

**GRUPO PROPUESTA CIUDADANA  
IBP**

*BUDGET TRANSPARENCY, ACCOUNTABILITY AND PARTICIPATION IN REGIONAL GOVERNMENTS OF PERU*

**Lima, January 2011**



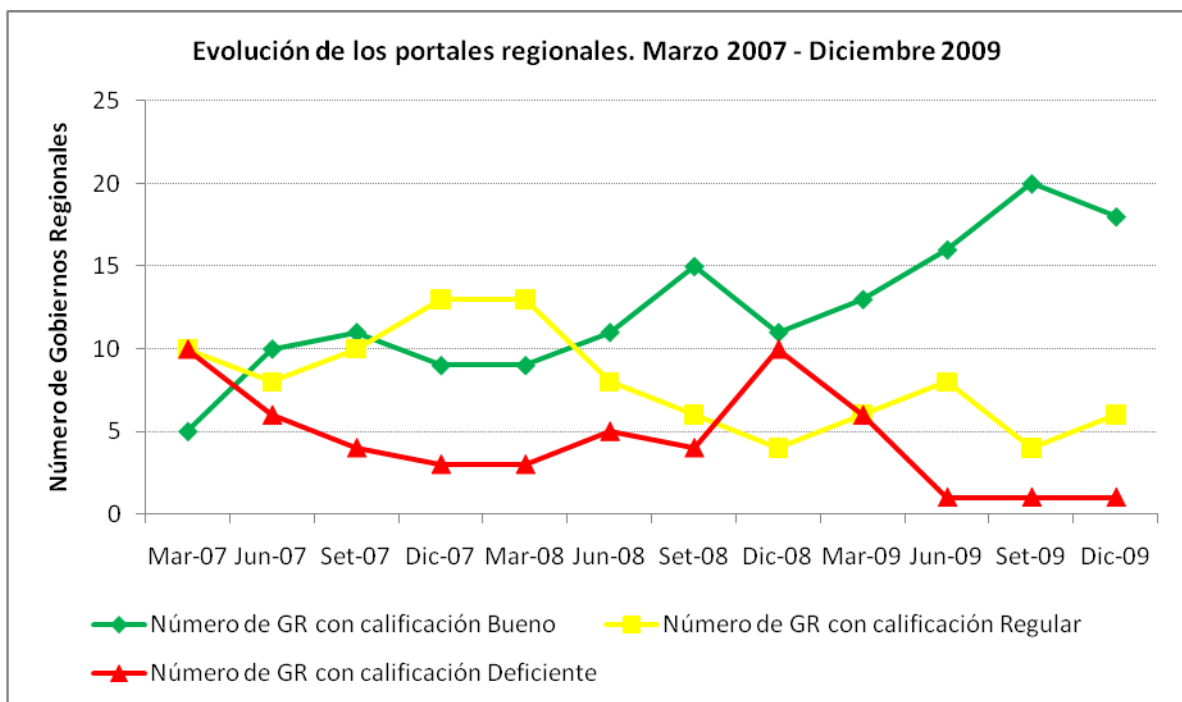


### 2.1.1.1. Evaluation Results: Management of transparency portals by regional governments

The evaluation between 2007-2009 finds that regional governments have maintained and improved their performance on their transparency portals compare to the 2004-2006 period. The number of regional governments that perform well, that is governments that provide complete and updated information, has increased from 5 in March 2007 to 18 in December 2009.

The improvements are also highlighted by the number of regional governments with poor performances in their transparency portals, those with incomplete and outdated information, decreased from 10 in March 2007 to 1 in March 2009. The only deficient transparency portal since 2009 is that of the regional government of Ancash (See Graph 3).

Graph 3:



Source: Regional Governments Prepared by: Grupo Propuesta Ciudadana

These accomplishments by regional governments are praise-worthy due to the fact that they are recently created government entities. While these entities are in the process of finalizing their organic structure, they have surpassed the performance of other older state institutions such as local governments, the executive and other central government entities according to other transparency portal evaluations

conducted by the People's Defense<sup>1</sup>, Peruvian Press Council<sup>2</sup> and Grupo Propuesta Ciudadana.

The following table shows the performance percentages received by regional in the 2007-2009 period. Since the first evaluation (updated information to March 2007) until the last (December 2009), the average percentage of government compliance on updating information on their transparency portals increased from 53% to 77%. (See Table 5).

**Table 5: Performance of regional portals. March 2007-December 2009 (Percentages)**

Evolución del cumplimiento (%)																
Gobierno Regional	1ra	2da	3ra	4ta	Promedio 2007	5ta	6ta	7ma	8va	Promedio 2008	9na	10ma	11va	12va	Promedio 2009	Promedio 2007-2009
Huancavelica	84	90	81	87	86	82	89	100	90	90	79	85	97	100.00	90	88.7
Lambayeque	74	97	90	89	88	81	96	91	74	86	91	92	92	77.78	88	87.1
Junin	71	90	79	92	83	84	73	96	96	87	86	81	89	97.22	88	86.1
Piura	81	90	90	85	87	87	89	94	67	84	76	89	89	87.50	85	85.4
Cusco	58	71	53	66	62	81	81	71	79	78	80	63	86	87.50	79	73.0
Callao	65	73	71	71	70	69	66	74	76	71	69	74	79	87.50	77	72.9
Arequipa	77	84	76	60	74	73	66	67	48	64	76	72	75	70.14	73	70.4
Moquegua	52	44	61	52	52	58	87	93	79	79	82	76	83	73.61	79	70.1
Tacna	65	52	44	71	58	70	73	40	82	66	89	88	88	73.61	84	69.6
Puno	21	23	74	84	51	79	68	93	90	82	86	81	71	59.72	74	69.0
Apurímac	23	94	76	65	65	76	77	51	46	63	64	58	83	87.50	73	66.8
Cajamarca	29	42	76	66	53	58	74	90	81	76	88	67	58	63.89	69	66.1
Ucayali	52	60	60	60	58	55	44	71	76	62	71	72	89	79.17	78	65.8
Lima	65	56	71	65	64	63	68	77	50	65	61	78	64	65.28	67	65.2
Pasco	61	63	66	77	67	56	21	36	32	36	75	92	94	100.00	90	64.4
San Martín	42	52	60	66	55	45	47	74	73	60	86	74	74	80.56	78	64.3
Amazonas	48	63	71	63	61	58	57	72	29	54	66	72	74	78.47	73	62.7
Ica	42	85	61	52	60	69	Inoperativo	33	30	44	50	81	89	84.72	76	60.0
Tumbes	29	32	66	58	46	67	63	71	56	64	45	65	83	80.56	69	59.7
La Libertad	42	44	42	39	42	55	74	81	67	69	49	54	68	86.11	64	58.5
Ayacucho	52	76	56	63	62	58	56	60	34	52	59	57	63	54.86	58	57.3
Huánuco	52	60	58	44	54	55	33	56	36	45	40	71	82	80.56	68	55.6
Loreto	45	47	35	56	46	49	54	64	60	57	55	57	76	65.28	63	55.3
Ancash	55	66	58	84	66	80	79	54	10	56	36	49	32	38.89	39	53.4
Madre de Dios	32	Inoperativo	31	45	36	32	30	31	46	35	49	65	86	53.47	64	44.8
<b>Promedio Evaluación</b>	<b>53.0</b>	<b>64.8</b>	<b>64.2</b>	<b>66.4</b>	<b>62</b>	<b>65.6</b>	<b>65.2</b>	<b>69.7</b>	<b>60.3</b>	<b>65</b>	<b>68.4</b>	<b>72.3</b>	<b>78.6</b>	<b>76.6</b>	<b>74</b>	<b>67.1</b>

**Source: Regional governments      Prepared by: Grupo Propuesta Ciudadana**

Not only did the number of regional governments that perform well increase but, the actual percentage of each transparency portal in this category increased as well. In the first evaluation (2007-I), the highest percentage attained by a regional government was 84% (Huancavelica) while the last evaluation (2009-IV) two regional governments reached the highest possible value, 100% (Huancavelica & Pasco).

The evaluation allows oversight of the individual performance of regional governments. In doing so, the regional governments of Huancavelica, Lambayeque, Junín and Piura maintain the most up-to-date and complete information throughout the surveyed period. It's important to highlight this accomplishment is due to a number of factors, such as political will, legal norms that facilitate and penalize public

<sup>1</sup> The People's Defense undertakes a comparative evaluation of regional governments and provincial municipalities and departmental capitals.

<sup>2</sup> The Peruvian Press Council evaluates a diverse entities of the Central Government such as the ministries, the Congress, etc. using several indicators designed in conjunction with Grupo Propuesta Ciudadana.

officials for non-compliance of duties, experience and dedication of public officials and their team in charge of the portal, functioning institutional coordinating mechanisms between public information officials and responsible offices that have the information, as well as organizational culture favorable to transparency.

Along with the aforementioned regional governments, in 2009 the regional governments of Pasco, Tacna, Cusco, Moquegua, San Martin, Ucayali, Callao, Ica, Puno, Apurimac, Amazonas and Arequipa also started to improve their performance. Although these regional governments had an average performance, it's important to highlight regional governments like Libertad, Tumbes, Huanuco and Madre de Dios, that at the beginning on 2009 had deficient transparency portals but managed to improve by the end of the year.

In the surveyed period, the regional government of Ancash's score was higher than the average between the fourth (2007-IV) and sixth (2008-II) evaluation<sup>3</sup>. However, in subsequent evaluations it has deteriorated and in the eighth evaluation it declined to the lowest level (10%). Since then, this regional government performs poorly and has been the only regional government with a deficient transparency portal in the last three evaluations. Other regional governments that need to improve their transparency portals include Ayacucho, Loreto, Lima and Cajamarca. These regional governments although they do not have deficient transparency portals, do not have good caliber transparency portals.

#### Evolution of the Information Indicators in 2009

The last evaluation (2009-IV) highlights complete and up-to-date information on personnel salary, mechanisms of citizen participation<sup>4</sup>, regional norms and regulations<sup>5</sup> and official activities of regional president (see Table 6).

**Table 6: Performance with Information indicators 2009 IV**

Information Indicator	Performance (%)
Management Instruments	94.0%
Personnel Salary	92.0%
Communication of Regional Governments with citizens	89.0%
Citizen Participation	79.7%

<sup>3</sup> Amongst other reasons, thanks to the public information officer who is in charge of the portal and capacity building provided by Grupo Propuesta Ciudadana in the city of Ancash.

<sup>4</sup> List authorized participants and list of prioritized projects (PB) 2009 and 2019, executive summaries of social audits 2008 and transcripts from the 2008 session of the CCR.

<sup>5</sup> Executive resolutions, acts and ordinances of the Regional Council.

Regional Norms and Regulation	76.3%
Official Activities of the Regional president	76.0%
Budget	67.0%
Public Investment Projects	66.0%
Public Procurement	66.0%
<b>Total</b>	<b>76.6%</b>

Source: Regional Government

Prepared by: Grupo Propuesta Ciudadana

It is worrisome that information on public procurement, public investment projects and the budget is incomplete and outdated particularly the information on budget revenues, selection process, annual plan of procurement, budget execution of investment projects, list of investment projects and supplemental budget. This result highlights the importance of better oversight and constant need for budget information.

Unfortunately, some of this Information at the beginning of the year is good but then it declined in the last evaluation. This is the case on the selection process (from 76% to 52%), supplemental budgets (from 84% to 68%) and the list of investment projects (from 72% to 68%).

However, other important Information on the regional budget is presented in the transparency portal such as the enacted budget 2009, personnel salary, supplemental budget (sources of revenue), supplemental budget (expenditures) and the review of the selection process. Much of this information improved over the year. Between the first and last evaluation in 2009, the performance of these indicators increased for personnel (from 76% to 92%), enacted budget by source of revenue (from 84% to 96%), enacted budget by revenue (84% to 92%), award amount of selection process (from 64% to 72%) and award grantee of selection process (68% to 72%).

The indicator that registers the widest variation between the third and last evaluation in 2009 is budget information. One explanation found in many previous publications by the GPC states that this is due to the lack of political will on behalf of officials of publishing information in December. There may be a fear that individuals believe that this information on procurement and the budget would be the closing of the fiscal year that does not need to be closed until March of the following year. It is better to publish this information with a note that this is the information that is available until December as stated in the Law of Transparency and Access to Public Information where the fiscal year is closed some time after the end of the fiscal year (see Table 7).

Table 7:



Indicators with the highest decline in performance, 2009- IV – 2009 III	Performance (%)				
	2009- I	2009- II	2009- III	2009- IV	Variación (IV-III)
Announcements of Selection Process	76%	72%	84%	52%	-32%
Budget execution of projects	60%	68%	76%	60%	-16%
Supplemental budget (expenditure)	84%	92%	80%	68%	-12%
Public Investment Projects (list)	72%	76%	80%	68%	-12%
Supplemental budget (sources of revenue)	84%	92%	80%	72%	-8%
Supplemental budget actuals (expenditure)	80%	92%	80%	72%	-8%
Selection Process. Approval: Name of selected proposal	68%	64%	76%	72%	-4%
Selection Process. Approval: Amount Awarded	64%	64%	76%	72%	-4%
Annual Plan of Procurement (PAC)	48%	60%	60%	56%	-4%

Source: Gobiernos regionales

Prepared by: Grupo Propuesta Ciudadana

Performance of regional governments by Information indicator in the 2009- IV evaluation

The following list presents the performance of regional governments in three categories: budget and procurement, public participation and regional norms and laws. This information allows us to identify the areas where regional governments need improvement (See Table 8).

**Table 8: Best and worst performers of regional government by categories. 2009-IV**

Performance (%)	Rubro de información		
	Budget & Procurement	Public Participation	Laws
100%	Huancavelica	Huancavelica	Huancavelica
(Good)	Pasco	Pasco	Pasco
	Callao	Junín	Junín
		Callao	Cusco
		Amazonas	Apurímac

		Lambayeque Tacna Lima	Piura San Martín Amazonas Lambayeque Tacna Cajamarca
Less than% (Deficient)	Ancash Madre de Dios Cajamarca Puno Ayacucho	Ancash Cajamarca	Ancash Moquegua Lima

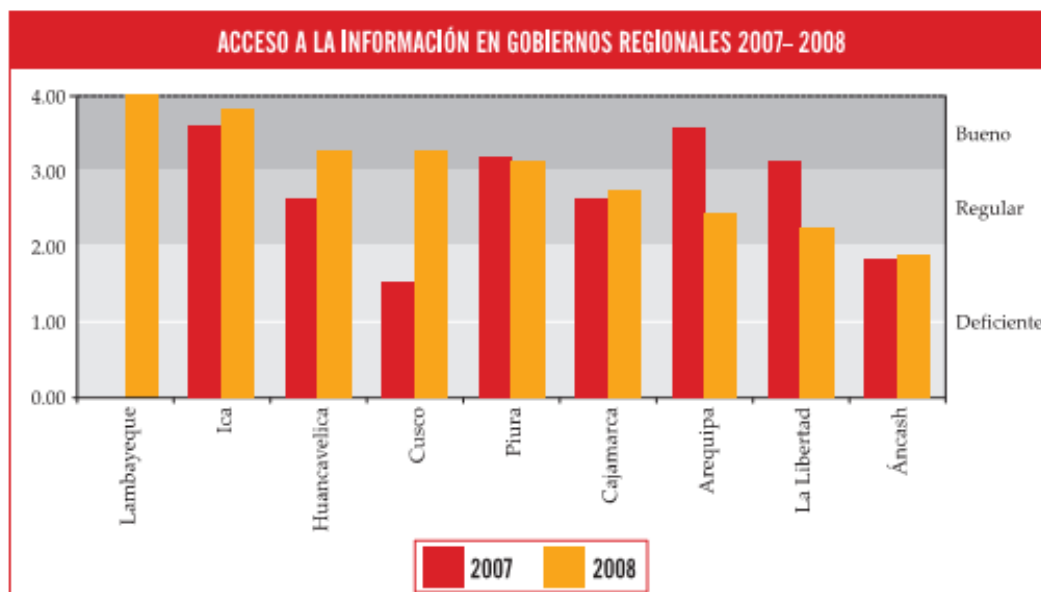
Source: Gobiernos regionales

Prepared by: Grupo Propuesta Ciudadana

### 2.1.1.2. Results

In 2008, the performance level of regional governments of delivery of information requested by Vigilia Peru was average similar to 2008 (see Graph 4).

Graph 4:



Fuente: Gobierno regional.  
Elaboración: Vigila Perú.

In 2008, the regional governments of Lambayeque, Ica, Huancavelica, Cusco y Piura provide complete and timely information requested by Vigilia Peru. At the end of the year, the Regional Government of Huancavelica significantly improved. In the cases of Cusco and Piura, less budget information was delivered at the end of the year.

In the group of regional governments with average performance in access to information, we find Cajamarca, Arequipa and La Libertad. The regional governments of Cajamarca and Arequipa improved their performance by the end of the year. Information delivery on procurement was the most difficult in Cajamarca. In Arequipa, information delivery on the budget and procurement was most difficult. Finally, in this group, the regional government of La Libertad has an average performance on information delivery. In the last quarter, this government didn't present information on the budget (see Graph 5).

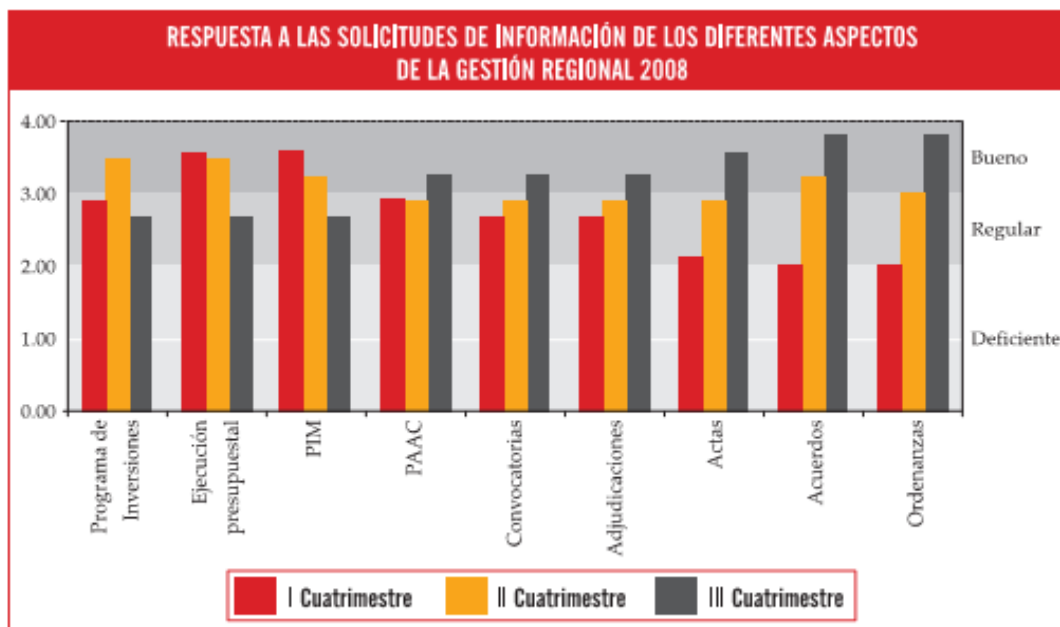
**Graph 5:**

ACCESO A LA INFORMACIÓN 2008					
2008	I cuatrimestre	II cuatrimestre	III cuatrimestre	Promedio	Evolución anual
Lambayeque	4.00	4.00	4.00	4.00	0.00
Ica	3.56	4.00	4.00	3.85	0.44
Huancavelica	1.78	4.00	4.00	3.26	2.22
Cusco	2.67	4.00	3.11	3.26	0.44
Piura	2.67	4.00	2.67	3.11	0.00
Cajamarca	2.44	2.44	3.33	2.74	0.89
Arequipa	1.89	2.11	3.33	2.44	1.44
La Libertad	2.67	2.00	2.00	2.22	-0.67
Áncash	2.67	1.00	2.00	1.89	-0.67
Promedio	2.70	3.06	3.06	2.93	0.35

Fuente: Gobierno regional.  
Elaboración: Vigila Perú.

The Information that is usually complete and delivered in a timely manner is budget execution and the supplemental budget. The rest of the information is delivered in acceptable forms though improvements can be made. (see Graph 6).

**Graph 6:**



Fuente: Gobierno regional.  
Elaboración: Vigila Perú.

### 3. Information Demands of Civil Society: Three Case Studies on Regional Governments

Three case studies were conducted in the Departments currently covered by Grupo Propuesta Ciudadana (GPC). In each Department, the following activities were carried out:

- 1) Examined the accountability workshop on the 2011 participatory budget (reporting on the previous year's participatory budget)
- 2) Advised the participatory budget monitoring committee
- 3) Held a workshop attended by civil society leaders, who are potential users of the transparency mechanisms, access to information and accountability of the participatory budget, and by the regional officials in charge of implementing these mechanisms
- 4) Walk-in "off-the-street" citizens filed requests for information on budget with the regional government.
- 5) Interviewed regional officials in charge of transparency, access to information and accountability

The purpose of the case studies was to:

- 1) Identify and explain the supply of budget information offered by the regional governments through different mechanisms, such as the transparency portal, requests for information and participatory budgeting accountability.
- 2) Identify and strengthen civil society's demand for public information, particularly, information requirements of the participatory budget monitoring committees.

- 3) Offer recommendations, based on this assessment, to adjust participatory budget monitoring indicators.
- 4) Provide assessments of budget transparency in the regional governments

The three case studies conducted by the partners of Grupo Propuesta Ciudadana in the departments of Piura, Cusco and Lambayeque are presented below.

### **3.1. Regional Government of Piura**

The Piura Regional Government (PRG) case study reflects the 6 years of experience of Vigila Peru, under the direction of Centro de Investigación y Promoción del Campesinado (CIPCA), a founding partner of Propuesta Ciudadana, which has issued 18 reports and 4 specialized bulletins since 2003.

#### **3.1.1. Access to Information, Budget Transparency and Accountability**

For the purposes of this case study, access to information has been defined as the procedure whereby individuals are able to ask for public information by written request, either physically or by electronic means, and a response to the request will be received from the public entity within the statutory time period. Nonetheless, two aspects must be noted with regard to this mechanism in the Regional Government of Piura between 2003 and 2010: the high turnover of public information officers and the political party that was in office at the time, whose job it was to manage this process.

The public information officer changed as many as four times during the 2004-2010 period, as listed below:

- Tulio Guido Vignolo Díaz. 2003
- Ruby María Landa Rivera and Marco Olivares Luna. August 2004.
- José R. Seminario San Martín, November 16, 2004. RER- 0861-2004.
- Jorge Cabellos Pozo. September 15, 2008. RER- 563-2008/GOB-REG-PR

None of the four officers had any prior experience in providing information under the law and, furthermore, the last two officers to serve in that position, performed the duty at the same time as Secretary General of the office. Moreover, it must be noted that the turnover did not

aid in improving the process of response to requests, but rather led to the hiring of new staff in charge of following up on requests for information, as could be observed in 2009.

Regarding the political leadership of the regional government, between 2003 and 2010, the government was controlled by APRA party [American Popular Revolutionary Alliance], and chief executive dentist Cesar Trelles Lara, won reelection. However, that did not mean that he had the backing of the majority of the people (he received 28% of the votes in 2002 and 25%, in 2006).

#### **3.1.1.1. Requests for Public Information**

One way to gain access to public information, as provided by law, is through the filing of a request. The RGP has appointed an officer for this purpose who, at the same time, serves as the General Secretary, at least the last two individuals to serve in this capacity had the dual function. This limits what the officer is able to do and, although a legal advisor assisted him, the advisor also performed other duties. Consequently, at this time, the task of following up on information requests has been assigned to a contractor.

### **Regional Government Response to Requests**

As of 2004, the regional government received a good rating in its response to requests for legal and regulatory information.<sup>6</sup> However, the RGP does not provide timely information within the statutory time periods on the Investment Program, the Annual Procurement Plan, actual budget execution and the Supplemental Budget, when it is requested at particular times of the year.

For example, if a request is filed for actual budget execution and Supplemental Institutional Budgets, under the Ministry of Economy and Finance directive granting a deadline of the fiscal year-end of March for this information, the regional government does not provide it or is late in doing so.<sup>7</sup> This behavior has been observed since 2004 until the present time, as the RGP does not update or release any of this information under the assumption that it can be misinterpreted.

---

<sup>6</sup> Regional Report 11, 14 & 17 of Vigila Peru

<sup>7</sup> Regional Assessment Report 11, 14 & 17 of Vigila Perú.

Additionally, it should be noted that personnel hiring is not a transparent area. Despite repeated requests for information, as of this time, the exact number of hires, or whether people hired as non-permanent staff are qualified professionally to fill the positions, is not known.

Currently, difficulties in responses to information requests filed with the RGP can be identified.<sup>8</sup> A follow up is conducted on requests identifying the shortcomings and notices are sent out stressing that a response must be provided.<sup>9</sup>

According to the report submitted to the Office of the Chief of Staff of the Council of Ministers of the RGP, 116 requests were filed in 2007; only 54 requests in 2008 and 119 in 2009, which is an indication of the lack of familiarity with the statutory requirements by the citizens in a region with a population of more than one and half million inhabitants.

In 2007, seventeen civil society organizations filed requests for information, while 8 of these organizations did so in 2008, and 7, in 2009. Even though every one of these cases, the reports submitted to the Chief of Staff of the Council of Ministers indicate that all requests received a response. In 2009 Vigila Peru requested information pertaining to the Agua Bayovar Project and received no response. These reports must be widely distributed so that the entire community can confirm whether or not all requests for information are actually met.

### **Main Achievements and Difficulties in the Information Delivery Mechanism**

#### a) Achievements

One of the achievements of 2009 and 2010 was that requests now go directly to the public information officer, while prior to that time they could have been forwarded to the offices, where they would fall through the cracks and go unfulfilled.<sup>10</sup> This failure was corrected by

---

<sup>8</sup> Public Information Officer Ing. Jorge Cabellos Pozo delegates this task to an employee, CPC Julio Morocho, who joined the section in January 2009. He is supported by legal advisor Jorge Ayon in responding to information requests. The change in staff was noticed when CIPCA filed requests for information and received a response within the statutory time limit.

<sup>9</sup> For example, the 2009 Participatory Budget Monitoring Committee's request for information was filed on March 22, 2010. The request was forwarded on March 24 to the Office of Regional Planning Budget and Territorial Infrastructure and two notices were issued stressing the need to respond to the request. Finally, on April 21, the response was forwarded to the Secretary General's Office and on April 22 the requesting party was notified that the information was available for picked up after paying photocopying fees.

<sup>10</sup> Report 11, 14 & 17 Vigila Perú.



training the Document Processing personnel,<sup>11</sup> even though requests are still addressed to the regional executive and end up in this office. However, the public is unfamiliar with the process, they are subsequently referred to the appropriate office. Additionally, a simple internal directive was issued coordinating the process with the Document Processing personnel.

Currently, requests for information are marked with a red stamp of “Very Urgent” and are referred to the Office of the Secretary General with a notice indicating how important it is to respond within the statutory time period and that, otherwise, those responsible will be sanctioned accordingly.

Between 2004 and 2008, it was noted that the RGP did not comply with the time period for an extension provided by the law.<sup>12</sup> Furthermore, it is still difficult for personnel in charge of responding to requests for information in each area to properly perform this task because they are required to perform other tasks as well.

The second achievement is that, when notices are issued stressing the need to respond to information requests, the responsible offices are pressured and the requests are indeed met, even though the time period has lapsed.

A third improvement is that requesting parties are provided direct access to the document, even though this practice is just starting to be implemented. In order to gain such access, the person in charge of follow-up must accompany the citizen to the area where the information is located in order to facilitate his or her reading the document.

Lastly, training the person in charge of follow-up has been key to improving the response process, as was consistently mentioned in the assessment reports of Vigila Peru (No. 11, 14 & 17).

#### b) Difficulties

---

<sup>11</sup> Propuesta Ciudadana Workshop, International Seminar on Access to Information (Office of the Ombudsman) and Conference on Access to Information (IPYS: Press and Society Institute)

<sup>12</sup> Report No. 11 Vigila Perú

The public's unfamiliarity with how and to whom one files a request for information should be addressed and it is one of the difficulties listed by the RGP with regard to the information delivery mechanism.

A second difficulty is that other public entities request information under the law from these offices, even though the law does not apply to them and public information is supposed to be shared between agencies of the State.<sup>13</sup>

Sanctions must be clearly defined. This area is "open-ended,"<sup>14</sup> because the Law does not specifically set forth the sanctions for public officials or servants who do not comply with the requirement to provide information, even though many public information officers may be perfectly willing to provide it.

#### **3.1.1.2. Transparency Portal**

Since 2003, the position of chief operations officer of the regional government portal ([www.regionpiura.gob.pe](http://www.regionpiura.gob.pe)) was assigned to Engineer Omar Rivera Calle, who was also the Chief of the Office of Information Technology. As of May 12 2010, Jose Pereyra Gil has served in the position.

The RGP's web portal update and management team consists of Walter Odicio, web master, and Norberto Recarte Romero and Omayra Sifuentes, web support officers. Walter and Norberto have held the positions since 2003.

Vigila Perú believes that efforts in this area reflect the suggestions it put forth in its reports and as many as three employee training workshops have been conducted at the initiative of the Office of Information Technology.

#### **Implementing and Updating the Regional Government Transparency Portal**

The Piura regional government portal has undergone a positive evolution since 2004. At first, it rented its server and then, in 2005, successfully secured its own dominion.

---

<sup>13</sup> Interview of Julio Morocho.

<sup>14</sup> Ibidem

In 2005, however, the RGP did not score high marks despite the fact that under Regional Executive Resolution 066-2005/GRP-PR the document known as the General Standards for the Administration of the Electronic Portal of the Regional Government had been approved.<sup>15</sup> This document established the procedure and duties of the managers and offices in charge of periodically preparing and uploading information onto the portal.

A second internal document, Directive 04 appoints coordinators in each area who are accountable for monthly updating; however, many technical aspects of performing this task elude the coordinators.

This study must reflect that the portal changed design on several occasions, two of which are noteworthy. The first occasion was on June 10, 2005 and was intended to show Piura's touristic appeal, promote the region and to allow any other foreign entity that wished to contact the regional government to be able to obtain information on the institution and the area. It also added a link to track documents that are submitted to this government by just entering the file number and another executive administration code number, and these documents have been kept as of the present time.<sup>16</sup>

In 2007, the personnel in charge of updating the portal received training at workshops conducted by non-governmental organizations,<sup>17</sup> and were encouraged to research and study the legal provisions governing the mechanism.

A second noteworthy change took place in 2009 when a link was added called 'works tracker', which can be used to learn the current status of a construction project, gain access to technical specifications, the curriculum vitae of the supervisor, see photographs of the completed portion of the work, as well as the physical and financial status of the work.<sup>18</sup>

### **Regional Government's Main Achievements and Difficulties in Implementing the Transparency Portal**

---

<sup>15</sup> February 7, 2005

<sup>16</sup> Assessment Report No. 11

<sup>17</sup> Observa, Transparencia, Defensoría del Pueblo, Propuesta Ciudadana & Cipca, held between 2009 and 2010.

<sup>18</sup> Bulletin 3 Vigila Perú January-October 2009

#### a) Achievements

Putting together the team to implement suggestions is one of the main achievements in the area of transparency, as recommendations of non-governmental groups and organizations are consistently welcome in order to improve the portal.<sup>19</sup> Between 2004 and 2010, support for training by non-governmental organizations, Propuesta Ciudadana and other groups as well as the PCM [Office of the Chairman of the Council of Ministers] has been achieved.<sup>20</sup>

The leadership of the RGP has shown that it has the political will to improve this mechanism and this has made it possible, at this time, for the team to engage in several initiatives to make the portal more user friendly. An attempt is being made so that lay users can easily understand, assimilate and process the information that is provided.<sup>21</sup> The creation of the public works tracking link has made it possible for upper-level government management to monitor the efforts of government officials, particularly with regard to execution of public works, and has sparked interest among citizens.<sup>22</sup>

#### b) Difficulties

Updating sensitive information on topics such as actual budget execution, public works and personnel, is one problem area that needs to be overcome. Despite assertions from the team that coordinators fully support its work, team members also believe that support in the form of fulfilling the law is needed.<sup>23</sup>

User-friendliness is a second aspect that has posed difficulties. While information can be found in PDF format, print outs of this information are illegible because the font is way too small to read. In addition to that, it is difficult to read the information on the home page in the floating windows and understand the audio on the video,<sup>24</sup> and consequently, a proposal has

---

<sup>19</sup> Report 11, 14 & 17

<sup>20</sup> September 2009 training begins on the general guidelines for portals and access to public information (directive)

<sup>21</sup> Interview of the Chief Transparency Officer and Chief of the Technology Office, José Pereyra Gil and web support staffer, Norberto Recarte Romero

<sup>22</sup> Workshop on information demands of the RGP, May 28, 2010.

<sup>23</sup> A request will be made to include under public works, items such as personnel contracts and mandatory updating of information in the public works tracker. Interview of Pereyra and Recarte.

<sup>24</sup> Workshop on information demands of the RGP, may 28, 2010.

been put forth to overhaul the site to include a data base to aid in public administration decision-making.

A technical factor has also become a challenge for the Office of Technology, which is headed by the Chief Transparency Officer of the RGP, inasmuch as executing units do not have their own portal, though they are currently engaged in a project to solve this problem. It must be noted that the web server of headquarters handles information from several different manageable web sites one of which is the transparency portal.

There is a pressing need to disseminate the portal's content because very few people know about it and the lack of awareness has bred unfavorable views. For this reason, public information campaigns need to be planned. However, one factor working against this is the digital divide, as those most concerned about tracking performance of the RGP are in the over 40 years of age bracket and, for the most part, this segment of the population does not have access to Internet or uses it only occasionally.

Lastly, we have noticed a lack of sectorial policy guideline documents such as the Regional Education Project and, therefore, a link to facilitate access to such documents is needed.

### **3.1.1.3. Participatory Budgeting Accountability**

Modern management and accountability is the third guiding principle of regional governments, as provided by the Organic Law. This statute establishes that Regional Public Administration must be based on a modern system of management that is subject to performance evaluation.

Nonetheless, we note that the Participatory Budget at the regional level has not been successfully consolidated into a mechanism of participation and consensus building,<sup>25</sup> particularly, because the information that is provided in the accountability phase is incomplete and tends to confuse participating agents.<sup>26</sup> It is possible to question whether the participatory budget is simply a list of public works with a breakdown of execution percentages, and it is impossible to know what it actually refers to; that is, whether it refers to

---

<sup>25</sup> Reports 11, 14 & 17 Vigila Perú

<sup>26</sup> Report of the 2009 Citizen Monitoring Committee (CVC 2009).

a goal or a whole project and whether or not these works have any impact (that is, whether or not they are related to the strategic objectives of the Regional Consensus Development Plan or to Regional Resolutions).

The input for the participatory budgeting process is not always delivered in a timely fashion and it also comes in illegible photocopies,<sup>27</sup> which of course displeases the participants, who cannot analyze it nor offer remarks or ask questions about it.

The process involves marathon sessions during which difficulties are not presented, nor are the solutions or the corrections reached or made along the way brought to light, while the period of time over which the sessions run is also cut short because the process does not get started early enough. Furthermore, the lack of political will to reach a consensus is obvious, which is reflected in the fact that the regional executive is never in attendance and he or she delegates the executive role in the participatory budgeting exercise to the second in command.

With regard to commitments taken on by the different actors in the process, only matters of concern to the Regional Government of Piura are addressed. We have noticed a lack of participation of private investors and of the 2010 Participatory Budget Monitoring Committee. It must be noted that the 2009 Participatory Budget Monitoring Committee issued several reports in 2009. One report addressed the process itself, another report covered progress and, the third one, assessed fulfillment of commitments taken on at the end of the 2009 fiscal year.

As far as absences at the plenary meetings, the lack of attendance of participating agents as well as citizens and mayors is troubling, inasmuch as these meetings are meant to hold the regional government of Piura accountable and, therefore, involve learning about forward steps, difficulties and backward steps in government administration.

Professional associations, universities and businessmen do not participate either and that could mean that other negotiation processes may be taking place elsewhere, which lack transparency or in which other political and economic interests are at stake. Furthermore, we have noticed an absence of the education and health sectors, which are key to promoting regional development and are directly linked to high-priority National Strategic Programs.

---

<sup>27</sup> Due to small fonts and, in other instances, text is illegible, because of the use of dark photographs or backgrounds.

### **3.1.2. Citizens' Information Demands**

#### **3.1.2.1. Civil Society's Demands for Information**

There are two key areas on which civil society has focused its information demands: spaces for consensus building and monitoring of government performance.<sup>28</sup>

Accordingly, there is a demand for the transparency portal to provide information links to spaces for consensus building, such as the Council of Regional Coordination, the Assembly of Delegates and the regional councils (which currently number 16). There is also a demand for timelier updating of the information displayed, particularly with regard to the budget and public works.

This demand is also apparent in requests for information filed under the Law of Transparency and Access, as is reflected in the report submitted by the RGP to the Chairman of the Council of Ministers in 2009 indicating that the most requested type of information is budget-related.

#### **Public Awareness of Laws and Regulations and the Use of Information Access Mechanisms**

We notice that even though people are aware of the existence of the Law of Transparency and Access to Information, not everyone has used it and learned about the procedures and mechanisms that have been implemented under it, both with regard to requests for access and the portals that are supposed to provide information.

People only make superficial visits to the portals and do not explore the links or learn about the web pages, such as the Integrated System of Financial Administration, which could aid in citizen monitoring.

As a result of this lack of awareness of portal content, people request information that has already been posted on the RGP web site. Further compounding the situation is that not all of the population is connected to Internet and many people do not get onto this medium to

---

<sup>28</sup> Workshop on Information Demands

search for information, but rather only to use it to converse or send text messages or they simply do not know how to use the Internet.<sup>29</sup>

### Main Information Demands

In Table No. 1, we can see demand for information from citizens, but we can also verify that people do not make much of an effort to inquire about this information, inasmuch as items such as municipal ordinances and government resolutions are already provided on the RGP portal.

We can also verify that the people want to communicate with its government. Since no consolidated space for dialogue is in place, people are concerned about what is going on in government. Even though 16 regional councils have been set up, only two of them show any kind of active life that is reported on by the media: the Regional Council of Women and the Regional Council of Agrarian Development.

Citizen monitoring and oversight, therefore, have become a tool for people to obtain a response to their concerns and as such, demand for information is evident. (See Table 13).

**Table 13: Demand for Information from the Regional Government of Piura**

AREA	SECTOR	REQUEST
Public Administration	Unions	Information on efforts of councilmen: proposed ordinances, measures taken, etc.
		Verification of information in tracking system of document processing
	Professional Associations	Most impactful projects to be carried out in the region and how they fit in with the provincial and regional focuses of development.
	Education	Sectorial policy guideline papers such as the Regional Education Project and regional curricular design
		Links to public sectors (regional offices, ministries, etc.)
		Updated statistics (demographics, educational, health statistics, etc.)
		Ordinances
		Resolutions
	Universities	Information on research financing and a link with the Institute of Science and Research
	Journalists	Updated information on the portal

<sup>29</sup> Workshop on information demands of the RGP, May 28, 2010.



Spaces for consensus-building and citizen participation	Unions	Space for chat with the regional president
		Information on the assembly of delegates of civil society
		Link for citizen opinions without limiting the range of issues
	Professional Associations	Accountability of the Regional Coordinating Council
	Education	Tracking of activities of the participation bodies

Source: Workshop on demands for information from the RGP, May 28, 2010.

Preparer: CIPCA

### 3.1.2.2. Demands of the Participatory Budget Monitoring Committees

Only the 2009 Participatory Budget Monitoring Committee (CVC2009), elected at the end of the process on July 1, 2008, was included in this case study, because the 2010 Committee is inactive and the 2011 Committee has not yet begun its work. However, it must be noted that of the five members of the 2009 Committee, only one followed through until the end of the process, submitting three of the reports that were proposed for preparation: Antenor Sihuay and Enrique Carrasco. (See Table 14).

**Table 14: 2009 Participatory Budget Monitoring Committee**

INSTITUTION	NAME
Asociación Comisión de Regantes “Valle de los Incas” – San Lorenzo Irrigation Commission Association “Valle de los Incas”	César Augusto Benites Laureano
Association for Research and Social Development	Cristhian Mera Cherre
Federation of Civil Construction Workers Grau-Piura Region	Antenor Feliciano Sihuay Vílchez
Asociación de Pequeños y Medianos Empresarios de Servicios Industriales, Comerciales y Artesanales del departamento de Piura – APEMIPE [Association of Small and Medium Businessmen of Industrial, Commercial and Artisanal Services of the Department of Piura]	Enrique Alberto Carrasco Morales
Board of Users of the Irrigation District of “San Lorenzo”	Alexander Pasapera Villegas

Prepared by CIPCA

### Information Requests

The members of the 2009 Participatory Budget Monitoring Committee (CVC2009) know their right to access to public information, use the Law of Transparency and Access to Public

Information, through which they obtain the information and documents required for their reports, and also visit the transparency portals of the regional government of Piura and of the Ministry of Economy and Finance, particularly the Integrated System of Financial Administration (SIAF).

The most requested information is the Supplemental Budget, particularly the area of investment. As the budget changes, as a result of increased funding, the Committee must inquire into how the newly appropriated funds will be used or whether resources appropriated for public works are increased or decreased. The Regional Government of Piura does not readily make this information available.

The second most requested type of information is budget execution status and technical files, particularly, the project for Improvement of Operational Capacity of Basic Services of Health Establishment 1-4 Bellavista, Microred Bellavista, Red Sullana.

Two of the four members of the 2009 CVC took it upon themselves to file requests for information with the Regional Government of Piura and followed up on the status of the requests (Antenor Sihuay y Enrique Carrasco).

### **Information Used in Committee Reports**

In order to prepare the three reports, the members of the 2009 CVC used information obtained under the Law of Transparency and Access to Public Information as well as portal searches. Consequently, the members have developed the capacity to identify the status of public works, determine budget execution status, search for information in the SIAF and the SNIP using the public works codes, which allow them to cross check information, either provided directly by the Regional Government of Piura or posted on its transparency portal.

Additionally, the CVC members are familiar with the procedure for public works approval as well as the rules governing public investment.

Nonetheless, they believe that even when information is provided under the law, it is still just one source of information: the RGP and a second source is required in order to crosscheck it. For this purpose, they propose the creation of Public Works Committees, which would make

it possible to obtain information to either confirm or question the government's official information.

### **Efforts to Enhance Access and Use of budget information by the 2009 Monitoring Committees**

The Center for Research and Development of Peasants (CIPCA) has been the institution that has worked with the 2009 CVC, since it was created. During the consultancy execution period, the CVC members were invited to participate in training workshops of Propuesta Ciudadana (on such topics as Law of Transparency and Access to Public Information, as well as Public Budget).

The CIPCA has also provided CVC members with ongoing advisory services and (technical and logistical) assistance in preparing their reports, more specifically, three working meetings were held to aid in drafting the third and final report (May 6 and 29 and June 29). The approval of the third report was made possible by the support of the CIPCA, this past June 26 at the Library of the institution.

#### **3.1.3. Conclusions and Recommendations**

##### **3.1.3.1. Conclusions**

- a) Political will, as well as accountability, is needed to make information transparent and allocate budget to the promotion and fulfillment of the Law of Transparency and Access to Public Information.
- b) RGP response to requests for information between 2003 and 2010 can be rated as satisfactory, although a reticence to provide some documents, particularly budget-related ones, can be detected.
- c) A distinction must be drawn between the law and directives that hamper access to public information.
- d) Managers or area coordinators in charge of responding to information requests or updating information on the portal have other tasks to perform, which forces them to prioritize their duties.

- e) One person's willingness can contribute to the improvement of the response process, but the system needs to operate on the basis of the willingness of everyone who is a part of it.
- f) Sanctions for public employees who stand in the way of or do not provide public information have not yet been defined.
- g) Citizen demands for public information are focused on two specific areas: performance of public administration and spaces for consensus-building and citizen participation.
- h) The government is not adequately prepared to account for its actions and accountability has turned into a recounting of public works and not an explanation of decisions made in public administration. Regional strategic objectives are not taken into account either.
- i) The Citizen Monitoring Committees, except for the 2009 Participatory Budget Committee, have not been successful at forging solid spaces for oversight of public administration.

### **3.1.3.2. Recommendations**

- a) Continue to sensitize public officials and employees and, particularly, foster the political will to work in these areas, which will redound to the benefit of the political leadership, by correcting shortcomings in public administration.
- b) Undertake an on-going public education campaign on the Law of Transparency and Access to Public Information.
- c) The Citizen Monitoring Committees require greater support and preparation in order to be able to perform the duties they are supposed to perform during the year of operation.
- d) Carry out a public education campaign on the content of the RGP portal so citizens are able to gain access to information and issue an informed opinion.
- e) Non-governmental organizations must join forces to work to strengthen the area offices responsible for Transparency as well as Access to Public Information.

## **3.2. Regional Government of Cusco**

As part of the Vigila Peru system, the Bartolomé de las Casas Center for Regional Studies and the ARARIWA Association undertook the task of regional government monitoring of the Government of Cusco by producing and disseminating periodical reports. One of the topics

that received attention was monitoring of access and transparency in the context of the process of decentralization.

### **3.2.1. Access to Information, Budget Transparency and Accountability in the Regional Government of Cusco**

#### **3.2.1.1. Requests for Public Information**

##### **Response of the Regional Government to Requests**

The regional government set up mechanisms to provide information to the public in early 2003 but responses to requests filed at that time were not provided within the anticipated time, nor were they adequate. Implementation of the Procedural Administrative Handbook (TUPA for its Spanish acronym), which was updated in 2007 under OR [Regional Ordinance] N°029-2007-CRC/GRC, made it possible to better serve citizens' requests for information.

The follow-up on the information request mechanism of the Regional Government of Cusco during the 2003-2010 period generally showed that citizens were benefitting from it. However, results were mixed depending on the area in which information was requested, such as laws and regulations, budget, participatory budget, procurement and purchasing plan, Regional Council performance, among other areas.

In order to address the topic of transparency, the regional authority issued Regional Executive Resolution N°058-2010-GR CUSCO/PR, providing for appointment of officials in charge of setting up the transparency portal of the Regional Government of Cusco and keeping it up to date, including a Regional General Manager, an Assistant Manager for Planning, and an Information Technology Office, as well as appointing a Public Information Officer in the Seat of the Regional Government of Cusco, which went to the Secretary General.

So it is fair to say that the Regional Government of Cusco indeed made changes that help to improve the transparency portal. Additionally, it did appoint more officials (a General Manager and Assistant Manager for Planning) to manage the creation and updating of the portal, which enhances the public information dissemination and outreach system.

In conjunction with this case study, requests for information were submitted through various mechanisms offered by the regional government for this purpose.

- a) Information request by “walk-in citizen” at an information window of Records Control, run by the Regional Government of Cusco; receipt of the request was recorded as File N° 6414, dated October 6, 2010.

The information requested was as indicated below:

- a. A list of projects by order of priority in the 2010 participatory budget of the Regional Government of Cusco including a rough breakdown of the total amount for each project, the status of the project and the participating agent that introduced the project.
- b. Program of investment budget specifying the projects that were given top priority in the 2010 participatory budget. Specify the names of each of these projects, the SNIP code number, the total amounts for each project and actual execution for the first quarter of the year.

The next step was filing a request with the Office of the Manager for Planning on June 11. On June 25 the walk-in, “off-the-street” citizen is contacted via e-mail to let him know the information is ready. Lastly, the information is handed over to the requesting party; the response is delivered in the form of a CD. It includes the 2010 Investment Program, appearing in order of priority assigned by the Regional Government of Cusco. The second piece of information was the 2008-2012 multi-annual programming tables specifying each project by name and actual budget execution for each one, though the SNIP codes were not included.

- b) The second request was addressed to the Secretary General of the Regional Government of Cusco and the official in charge of providing information on the report of requests for access to information submitted to the Office of the President of the Council of Ministers – forms 1 to 6 during 2009.

The response was provided six days after being filed with In-take, along with copies of the forms that were filed which included a recommendation that had been put forth more than three years earlier noting the need for adequate infrastructure to be in place for the Central Archives of the Seat of the Regional Government in order to properly

manage documents and records (at this time, documents are kept in several different locations).

For the most part, it was not difficult to get ahold of information. The only thing was that when you called to find out whether the document was ready, they claimed that it had been sent out and, since it did not arrive, you had to go pick up the requested document in person.

- c) The third means of requesting information was through the Regional Government of Cusco's request for access to information form. In this instance, information on the Accountability Report presented at the 2010 participatory budgeting workshop, as well as a list of participants at the workshop, were requested.

The response was provided three days after it was filed at the intake desk. The information pertaining to the accountability report was delivered on a CD, along with other presentations that were given at the workshop that same day and the list of participants was delivered in hard copy.

### **Main Achievements and Difficulties of the Information Delivery Mechanism:**

#### Achievements:

- Information delivery times have been shorter than the usual waiting time in the past (compared to more than four years ago, that is).
- The information requested is, for the most part, provided in its entirety.
- The mechanism has been streamlined because it has become possible to receive information through different means (electronically and/or as a simple photocopy).

#### Difficulties:

- Information is still not been successfully disseminated to interested parties or stakeholders, but rather only to a particular requesting party.

### **3.2.1.2. Transparency Portal**

#### **Implementing and Updating the Regional Government Transparency Portal**

Under the Law of Transparency and Access to Public Information, the transparency portal must disseminate the following items:

- ✓ General information on the public administration entity
- ✓ Budget information
- ✓ Goods and services purchased and procured
- ✓ Official business.
- ✓ Any additional information that the entity deems appropriate

National Assessment Report N°11 shows how the RGC portal evolved between 2003-2006, reflecting improvements in the implementation thereof. Performance has run from fair to good, the areas of budget and laws and regulations slightly dropping. Currently, we have seen substantial improvement in that information provided is more up to date and the public has the option to file electronic request forms.

Under Resolution 058-2010-GRCusco/PR, of January 18, 2010, it was determined that the following officials would be in charge of the creation and updating of the transparency portal: General Manager, the Assistant Manager for Planning, Chief Information Technology Officer. It should be noted that the decision to include the General Manager in this team goes back two years.

#### **Main Achievements and Difficulties for the Regional Government in Running the Transparency Portal**

In order to enhance the service provided through the RGC's information portal, the RGC approved Regional Executive Resolution N° 037-2010-GRCusco/PR which issued Directive N° 603-2010-GR Cusco/PR, regarding the rules for the administration, publication and updating of information appearing on the portal of the RGC setting forth, among other things in the general provisions, what types of information must be included, such as public budget and procurement information. It also provides that general information should be included on management tools (such as Plans, personnel assignment charts, among other items). It sets forth how the system is to be set up to so the portal is properly managed and run. The specific provisions of the directive pertain to the responsibilities and duties of the Information



Technology Office, institutional transparency of the portal and of the providers of information. Additionally, it lists in detail the public information posting and updating procedure, duties and sanctions and security measures for the information.

One of the main achievements of the portal is an improvement in access to information, which is now more user friendly and easier to understand. The assortment of information has been laid out in a more organized fashion and consequently the user can view things more clearly when he or she visits the web page.

The creation of an information request form makes access to information easier for citizens. Additionally, one has the option to file an electronic request for information.

One of the newest features is the signing of an agreement with the Regional Government of Lambayeque, which is more experienced in this area. This point is associated with the platform implementation project (improving band width and implementing it with servers) and implementation of a free software package – SIGA – Integrated System of Public Administration, which would make it possible to provide enhanced service to the public.

As far as difficulties, technical experts have pointed to the content manager not having the feature to create roles and permissions for users/officials and, in this way, ensure the integrity of information, that is, at the internal organizational level, those responsible for providing information cannot just gain direct access to upload information and make the updating mechanism more direct.

It has also been noted that there are constraints on the bandwidth capacity available to the RGC. The bandwidth assigned to the applications server is 256 kbps (inforinternet); for this reason, access to the institutional web page and file download is still slow.

With regard to the way information is set up and handled, eight officials have been appointed to provide specialized topic-based information, but the timeline has not been met, which has created difficulties in achieving the desired degree of updating. Consequently, it has come to light that the most appropriate way to ensure timely information is by creating users for accredited staff and granting permissions to gain access to the updating system; additionally plans have been laid for implementing a communication system.

One of the challenges that the Regional Government has been working on is implementing a new portal to improve access to information. The idea is that three criteria need to be met for implementation of the portal: accessibility, security and optimizing loading time.

### **3.2.1.3. Accountability in the Participatory Budget**

Accountability is the mechanism of joint responsibility between Government Authorities and Civil Society to evaluate performance of the process and report on commitments that were made as part of a participatory arrangement. In the RGC, this stage is carried out as part of the 2011 participatory budget. The workshop was held on June 15, 2010, in the Auditorium of the seat of the Regional Government of Cusco. 189 participants took part in it, of which 130 were representatives of the State and 59, from Civil Society.

This workshop was conducted by the Manager for Planning, Budget and Territorial Infrastructure and the Assistant Manager for Planning. Attending the event were representatives of grass roots organizations, NGOs, Municipalities, sectorial offices, special projects, Regional government officials, among others. The most noteworthy thing was that many of the heads of the Offices and special project managers, Managers and Regional Councilmembers were conspicuous by their absence.

The Accountability Report was developed by Economist Victor Samaniego – Manager for Planning, Budget and Territorial Infrastructure. The Manager for Planning began his remarks by congratulating the members of the Monitoring Committee, who spoke before him, for their presentation, and also highlighted the importance of criticism and self-criticism in this type of process.

The subject matter of the presentation focused on publicizing the regional development guidelines, the development vision out to 2021; the second part was a report on the 2009 budget performance in terms of generic expenditure groups, explaining the respective levels of actual budget execution and balances in 2009. No clear and detailed explanation was provided for achievements of the previous year's participatory budget, nor were the populations who benefitted from it identified. In other words, the explanation that was given placed greater emphasis on approved, adjusted and executed amounts in general of the

whole budget of the regional government and not on the difficulties and achievements in fulfilling the commitments made in the participatory budget process.

In the Q & A phase with attendees, the representative of the Association of Engineers noted that when not enough resources are available, the participatory budget should be redrawn up: "it seems we only meet to fulfill the formality, but get no results," he pointed out. The representative of the Monitoring Committee proposed evaluating fulfillment of the objectives and outcomes set in the 2012 development plan. A representative of a women's organization asserted that we are not attending "just to salute the flag," and that there has been no forward movement, and the development plans are not fulfilled. Complaints were also heard about the non-attendance of the regional chief executive at the meeting as the official responsible for the document.

Lastly, the Manager for Planning stated that there have been achievements and that when criticism is leveled it should be complemented by proposals: obviously there are problems such as J&S (the highway improvement project) and others; and those responsible are being prosecuted in the courts.

### **3.2.2. Information Demands of Citizens**

#### **3.2.2.1. Information Demands of Civil Society**

#### **Citizen Awareness of Laws and Regulations and the Information Access Mechanisms.**

While not all citizens are aware of the scope of the Law of Transparency and Access to Information, many others know that access to public information is a right. The topics most in demand pertain to the budget (execution, investment projects and the participatory budget), rules and regulations and personnel.

One segment of the population gains access to information through the information portal, and when it is not available, it resorts to filing physical requests. Generally speaking, because of limited information storage capacity, it is not always possible to gain access to accurate information from prior years.

## **Main Demands for Information**

The process of decentralization has promoted the dissemination of information about public administration of the regional government and, consequently, information demand has gone up over the past seven years. Surveys show that the greatest demand is for information on the participatory budget, the approved, adjusted and executed budget, investment projects in the region, regional laws and regulations, positions awarded by a competitive process, and management documents, such as the Development Plan.

### **3.2.2.2. Demands of the Participatory Budget Monitoring Committee.**

#### **Information Requests**

The Monitoring Committee of the RGC has been in existence for two periods (2009-2010). It is made up of 13 members, four of whom are the most active and two of whom are appointed as Coordinator and Assistant Coordinator.

In order to prepare the report that is submitted on an annual basis, qualitative and quantitative information must be available to explain compromises and commitments entered into when the budget was put together. A request addressed to the President of the Regional Government of Cusco was filed in order to obtain said information on May 3, asking for budget information, investment timelines of high priority projects, the institutional budget at the start of the budget year and the mid-year adjusted budget, actual budget execution of investment projects for the follow-up year (2010).

After the statutory time period lapsed, no response to the request had been received and, therefore, a few days prior to when the participatory budget workshop was to be held (workshop date: June 15, 2010), the Office of the Manager for Planning was contacted, which directly delivered the information in digital format and a hardcopy was provided of 2010 budget execution status. No formal delivery receipt was provided.

#### **Information Used in Reports**

The information used pertains to the phases of the participatory budgeting process, such as preparation, workshop announcement, identification and registration of participants and training of participating agents. In the second phase, the beginning of the year institutional budget and the mid-year adjusted budget, actual budget execution progress as of June were presented. Mention was made of status of actual budget execution (28.4%) and significant intake of budget resources.

Part of that information was obtained through the digital portal of the RGC and of the Ministry of Economy and Finances.

### **Actions to Strengthen the 2009 and 2010 Monitoring Committees as far as Access and Use of Budget Information**

Beginning in 2009, attempts were made to support the Monitoring Committee. One example of this was workshops to educate people as to roles, duties and regulations as well as the use of informational tools to gain access to the portal of the Ministry of Economy and Finance.

Training at different levels was delivered by a group of institutions that provided the tools and materials for the group of Committee members taking part in the sessions. As for the overall topic of budget, the focus was on how to search for and interpret the regional budget, particularly investments. Training was also provided on topics related to the Oversight Agency of State Procurement (OSCE) and the Electronic System of Purchases and Procurement (SEACE), whereby one can gain access to the plans of goods and services purchase and procurement.

These trainings were conducted by the Bartolome de las Casas Center, the Civil Transparency Association, the Office of the Ombudsman, PRISMA and the Arariwa Association. The NGO CCAIJO provided training on organizational topics, laws and regulations as the legal framework of monitoring, information collection tools, executed budget and public procurement. Information on the 2010 Participatory Budget, which was published in RGC Bulletin No. 2 on the Participatory Budget, was made available to provide input into the preparation of the report.

### **3.2.3. Conclusions and Recommendations**

#### **3.2.3.1. Conclusions**

- a) The process of decentralization has helped to create a culture of transparency in public administration of the Regional Government of Cusco. On the one hand, government representatives have shown willingness to set up ways for the public to gain access to information and, on the other hand, citizens have organized to demand information. Nonetheless, some difficulties remain, including the Regional Government's electronic portal, which is used as a mechanism for dissemination of actions of the RGC. The problem is of a technical nature; more specifically, its bandwidth of 256 kbps makes the system very slow for downloads. It must be mentioned that changes made over the past four years or so have helped to improve availability and access to the information posted on it, and now the public can request information via the Internet.
- b) As far as accessing information through the mechanism of the physical request intake tables, this method is not efficient for the requesting party, since the response is dependent upon how interested the requestor is and not on the formal process itself, which should deliver information as soon as the request comes into the RGC. It is worthy to note that RGC officials have learned much more about the scope of the Law of Transparency and Access to Information, judging from the responses that people have received in requesting information. Significant improvements have made to the system, which include the issuing of Directives to regulate the administration, publication and updating of the RGC transparency portal.
- c) With regard to public demand for information, mention was made above that people are aware of the scope of the transparency law, which makes it possible to demand information on budget-related topics, the participatory budget, regional laws and regulations and development plans; however, people also realize that the on-line system does not allow quick and user friendly access to information.
- d) As for citizen participation in the Accountability workshop, it can be asserted that efforts have been ineffective to get out the word about the scope of what had been pledged the previous year; in other words, status of execution of the highest priority

projects, what segment of the population has benefitted, and what problems have been solved, has not been clearly reported, nor have difficulties been addressed in order to improve the outcome. It is noteworthy that, in the past few years, the President of the Regional Government has failed to physically take part in these processes, and this detracts from the legitimacy of his administration.

- e) The Regional Government Monitoring Committee still faces limitations to clearly fulfilling its role as overseer. Despite the training sessions, the Committee's contribution to the participatory process is still not evident. There is no civic commitment of the people who have been elected to perform their duties more effectively. Training has successfully been conducted by non-governmental organizations on topics of organization, regulation-making, information searches via the portals of the Ministry of Economics and Finance, the Regional Government of Cusco, SEACE and OCSE, laws and regulations, but this know-how has still not been assimilated by this Monitoring Committee.

#### **3.2.3.2. Recommendations**

- a) The Regional Government of Cusco should do a better job at monitoring the mechanisms of response to information demand by the public, and this would make the system more efficient.
- b) To strengthen the capacity of those responsible for uploading information onto the portal, so that the role of these individuals helps to keep information up to date and disseminate in a more streamlined fashion progress achieved in public administration of the RGC.

### **3.3. Regional Government of Lambayeque**

The document offers recommendations that can help to improve and consolidate citizen monitoring mechanisms of the participatory process and we hope that the study contributes to the regional government, the monitoring committees and civil society in general making informed decisions and taking actions that aid in strengthening true and effective monitoring of information.

### **3.3.1. Access to Information, Budget Transparency and Accountability in the Regional Government of Lambayeque (RGL)**

Access to information, budget transparency and accountability constitute mechanisms of joint responsibility between government authorities and civil society, inasmuch as these elements make it possible to evaluate performance in the governing process and generate the conditions needed to build consensus, and to accept responsibilities and make commitments to take certain action, as was decided in a participatory process. This is all based on the right of access to public information and citizen monitoring, under laws that support transparency and a process in which the different sectors of society can have a bearing on the projects, programs and policies that affect them and be involved in the decision-making process and resource management.

#### **3.3.1.1. Requests for Public Information**

##### **Response of the Regional Government to Requests – Walk-in, Off-the-Street Citizens:**

In order to determine whether there is equal treatment in access to information, that is, to compare the request of an ordinary off-the-street citizen or “walk-in” to a request of a representative of an institution (such as a member of a government office). The ordinary citizen, in principle, also has the ability to make his or her voice heard (and should be familiar with laws, and learn about the process through media outreach). In order to put this to the test, requests for information were submitted through the Division of Document Management of the Region on June 9, 2010.

The two requests were addressed to the Public Information Officer of the Regional Government of Lambayeque, Dr. Elias Daniel Pinglo Risco. The first one<sup>30</sup> is in the name of citizen Danitza Lizbeth Carrasco Delgado, (national ID number) DNI N° 42896371, residing at calle Pardo y Miguel N°353 Urb. Latina – Distrito de JLO, wherein she requests:

- a) A list of projects in the order of priority assigned at the participatory budgeting process of the Regional Government of Lambayeque for fiscal year 2010, including the approximate

---

<sup>30</sup> Annex 5 – copy of request / List of projects and Budget program



total amounts for each one, status of the project and the participating agent that introduced the project.

- b) Budget program of investment specifying the projects in order of priority as assigned in the participatory budget (2010 or previous years). Specify the names of each project, their SNIP code number, the total amounts and actual amounts executed as of the current date for each project.

The Officer's response was given via e-mail one day after the request was submitted and was as follows: "We inform you that the list of investment projects with the status of execution can be viewed on our website. See public transparency. Thank you for your concern." Attached to the e-mail response was the Final Minutes of the Participatory Budget Resolutions and Commitments Taken on at the Assembly of Participating Agents in the 2010 Participatory Budget. The Participating Agents do not appear on the list because it is by sector and by district.

The second request is in the name of citizen Marco Antonio Díaz Suárez, (national ID card number) DNI N° 09534499, residing at los Amautas N° 765 Distrito de la Victoria, in which he requests the following information:

Executive summary of the accountability workshop of the 2011 participatory budget. To include as annexes: agenda, presentations and the list of attendees.

On the same day the request was filed, June 9, the Information Access Officer responded as follows: "We inform you that the information you requested is on our webpage and we will forward to you a copy of the list of attendees tomorrow."

In that same e-mail response, the email to Eng. Marco Callirgos (mcallirgos@regionlambayeque.gob.pe) requesting the information was copied: "Dear Engineer, the list of participants who attended the accountability workshop of the participatory [budget] is needed. I understand it was held on May 8. Please forward it to me so I can give it to the citizen."

The officer forwarded a PDF attachment with the list of the attendees at the Accountability Workshop (Council of Regional Coordination, Regional Councilmembers, Participating Agents, Team of Technical Experts, Regional Directors, Regional Managers, Municipal Governments and invited guests).

The oral executive summary of Regional Chairwoman Nery Saldarriaga de Kroll, the agenda and the presentations of Regional Directors: Eng. Maria Estrada de Silva (Regional Office of Transportation and Communication), Dr. Victor Hugo Echeandia Arellano (Regional Office of Health), Eng. Leoncio Navarrete Moreno (Regional Office of Agriculture), and the presentation of Eng. Enrique Salazar Torres (Manager of Special Project Olmos Tinajones – PEOT), are all linked to the Public Transparency Web Portal of the RGL, just as the officer had indicated in his e-mail response to the walk-in citizen request.

### **Major Achievements and Difficulties in the Functioning of the Information Delivery Mechanism**

In the area of information supply, the Regional Government of Lambayeque has served as a sort of pilot project for the other regions (thanks to the evaluations performed by institutions such as Grupo Propuesta Ciudadana), and has served as an example for other regional administrations by setting transparency and access to public information requirements to benefit citizens and has thus engaged other regions in a kind of healthy competition in this area.

One of the major achievements in the functioning of Lambayeque's information delivery system is its cooperation with other regional governments, inasmuch as technological support (software programs) such as SISGEDO (System of Document Management) has been transferred to other governments to be used by them as well to facilitate access to salary information systems. All of these tools have been made available for use by any other regional and municipal government who has requested them, and have been provided to them at no cost, and these governments include:

- Regional Government (RG) of Lima Provinces,
- RG of Cajamarca,
- RG of Junín,
- RG of Arequipa,
- RG of Huánuco,
- RG of Amazonas,
- RG of Apurímac,
- RG of Ancash,
- RG of Huancavelica,

- RG of La Libertad,
- RG of Cuzco,
- RG of Ica.

These Regional Governments have put in place the systems of the Regional Government of Lambayeque, and the only thing that has been asked of them in exchange for installing them is to set up a server with enough capacity and to purchase the computer equipment. The computer engineers of the RG of Lambayeque have not charged a cent for installation in other governments and were only paid their travel and lodging expenses during their stays so they were able to inform, educate and aid in the installation. This same arrangement was used with municipal governments and a few other institutions where the systems were installed as well.

Some municipal governments have entered into an ongoing technology transfer agreement, such as the Municipal Governments of Ciudad Eten, Ilo, Llave, Puno, Ucayali, San Martin, which share the SIGEDO system. In all of these instances, it has made a difference because the tool required to implement a transparency policy is now in place.

SIGA (Spanish language acronym for Administrative Management System) is actually an integrated system, which includes 17 modules, has been in use since 2007 and has a scale of areas: target dates, budget management, compensation schedule, payroll, revenue control, logistics and storage, treasury, information technology, accounting, public transparency, projects, education management, etc.). For example, public transparency is one module and the database feeds information into this template, and reports are generated from here. SIGA is only shared with Cajamarca and part of Amazonas, where the system is used to improve performance in the transparency portal.

One of the major weaknesses of the RGL web portal is that it has not been publicized. The demand for the portal has not kept up with the supply of information it offers. One proposal to remedy this situation is to start educating the public about it in the schools, because young people are more apt to use the Internet.

Another problem is the quick turnover of those in charge of uploading the information onto the web portal. These important actors are retained under weak contracts called CAS (Administrative Service Contract), and are paid poorly by the state. In other regions, CAS workers are very well paid and are mainly political appointees of the office of the regional

president and are retained at a substantially higher rate than those hired in Lambayeque under CAS. Since these employees tend to be young people, they tend to turn over quickly and migrate elsewhere in search of better prospects.

Institutional weakness is still an issue of concern. Election turnover jeopardizes transparency, which needs to become consolidated as a State policy. Even though a national law requiring transparency is in effect, the Congress of the Republic is not transparent. There is a huge gap between policy and law and the latter means nothing if the former is to not obey it.

People living in rural areas usually do not know how to use information, nor do they have a culture of doing so. These key issues not only affect this segment of the population, but also older people throughout the country, as the elderly tend to have difficulties using computers. These two issues must be addressed using alternative solutions to close the technology gap between those who use it and those who don't use it to gain access to public information.

Another important challenge is for Civil Society Organizations deeply involved in areas such as transparency to become the link between those who are not connected to this way to assert one's rights under the laws and those who do so (by providing training and promoting such laws).

### **3.3.1.2. Transparency Portal**

The Law of Transparency and Access to Public Information provides that transparency portals must publish the following information: general information on the entity, budget information, information on procurement of goods and services as well as official business of high-level officials. Under the area of general information about the entity, the portal should include any rules or communiqués issued by the entity, the organizational structure, procedures in place, the legal framework regulating the workings of the portal and the Procedural Administrative Handbook (TUPA, for its Spanish acronym). With regard to budget information, the portal must cover, for example, actual execution of budget, investment projects, budget for salaries and wages and benefits, as well as personnel salaries. As for procurement of goods and services, information must include the call for bids and contracts awarded in the bidding, the amounts committed, the service providers or suppliers, the quantity and quality of the goods or services provided.

While it is true that the transparency portal is not the only means of disseminating information on public administration in the region, it is an important link because it can be used to exercise to right to monitor government activities and the right to information.

### **Implementing and Updating the Transparency Portal of the Regional Government**

As the transparency portal of the region of Lambayeque has evolved, significant progress has been made; nonetheless, information still could be improved in some aspects, such as the Supplemental Budget and the investment program. The documents that enjoy the highest degree of dissemination are resolutions, official meeting minutes and ordinances, which are of the utmost importance for civil society to use to verify compliance with statutes and regulations. Additionally, we must mention the mechanisms of communication with the public such as opinion surveys and a listserv. A forum has been set up but, unfortunately, it is not consistently updated nor has there been any push by the region so it could emerge as a major virtual space of communication over time.

A right to information request form has been created to facilitate the process for people who wish to file through the Document Management System.

### **Major Achievements and Difficulties of the Regional Government in Running the Transparency Portal**

Access to the portal of the RGL is fast and you can find meeting minutes, ordinances and resolutions of the Regional Council posted on it, all of which were updated over the course of the year and were readily accessible.

#### **3.3.1.3. Accountability of Participatory Budget**

Accountability constitutes a mechanism of joint responsibility between government authorities and civil society. It makes it possible to evaluate the performance of the process of governing and generate the building blocks to create consensus, and accept responsibilities and make commitments to take particular actions as decided in a participatory process.

The Accountability Workshop was held on May 8, 2010 at the facilities of the seat of the Regional Government of Lambayeque from 9 A.M. to 1:30 P.M. and was attended by an average of 45 participants.

The following officials were seated at the head table: Regional President Nery Saldarriaga de Kroll, Councilwomen Delegate Soc. Adela Saavedra Diaz, General Manager Eng. Marco Cadoso Montoya, Manager for Planning Budget and Territorial Infrastructure Luis Ponce Ayala, the Coordinator of the Assembly of Delegates of Civil Society Organizations. Also attending were the Regional Sectorial Directors.

Professor Francisco Pretell Burga acted as moderator and in his opening remarks made it clear that he wished civil society would improve upon its attendance, despite all of the efforts being made to overcome this issue, which has arisen on several occasions. Consequently, he called upon the assembly of delegates to remedy this problem in light of how important this process is, not only for the Lambayeque Region, but also because the process has become stronger and has served as a model for processes in other regions.

The following approved rules of conduct for conducting the 2010 Participatory Budgeting process at this assembly were presented:

- ✓ Everyone must honor the resolutions passed by the Assembly of Participating Agents.
- ✓ All Participating Agents (PA) must attend, be punctual and remain throughout the entire process from 09:00 to 13:00 hours.
- ✓ Everyone must listen carefully to all remarks showing respect and tolerance for all ideas put forth.
- ✓ Everyone must deal with differences of opinion appropriately, with reason prevailing over emotion.
- ✓ Everyone must take their turn in speaking, in an orderly fashion, respecting other's turns and the time allotted for each person to speak.

After wishing all the mothers present a happy Mothers' Day, the president greeted the head table and the attending public. The regional president emphasized the issue of punctuality so it would be improved in the future, asserting that it is a virtue that we all should apply at all times. She then gave her opening remarks for the 2009 fiscal year accountability workshop.

Under regional resolution N° 090-2008-GR.LAMB, the consensus participatory investment budget for fiscal year 2009 of the Regional Government of Lambayeque was approved in the

amount of 59,182,558. Under official circular N° 004-2008-EF/11,01, the Vice Minister of Finance reported the Regional Government of Lambayeque's budget allotment for the regular program of investments in the amount of S/. 24,251,764.00, which come from FONCOR. Civil Society remembers perfectly well that this implies not honoring the decision of the assembly of delegates, which had approved the [investment] projects in keeping with that budget ceiling of 59,182,558 and subsequently had to cut the number of projects it approved.

It was the first time the Department of Lambayeque earmarked 4 million Soles for the preparation and completion of Technical files of projects and 498 thousand Soles for execution of 2 projects benefiting the Pedro Abel Labarthe education institution and 4,535,668 Soles for execution of 13 projects for prevention of potential effects of the El Niño phenomenon.

During the course of the year, the participatory budget underwent adjustments due to reprogramming in project execution and, for that reason, 4 investment projects belonging to the Education, Basic Sanitation and Transportation sectors were cancelled. Using the budget from the cancelled projects, seven new public investment projects were introduced, which were aimed at improving the quality of life of the inhabitants of the Department. This is because Lambayeque does not return even one Sol to the national treasury, rather it executes all funds it receives.

In projects belonging to Commerce, Agriculture, Fisheries, Energy, Environment, Sanitation, Housing, Health and Multi-sectorial, execution has surpassed 95%. In the sectors of Tourism, Transportation, Education and Culture, status of execution is between 68.2% and 88.18%.

Additionally, during 2009, as a result of the bidding for resources from the National Fund for the Promotion of Regional and Local Public Investment (FONIPREL), the RGL won financing for two projects.

The General Manager of the PEOT (Olmos Tinajones Special Project) Enrique Salazar Torres followed with the accountability report of his term, handing out a printout of several slides after his presentation.

The Regional Director of Health Dr. Victor Echeandia moved his presentation up because he had to attend a dedication ceremony of an ambulance in the District of Puerto Eten. In his

presentation he noted that the Regional Directorate of Health currently is equipped with a total of 175 facilities, 48 health care centers, 125 health dispensaries and two hospitals, which are located throughout the 3 provinces of the department. The physical health care infrastructure has been expanding and improving since 2004 through the present time. One serious problem in the area of health care is the lack of human resources and outdated or broken down equipment at the health care centers, and at times a center may be staffed with only one health care provider and he or she at times must leave for one reason or another.

### **3.3.2. Information Demands of the Public**

### **3.3.3. Recommendations**

With regard to processing of requests for access to public information and the transparency portal of the RGL, we have come up with some baseline suggestions to help make accurate information readily available and provide better access to the portal:

On the eve of regional elections, it is imperative for there to be policy continuity with regard to transparency and, for this purpose, the leaders of the different political movements taking part in the upcoming elections should discuss making a formal commitment.

The resolutions passed by civil society should be fully implemented.

The Regional Government of Lambayeque should try to improve the Education and Health portals, as these are the least transparent in the region.

Classify Ordinances and Regional Resolutions by subject matter.

Disclose the number of sources of international cooperation, who aid in the development of Lambayeque and include the total amount provided.

Provide information to the public.

Update and improve the transparency portal.



### **3.4. Conclusions and Recommendations Based on the Case Studies**

The type of information for which public demand was highest, based on the workshop meetings between civil society and regional governments conducted as part of this study, was of a financial nature (that is, budget, investment project, public procurement-related information).

We recommend disseminating information to make it possible to follow-up on the activities of the Regional Councils;<sup>31</sup> information on regional sectorial plans (education, health) and the implementation thereof; updated regional and national statistics; research conducted by universities; spaces of communication with government authorities; as well as sources of financing from international cooperation.

At the workshops and interviews, the monitoring committees expressed their appreciation for the training received from civil society institutions on the participatory budgeting process and the tools required to perform their duties. This support was provided mainly by local institutions, which are Grupo Propuesta Ciudadana partners. Technical files of the most important projects and the public investment project execution timeline is the type of information requested most often by the monitoring committees, aside from what is posted on the portals.

We recommend that information on participatory budget accountability adhere closely to the rules set forth in the Instructions for the Participatory Budget. More specifically, we recommend reporting on the impact of completed public works and whether or not these works are tied to the strategic objectives of the Consensus Regional Development Plan, differentiating between the portion of actual budget execution and the portion budgeted for the whole project, and whether the amount for the project is only for the budget year or for completion of the project beyond the year-end. Furthermore, we recommend disseminating information on the approval process of public investment projects that were assigned high priority for execution in the participatory budgeting process.

The assessments of regional government budget transparency in the three case studies reveal that in order to improve the supply of information, several factors must come together:

- a) Government Authorities: Successful implementation of the mechanisms of transparency, access to information and accountability requires the political will of the regional chief executives.
- b) Officials in charge. The position of chief transparency portal officer or public information officer must be filled by experienced, exclusively dedicated and specifically trained individuals.

---

<sup>31</sup> Such as proposed rules and regulations introduced by the regional council.

We recommend avoiding rotation of the position, raising the profile of the duty of the chief officer in the Organic Regulations of Functions (ROF) and setting up a team that deals with all tasks required for proper flow of information.

- c) Internal rules and regulations and information flow. In some regional governments, internal rules regulating the flow of requests for information and the responses thereto have been adopted.

We recommend regulating the access to information procedure provided in the Procedural Administrative Handbook (TUPA) in keeping with the time periods and costs of reproduction set forth in the Law of Transparency and Access to Information; regulating and disseminating the TUPA and mechanism of direct access at the information request intake windows<sup>32</sup> to documents and records in the possession of the Regional Government; establishing and disseminating a flow of information request and delivery, supported by internal rules, that spell out the process from beginning to end and that assigns responsibilities at each stage, including the information providers; establishing incentives and sanctions to promote fulfillment of responsibilities of authorities and regional officials; implementing a system of filing and information management to facilitate consolidation and administration of information; conducting evaluations of the mechanisms of transparency and information access.

As for the information request mechanism, requests from “walk-in” citizens were received, but the timeliness of the response was a function of the requestor following up on his or her request.

With regard to the transparency portal, the regional governments have implemented several initiatives, such as the electronic information request mechanism, and have entered into agreements between each other in order to improve information management.<sup>33</sup> We recommend setting up mechanisms to improve the bandwidth capacity of the portal and thus speed up information loading, validating posted information by cross checking it with other portals<sup>34</sup> to make it more reliable, establishing means and mechanisms on the portal to reflect public demand for information, and for the public to be able to track its information requests and actual execution of public works; we recommend making sure that the presentation or layout of information on the portal is “user friendly”; in other words, that the information can be readily located, understood and be available in a format that makes it possible to analyze it without the need to copy or reproduce it;<sup>35</sup> implementing and disseminating information on the transparency portals of the Managers’ Offices and Regional Directorates, which would involve further coordination among the chief officers of the portals.

---

<sup>32</sup> “...the entities of the Public Administration shall allow requestors direct and immediate access during the hours when the public is served.” (Art. 4º. TUO of Law 27806.

<sup>33</sup> The Regional Government of Lambayeque has signed an agreement with municipal and regional governments, including Cusco, for the use of its Document Management System (SISGEDO) and the Administrative Management System (SIGA). These entities have been successful at improving upon the versions they received.

<sup>34</sup> Transparency portal, participatory budget portal, SIAF, SEACE, etc.

<sup>35</sup> Excel, not PDF

As to participatory budgeting accountability, we recommend broader outreach to publicize the event since attendance has been paltry; mandatory attendance of the regional president; punctuality and adherence to the schedule; providing information further in advance and in “user friendly” formats that make it possible to readily understand and eventually process the information; put several mechanisms into place so the public can forward its questions; and also, evaluate the process.

The information supply offered by the regional governments will not be utilized and recognized if there is no information demand from civil society. Successful implementation of mechanisms of transparency, access to information and accountability requires citizens and institutions and civil society organizations to make use of these mechanisms and demand public information. We recommend public outreach efforts to educate the public and government officials on the Law of Transparency and Access to Public Information and the mechanisms that make it possible to effectively exercise the civil right of access to information; conducting training efforts in schools and universities and colleges, the participatory budgeting process and civil society, on the use of on-line tools and mechanisms of access to information, in keeping with the requirements and time periods set forth in the Law and the TUPA of the Regional Government. The use of portals, such as the User Friendly Search function of the SIAF and the SEACE, which provide integrated nationwide information, should be promoted. We recommend promoting among the citizenry a culture of individual and organized public monitoring of public administration, as well as participation at accountability events.

## **5. Conclusions and Recommendations**

### **5.1 Conclusions**

Since 2003, the Grupo Propuesta Ciudadana has been successful at designing, developing and applying budget transparency, accountability and participation standards in the regional governments of Peru, in the context of the monitoring system of the decentralization process and has been recognized by the very institutions it monitors and regional and national public opinion on this process.

The aforementioned consolidated indicator-based standards, for the most part, encompass two major fields: citizens’ access to public information (Transparency portals/access to information) and regional government budget management (budget/investments/public procurement). The standards undergo periodical evaluation using quantitative indicators.

#### **Transparency portals/access to information**

The standards of citizens’ access to information evaluate whether or not transparency portals provide comprehensive up-to-date information on the finances of 25 regional governments

and whether the procedure for entertaining information requests actually succeeds at providing the information in complete form and within the statutory time periods.

With regard to portals, an evaluation is made as to whether or not they release the minimum amount of information required by the Law of Transparency and Access to Information on aspects such as the budget, investments, compensation arrangements, and public procurement, as well as good governance initiatives to disseminate a greater amount of information or include new subjects such as the participatory budget. The results are published in the form of rankings, which make it possible to identify the regional governments placement based on their performance and the type of information they need to improve. These regional government results are crosschecked with evaluation results obtained by the national government ministries.

As for requests for information, an evaluation is conducted of delivery of information on the budget, investments and public procurement in the regions where GPC has partner institutions.

### Budget/public procurement

The budget management standards evaluate distribution and effectiveness in regional budget execution comparing regions to regions, regions to the national government and regions to local government. An evaluation is also performed on planning, calls for and awarding of bids in the process of public procurement. The indicators that are employed have evolved in keeping with institutional objectives and experience gained in the process by GPC, the political, economic and legal context of decentralization and available sources of information. With regard to this last issue, the indicators have been using the transparency portals of the Ministry of Economy and Finance (MEF) and the Oversight Agency of Procurement of the State (OSCE), the User Friendly Search tool of the Integrated System of Financial Administration (SIAF) and the Electronic System of Purchases and Procurement of the State (SEACE), more and more as the primary source of information, which have been posting a growing amount of information regarding the budget and public procurement respectively.

### GPC Achievements, Advocacy

Because of the rigor and impartiality with which GPC carries out its monitoring efforts, it has been recognized by civil society institutions and organizations, the regional and national media, and even by the very institutions that are monitored by it, such as the regional governments and national ministries.<sup>36</sup> The application and dissemination of these standards has made it possible to improve updating of the content of regional transparency portals and has contributed to improving the content of the User-Friendly Search function of the SIAF and the SEACE. Disseminating the annual assessment reports has contributed to an informed debate on the performance of regional governments in investment management and, additionally, has made it possible to improve tracking of the decentralization process.

### Regional Government Achievements in Transparency

---

<sup>36</sup> Ministry of Economy and Finance and the Ministries of Energy and Mining

Ever since they were created, most regional governments have been able to gradually implement and keep current their transparency portals as mandated by the Law of Transparency and Access to Public Information. The progress that has been made has been steady and there have been enhancements as a result of the political will of the regional chief executives, the experience garnered by the chief operations officers of the portals, the institutionalization of the administrative procedures; follow-up efforts and demand for information from civil society institutions and organizations, who have made a contribution to said process. The regional governments, along with the national ministries, have taken on a leading role in the field of transparency vis-à-vis local governments and the many entities of the central government.

### Achievements of the Regional Government in Budget

The issues and challenges faced by regional governments in dealing with the budget process have been put on the public agenda. By releasing and disseminating its monitoring reports, Vigila Peru has helped to create a current of public opinion that demands better results from regional governments. By taking a close look at the Draft Public Budget Law each year, in partnership with the associations of municipal governments (AMPE and REMURPE) and with the National Assembly of Regional Governments (ANGR), success has been achieved in advocating before government authorities to maintain the forward steps taken in the process of decentralization of the budget.

### Communication of Results and Training

These results have been made possible by a strategy combining the following elements: a) placing issues of budget transparency on the national/regional public agenda for discussion and engaging in joint efforts; b) providing technical assistance to regional governments in order to identify areas of improvement in the portals and training the regional officials in charge of them; c) strengthening the capacity of the regional monitoring committees to be able to track regional government budget management, particularly fulfillment of participatory budget commitments.

### Legal, Political and Economic Factors

GPC's monitoring efforts were possible thanks to the national legal framework that is in place in Peru and is specifically linked to the process of decentralization, which has propelled implementation of mechanisms of transparency, access to information and accountability in the administration of regional governments, since they were established in 2003. It has also helped to bring about citizen participation and monitoring of regional government administration, with an emphasis on budget. Each year, during the stage of programming, the participatory budgeting process takes place and during the stage of evaluation, public hearings are held on accountability of regional government administration and of the participatory budget. It must be noted that these accountability hearings are held more to fulfill the legal requirement than out of a real commitment of government authorities to hold themselves accountable to citizens for their performance in government administration.

## 5.2 Recommendations

1. Both the State and civil society should track requests for information more thoroughly. Accordingly, we recommend: a) including the information demands of the participatory budget monitoring committees in the indicators; b) regulating the procedure for access to information set forth in the Procedural Administrative Handbook (TUPA) in keeping with the statutory time periods and costs of reproduction.

2. As for the transparency portals, we recommend: a) introducing indicators on portal “user-friendliness” in the evaluation, to assess whether or not the information can be readily found, understood and is in a format that makes it possible to analyze without the need to reproduce it; b) providing a higher degree of detail in the information on the participatory budget (the technical files of the most important projects and the public investment project execution timeline); c) disseminating on the transparency portal of the seat of the regional government, the portals of the offices and sectorial regional departments; d) a further-reaching awareness campaign on the transparency portal of the regional government, being that much of the information demanded by citizens is already posted on it and people are just not aware of this fact; e) promote the use of nationwide portals such as the User Friendly Search tool of the Integrated System of Financial Administration (SIAF) and the Electronic System of Administration of Procurement of the State (SEACE). Lastly, an assessment should be conducted on what spaces or opportunities for communication and identification of citizen demand for information exist on the portals.

3. With regard to the User-Friendly Search tool of the SIAF, we recommend the Ministry of Economy and Finance to: a) provide more information on the stages of programming, formulation and evaluation of the national budget cycle; b) improve user-friendliness of the SIAF, bearing in mind people who are layman on the subject matter of budget; c) incorporate information on execution of physical goals associated with financial goals; d) implement mechanisms for quality control of information (verify consistency), particularly from municipal governments; e) integrate the National System of Public Investment (SNIP), the SIAF and the SEACE, so that people can track the path of project expenditure from the time it is approved until its completion.

4. As for SEACE, we recommend that the Office of Procurement of the State: a) improve the user-friendliness of the portal and set up mechanisms of information quality control; b) incorporate information on calls for bids and awarding of bids by each regional government in aggregate form and not just by each selection process.

5. Regarding the participatory budget accountability workshop, we recommend to the regional presidents: a) wider and enhanced dissemination of the event, including delivery of information in user friendly formats and in advance; b) punctuality and fulfillment of the schedule and make the means available for the public to be able to forward questions; c) provide information on the results of completed projects and their link to the strategic objectives of the Regional Consensus Development Plan; d) disseminate information on the approval process and the public investment project timeline by priority assigned in the participatory budget. Lastly, there is a unanimous call for the regional president-as chief officer in charge of the document- to attend the accountability workshop.

6. Proper performance of transparency mechanisms depends on political will and commitment of regional presidents to implement transparency mechanisms. In order to fulfill said commitment, government authorities must: a) appoint experienced and exclusively dedicated officials to head these mechanisms, train them, and raise the profile of their duties in the Organic Regulations of Functions (ROF) and allocate the basic amount of resources required for effective flow of information; b) set up within the Regional Government the path for request and delivery of information to follow, backed by internal rules spelling out the process from beginning to end and assigning officials to be in charge at each stage; c) additionally, implement an information filing and management system to facilitate consolidation and administration of information.

7. We recommend the central government to set up mechanisms of incentive and sanction to promote fulfillment of the duties of government and regional officials under the Law of Transparency; additionally, conduct evaluations of transparency and access to information mechanisms, for example, in order to validate information disseminated by means of the various portals and make it more reliable.

8. In order for citizens to exercise their right to demand information and monitor public administration, we recommend the Office of the President of the Republic, the Congress of the Republic and the Office of the Ombudsman of the People, to widely publicize the Law of Transparency and Access to Public Information, and information currently offered on the transparency portals of the State of Peru. Educating and training on citizens' rights of access to public information, to monitor public administration, and demand accountability, should begin in primary and secondary schools, and universities. In other words, these offices and bodies should promote among the public a culture of individual and organized monitoring of public administration, based on the most pressing needs or broader goals for the common good.

### **5.3 Proposed Indicators**

In annexes 1 to 6, evaluation indicators of different aspects of regional government administration are presented.

The first four annexes provide quantitative indicators for the topics of: transparency portals (annex 1), access to information mechanism (annex 2), budget and investments (annex 3) and public procurement (annex 4). The most consolidated ones are the transparency portals and budget and investment indicators.

This indicators make it possible to draw comparisons between regional governments and between levels of government. For this reason, references to national government and local government performance are included in them, but only in aggregate form in the case of the latter. Quantitative indicators make it possible to determine performance evolution of the institution being monitored over time, on a quarterly basis or in terms of 3 or 4-year periods. Vigila Peru's reports are produced on a quarterly basis, providing annual assessments and regional government administration assessments.

The annexes also include indicators covering other aspects of regional government management addressed in citizen participation in the participatory budgeting and accountability process. In Peru, subnational public administration must not only be transparent, but also must also implement mechanisms of citizen participation in the allocation of resources, facilitate citizen monitoring and provide an accounting of its actions twice a year.

The indicators used with the participatory budget are for tracking the process, based on the phases and criteria set forth in the Instructions for the Participatory Budget adopted by the Ministry of Economy and Finance. The case studies (Piura, Lambayeque and Cusco) incorporate indicators that report on the workings of the accountability workshop. That aspect of the participatory budget must be incorporated into the indicators that are attached hereto.

It must be noted that the indicators on public hearings are quite basic, because the law on this matter is quite sparse. Therefore, what we do is track good governance initiatives that are implemented by regional governments, guided by the recommendations of the Office of the Ombudsman and civil society institutions.