which coincides with when the current social and political turbulence started. Translating these six principles into practical actions has been undermined, mainly because the open data policies and activities have not been aligned with the fight against corruption.

Given the above, it is fair to conclude that Brazil has not done well at the national level in translating the commitments contained within each of the six G20 Principles into either policy or practice.

80. M. Camerer, *What Makes for Effective Anti-Corruption Systems?*, Occasional Paper no. 10 (Johannesburg: South African Institute of International Affairs, 2008), www.saiia.org.za/occasional-papers/152-what-makes-for-effective-anti-corruption-systems/file; L. C. Rispel, P. de Jager and S. Fonn, 'Exploring Corruption in the South African Health Sector', *Health Policy and Planning*, vol. 31 (2015), pages 239–249; Department for International Development (DFID), *Why Corruption Matters: Understanding Causes, Effects and How to Address Them*, Evidence Paper on Corruption (London: DFID, 2015), www.gov.uk/government/uploads/system/uploads/attachment_data/file/406346/corruption-evidence-paper-why-corruption-matters.pdf.

81. Ibid.

KEY RECOMMENDATIONS



Several opportunities exist to create an open data policy that is linked to anti-corruption efforts.

-
- 1** **The ‘open by default’ principle should be implemented and enforced ‘as is’.** Transparent data becomes truly accessible only when anyone can access it in a machine-readable format and under an open licence.

 - 2** **The government, private sector and CSOs must enhance the general public’s understanding of open data.** Both the public sector and CSOs can promote this change by finding a plain, simple language to talk about open data. This can be done via general training, media campaigns and public awareness.

 - 3** **The production of open data should take into consideration how to assist in the prevention,** detection and enforcement of anti-corruption measures. This means opening by default data sets about lobbying activities and establishing such requirements legally.

 - 4** **The link between open data and the fight against corruption should be more explicitly stated.** Establishing the G20 Principles as part of the rule of law in Brazil provides a legal guarantee that this connection will be fostered and implemented.

 - 5** **The government must undertake greater efforts to disseminate existing data sets and make citizens aware that this data exists –** and support people to better use the data.

 - 6** **The government should publish and enforce the proper application of a G20 Anti-Corruption Open Data implementation plan** to make clear the government’s strategy to reduce corruption.

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