THE ROLE OF THE FEDERAL COURT OF ACCOUNTS OF BRAZIL IN ENCOURAGING GOVERNMENT DATA OPENNESS

Clayton Ferreira da Silva, Luísa Helena Santos Franco, Marcio Rodrigo Braz, Rafael Albuquerque da Silva, Sylvio Xavier Junior
IT Auditors, Department of IT Audit
The SAI of Brazil

In 2011, Brazil enacted the Right to Information Act (Law no. 12.527/2011), which is the main regulatory framework on government transparency in the country

Over the last few years, Brazil has established an intense agenda to promote openness and transparency of the State. This agenda includes assuming international commitments, strengthening its legislative framework, and developing cooperative projects with the civil society. This paper intends to present a review of the actions carried out by Brazil's Supreme Audit Institution – the Federal Court of Accounts of Brazil (TCU) – to encourage government agencies to make their data open.

In 2011, Brazil enacted the Right to Information Act (Law no. 12.527/2011), which is the main regulatory framework on government transparency in the country. This act establishes responsibilities and mechanisms to grant citizens easy access to the information produced and managed by the State. It also establishes that government agencies are required to provide open data.

The Federal Court of Accounts of Brazil has been working on government transparency and openness for years. Since 1999, TCU has stablished in its strategic plans actions to encourage social control and to stimulate the transparency of government information.

The first action taken by TCU, was to carry out a survey on "open data" in order to identify the initiatives conducted by government institutions

TCU's current strategic plan establishes specific actions to promote the open government data. In order to implement this strategy, TCU has developed internal projects to open its own data, conducted initiatives to raise awareness of public managers and run regular audits. This paper focuses on these last two actions mentioned.

At first, a research on open data was performed in 2014 by the Information Technology Audit Department (SEFTI). In 2015, TCU published an awareness guide for public managers that presented five reasons for government agencies to open their public data. Then, the Court ran an audit in the education sector regarding open data strategies and practices. Finally, an audit to assess the structural strategies and actions performed by central government to promote open government data is planned to be run. Those initiatives will be detailed in the next paragraphs.

Survey

The first action taken by TCU, was to carry out a survey on "open data" in order to identify the initiatives conducted by government institutions. The scope was defined based on the need to gather a deeper understanding on the meaning of open data and its association with related themes, such as open government, e-government, and Big Data. Another goal consisted in describing the potential benefits of using open government data. The work also included the identification of international initiatives concerning the process of data opening and the services created using them. Thus, a national and an international panorama on open government data were constituted.

In the international context, it was found that civil organizations, citizens, scholars, companies, and public institutions are working together in order to build services and to share public information for the citizens, which establishes a new communication channel between government and society. However, despite the growing interest in the topic and the increase in the number of open data initiatives, the report stated that improvement is necessary and that is why the efforts for consolidating the open data culture remain in the agendas of international governments.

In the national environment, it was found that actions performed by government agencies were not enough to popularize open data at the federal level. Although some work has been done by those responsible for implementing an open data policy on government, there is still much to do to establish an open data culture in Brazil. Thus, in order to have stronger results from this policy, a larger set of actions should be carried out to induce a coordinated and active participation of public institutions in open data initiatives, including the Executive, Legislative and Judiciary branches.

Awareness: Five reasons to open data in Public Administration

One of the survey's main findings is the need to encourage public organizations to get involved in open data initiatives. Therefore, the TCU – whose role is to induce improvement in public administration – prepared a guide to present some benefits that open government data may bring to society: "Five reasons to open data in Public Administration" ("*5 motivos para a abertura de dados na Administração Pública*" [BRASIL]).

The publication is targeted to federal, state and municipal managers, and its goal was to raise awareness in a simple, user-friendly way, using successful examples that are applicable to managers' reality. The guide presents, besides the five reasons to open data in public administration, basic concepts, such as the meaning of open data and which information are not considered open data. According to this

One of the survey's main findings is the need to encourage public organizations to get involved in open data initiatives. Therefore, the TCU – whose role is to induce improvement in public administration – prepared a guide to present some benefits that open government data may bring to society: "Five reasons to open data in Public Administration"

guide, the five reasons to open data in public administration are:

1. *Society requires more transparency in public administration,* and open data is a good tool to help society in evaluating the government's actions and decisions;

2. *Society itself can contribute with innovative services* by developing innovative IT applications to improve people's lives, some of them designed to help with relevant public issues, such as health, education and public safety;

3. *Open data helps to improve the quality of government data* because society itself can identify inconsistencies and point out corrections, which reduces the Public Administration's effort to perform this task;

4. *Open data can enable new business,* because the use of open government data by the private sector may result in new products and services to the population, which helps the economy, creates employment opportunities, and generates income.

5. *Open data in public administration is legally mandatory* in Brazil according to Laws 12.527/2011 (Right to Information Act) and 12.965/2014 (Civil Rights Framework for the Internet).

Auditing

As a complement to TCU's awareness actions, performance audits have been carried out. These audits assessed the open data initiatives conducted by public organizations responsible