

## PROVISION OF TECHNICAL ASSISTANCE BY G20 ANTI-CORRUPTION WORKING GROUP COUNTRIES INFORMATION PROVIDED BY BRAZIL

The 2017-2018 G20 Anti-Corruption Implementation Plan recognizes that, through provision of technical assistance, G20 countries can assist other countries in becoming States Party to, and effectively implementing, relevant international instruments such as the United Nations Convention Against Corruption (UNCAC).

### 1. National anti-corruption programmes/tools that could be shared with other countries:

#### Brazilian Transparency Portal

It is an online platform through which citizens can monitor the financial implementation of governmental programs at the federal level. The Portal provides data on the budgetary and financial implementation of revenue and expenditure of the Federal Executive Branch. The Transparency Portal also publishes information about resources transferred by the Federal Government to states, municipalities, the Federal District and to some natural persons.

Its main aim is to increase transparency within the public administration, allowing citizens to track how public money is being spent.

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TYPE OF ASSISTANCE <sup>1</sup>:  Capacity building

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#### Access to Information Law and Electronic System of the Citizen's Information Service (e- SIC)

The Ministry of Transparency, Oversight and Comptroller General monitors the implementation of the Access to Information Law within the Federal Executive Branch. It is also responsible for providing orientation and training to the governmental agencies in this matter.

The Ministry has developed the e- SIC (Electronic System of the Citizen's Information Service), which allows any person or entity to request information to bodies of the Federal Executive Branch, and also to follow deadlines and lodge appeals.

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TYPE OF ASSISTANCE <sup>1</sup>:  Legislative assistance

 Policymaking

 Capacity building

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#### 'Transparent Brazil' Programme

The program entails online seminars, courses and training on transparency and access to

information mainly to public officials. It is also possible to release the source code of the Electronic System of the Citizen's Information Service (e-SIC), along with the provision of technical support in the implementation of the system. Within the scope of the programme, guidelines on the Access to Information Law have been provided, as well as support for the implementation of transparency portals in states and municipalities under 'Transparent Brazil' Programme.

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TYPE OF ASSISTANCE <sup>1</sup>:  Legislative assistance  
 Policymaking

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### Pro-Ethics Companies' Registry

It is a result of joint efforts between the public and private sectors to promote an ethical and transparent corporate environment. The initiative aims to promote the voluntary adoption of integrity measures by companies, through public recognition of those who, regardless of size and the field of work, show their commitment to the prevention and fight against corruption. The program is based on an annual assessment round which begins with a preliminary analysis of the profile of each company, followed by a self-assessment questionnaire with open questions. After this valuation and approval by the Steering Committee, the annual list of Pro-Ethics Companies is published, generating positive publicity to approved companies.

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TYPE OF ASSISTANCE <sup>1</sup>:  Policymaking  
 Capacity building

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### Conflict of Interest Law and Electronic System for Prevention of Conflict of Interest (SeCI, in its acronym in Portuguese)

On July 2013, Brazil passed its Conflict of Interest Law, which provides for situations leading to this type of conflict during and after the exercise of public office or employment in the Federal Executive Branch. The Law creates tools through which a public servant can prevent situations of conflicts of interest, and sets sanctions for those who fall within these situations. Focusing on the preventive approach of the law and with the aim to facilitate interaction with the public employee, the CGU has developed the SeCI, which allows federal public servants or employees to submit formal consultations to find out if they are likely to fall within a situation of conflict of interest, or to request authorisation to exercise private activity. It also enables the applicant to monitor its consultation and lodge appeals.

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TYPE OF ASSISTANCE <sup>1</sup>:  Legislative assistance  
 Policymaking  
 Capacity building

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## Public Integrity Promotion Programme (Profip)

The Public Integrity Promotion Program (Profip) is an initiative undertaken to encourage and empower bodies of the Federal Executive Branch to implement their own integrity programmes or to adapt their integrity frameworks to the specific risks, especially in what it relates to their interaction with the private sector. Adherence to the Profip is voluntary and formalized through a Statement signed by the maximum authority of the body, with the commitment to provide the necessary resources for the internal implementation of the program. Effective implementation of the Integrity Programme will rely on the careful work to be carried out by the agency itself, with the assistance of CGU. In this context, CGU trains and guides the organizations that take part in the program, by undertaking workshops, providing support materials, consultancy, and complementary activities.

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TYPE OF ASSISTANCE <sup>1</sup>:  Policymaking  
 Capacity building

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## “One for all, all for one!” programme

It is a programme conducted in partnership with the Maurício de Souza Institute (whose mandate is to develop social action campaigns that translate serious subjects into a comic book format addressed to both young and adult readers) which aims to encourage children to become citizens involved with social issues. The program provides material of support to schools, creating the environment necessary for children to become aware of their rights and duties. As a result, they become adults aware of the governmental actions, being able to demand transparency and governmental efficiency.

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TYPE OF ASSISTANCE <sup>1</sup>:  Policymaking  
 Capacity building


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## Ombudsman system (e-Ouv)

It is an online and fully integrated platform through which citizens can submit complaints, denunciations, suggestions, solicitudes and compliments to any public office of the Executive Branch and receive the replies from their Ombudsmen. By managing transactional services of all the Federal Ombudsmen network in just one platform, and helping citizens to discover the liable authorities to address their issues, the e-Ouv provides the environment to enhance public participation on the administration on two complimentary ways: (i) it standardizes the treatment given by the Ombudsman to the citizens in terms of issues typologies, deadlines, and replies and (ii) it provides the Administration with an organized data base on all issues that are submitted through the system, on which, by means of data science, it is possible to create useful information on how the public policies are perceived, as well as its major weaknesses so that Government can adopt corrective measures.

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TYPE OF ASSISTANCE <sup>1</sup>:  Capacity building

 Research/data-gathering and analysis

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### SIMBA – The Bank Transfers’ Investigation System

The Bank Transfers’ Investigation System – SIMBA – is a free software developed by the Office of the Brazilian Prosecutor-General which allows the exchange of bank data between financial institutions and public organs, after due judicial authorization. It has been instituted in 2010 by BACEN (Brazilian Central Bank) and CNJ (Brazil's National Council of Justice) with the support of the Ministry of Justice. It increases the efficiency of investigations, allowing for bank data concerning persons investigated by the Prosecution Service and the police to be safely transmitted from the databank of financial institutions into the Office of the Prosecutor-General of the Republic’s central databank.

<https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/20-24June2016/V1603598e.pdf>

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TYPE OF ASSISTANCE <sup>1</sup>:  Research/data-gathering and analysis

 Others: please specify:

The software can be easily developed in other countries. It is necessary to analyze the banking system of the required country. Brazilian Prosecution Service has various demands on this regard.

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### Map of corruption

The map of corruption is a tool developed by the Brazilian Prosecution Service that allows civil society access to exact information about proposed anti-corruption actions throughout the country. Citizens can consult the progress of processes, values and actors involved. The portal permits the extraction of graphs, interactive tables and map. In addition, the spatial intelligence tool informs data such as number of procedures per year, by states and types of offenses committed.

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TYPE OF ASSISTANCE <sup>1</sup>:  Research/data-gathering and analysis

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### International Campaign against corruption – NO CORRUPTION

The campaign was developed by the Brazilian Prosecution Service, in Portuguese and Spanish, and was launched by the Iberoamerican Association of Prosecution Services. Around the world, 70% of young people between the ages of 18 and 24 are connected to the internet, according to data from international consultancy ComScore. Another data reveals that almost half (49.5%) of people in this age group are engaged in some social network. This justifies the choice of digital communication as the focus of the campaign's dissemination strategy. The intention is that the web

surfer can engage in sharing the pieces, promoting the dissemination of his way, at his pace and through his favorite channels. The action has a website, fan page, profile on Twitter, videos, web banners, Facebook posts, among other pieces of advertising.

<http://corrupcaonao.mpf.mp.br/es/sobre-la-campana>

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TYPE OF ASSISTANCE <sup>1</sup>:  Institution-building

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### Criminal Investigation and Cooperating Agreement's techniques - capacity building



The Superior School of Public Prosecution of the Union (ESMPU) has developed the course "Criminal Investigation Techniques and Skills". The objective is to train prosecutors and competent authorities in production techniques and obtaining conviction elements for criminal investigations, especially in serious and more complex crimes. Brazilian Prosecutors have gained a lot of experience with the last huge cases of corruption. Cooperating Agreement (Plea Agreement) techniques are part of the program's activities.

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TYPE OF ASSISTANCE <sup>1</sup>:  Capacity building

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### Car Wash Case Website - a portal with relevant and transparent information about the largest ongoing Brazilian case of corruption

The website with information about Operation Lava Jato (Car Wash), was elaborated by the Brazilian Prosecution Service and it allows citizens to understand the case and to know the history of the investigations. All the statistics refer to the case are available on Lava Jato's website, where citizens can find the full complaints by the Prosecution Service, the judicial decisions already handed down, articles on the case, questions and answers, among other documents. The website was launched on January 28, 2015 and is constantly updated with the unfolding of the investigation. It is a transparent tool to Brazilian society.

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TYPE OF ASSISTANCE <sup>1</sup>:  Institution-building  
 Research/data-gathering and analysis

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## 2. Existing anti-corruption technical assistance programmes

Not applicable

### 3. Recent technical assistance provided

#### European Union

Within the EU – Brazil Sector Dialogues Support Facility (see <http://sectordialogues.org/en>), there have been a series of joint project between the Ministry of Transparency, Oversight and Comptroller General (CGU) and various institutions from European countries. The CGU has also provided contributions, not necessarily financial ones (for example, it committed itself to organize events to disseminate knowledge acquired during missions to EU countries, for example).

#### El Salvador (in partnership with the United States)

The project, implemented by the Ministry of Finance in El Salvador during 2014 to redesign the Salvadorian transparency portal, was funded by US State Department and USAID and relies on experience and knowledge exchange with the CGU in Brazil. The project's focus on open data and transparency in budget disbursements aimed to provide citizens with data to hold their officials to account.

#### Colombia

In 2014, there was an exchange of experience on the development of the Pro-Ethics Companies Registry between the CGU and Colombia's Transparency Secretariat.

In 2016, representatives of the Office of the Comptroller General of the Republic of Colombia (CGU) visited the Public Expenditure Observatory (ODP), which is CGU's intelligence unit to monitor public expenditures. The meeting, held in Brasilia, aimed at presenting the initiative to the Colombian government and detailing Brazil's actions in the fight against corruption through the use of strategic information. The CGU also shared knowledge about the use of Big Data to control public spending in Brazil during the 3rd Regional Dialogue on Open Government Policy in Latin America and the Caribbean, promoted by the Inter-American Development Bank (IADB) in partnership with the Colombian Government.

#### Tunisia

In 2013, there was sharing of experience in the areas of integrity and open government. The Brazilian delegation was invited to attend meetings with representatives of the Tunisian Ministry of Finance and Governance and Fight against Corruption. Issues such as electronic voting, Transparency Portal, Access to Information Law, OGP (Open Government Partnership), civil society participation mechanisms, budgetary process, publication of asset declarations and Conflict of Interest Law were discussed.

In 2016, the CGU attended the Fifth Ministerial Conference of the Arab Anti-Corruption and Integrity Network (ACINET), hosted by the Government of Tunisia, during which the Brazilian Government shared with other participating States the Brazilian progresses in the promotion of accountability. In this sense, Brazil shared its legislative expertise regarding legislation adopted as a result of international obligations assumed by the country, such as Laws no. 12,813 (Conflict of Interest Law) and 12,846 (Anti-Corruption Law) of 2013. The CGU also shared policies and

programmes designed by the Ministry that seek to promote accountability, such as the National Open Data Policy and the 'Transparent Brazil' Programme.

### International Anti-Corruption Academy (IACA)

Brazil has ratified the Agreement for the Establishment of IACA as an International Organization in July 2013. In the same year, the CGU signed a memorandum of understanding (MoU) with IACA, in which both organizations committed themselves to work together to prevent and fight against corruption. Within the framework of this MoU, the CGU and the Brazilian School of Finance Administration (ESAF) organised in Brazil a module of IACA's anti-corruption master's degree. Students from 18 countries came to the Brazilian capital in April 2016. Students paid technical visits to the CGU itself, the Federal Prosecution Service (MPF), the Federal Court of Accounts (TCU) and visited the National Congress.

Furthermore, the National Council of Prosecution Service has signed an MoU (Memorandum of Understanding) with, IACA in 2016, by which both organizations committed themselves to work together to prevent and fight against corruption. The MoU encourages the participation of Brazilian Prosecutors in the courses provides, but also intends to plan a regional course in Brazil with the stress in combatting corruption in South America.

### Mozambique

Brazilian Prosecution Service has developed a technical assistance project for the Center of Capacity Building for Prosecutors and Magistrates in Mozambique with the support of the Brazilian Cooperation Agency. The program consists on capacity building activities in Maputo and in various cities in Brazil, the latter with more practical work. As a result, Mozambique prosecutors and magistrates have to write practical guidelines, which are supervised by Brazilian prosecutors and published by the Superior School of Prosecution Service. The themes are of different nature, including combatting corruption. On a second basis, Mozambique has demanded Brazil to implement the SIMBA - The Bank Transfers' Investigation System.

### São Tomé and Príncipe

Brazilian Prosecutors have been engaged by UNODC Vienna Office to participate in technical assistance activities in São Tome and Príncipe. On the other hand, the Brazilian Cooperation Agency is developing a specific program to their Public Prosecution Service. The prosecution mission will occur shortly.

### Guinea- Bissau

Brazilian Prosecution Service has developed a technical assistance project for Guinea-Bissau with the support of the Brazilian Cooperation Agency. The program consists on capacity building activities prosecutors have to write practical guidelines, which are supervised by Brazilian prosecutors and published by the Superior School of Prosecution Service. The themes are of different nature, including combatting corruption. The program consists on four modules of activities.

## Cape Vert

Since the MoU signature with Cape Vert Prosecution Service there was sharing of experience in different areas, including combatting corruption. Last year, Brazilian prosecutors attended a seminar in Praia, as panelists, about international cooperation and Asset Recovery.

## Car Wash Case's Experience

Prosecutors involved on the Car Wash case's investigations have been presenting the case and the investigations skills developed on various forums and in different countries, such as Vienna and Doha (UNODC), Dublin and Costa Rica (International Association of Prosecutors), Thailand, and others.

## #NoCorruption Campaign

The campaign was developed by the Brazilian Prosecution Service and was used by 21 countries of Ibero America. All the pieces were produced in Portuguese and in Spanish.

## 4. Challenges and gaps in providing technical assistance

Challenges faced by Brazil for the provision of technical assistance for anti-corruption are mainly budgetary. Due to the financial crisis the country has been facing in the last couple of years, public budgets are constrained. Trilateral co-operation is an option which has been generating good results.

Challenges faced by Brazilian Prosecution Service for the provision of technical assistance for anticorruption are mainly budgetary nowadays, the same as other governmental bodies.

## 5. Current anti-corruption priorities

Current priorities for Brazil that interact with the anti-corruption agenda are:

- Promotion of integrity in the public and private sectors
- Liability of legal persons, including through international co-operation in civil and administrative proceedings
- Promotion of innovation and reduction of bureaucracy and red tape
- Streamline transparency mechanisms within the Public Administration, as well as channels for communication with citizens
- Joint Investigation Teams' Techniques

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*1 For further information on each of these forms of technical assistance please refer to <https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/20-24June2016/V1603598e.pdf>*