

Civil Society Follow Up of the Implementation of
the Quebec Plan of Action.

METHODOLOGICAL GUIDE: INDICATORS AND QUESTIONNAIRE



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INTRODUCTION

This document corresponds to the “Guía Metodológica: Indicadores y Cuestionario” that has been developed in the framework of the Civil Society Follow-up Strategy for the Implementation of the Quebec Plan of Action.

The **objective** of this 24-month strategy (April 2003 to April 2005), is to follow-up and support the implementation of the Quebec City Plan of Action, focusing specifically on themes related to the strengthening of democracy. This will be achieved by increased and strengthened citizen participation through a network of civil society organizations (CSOs) that will design and apply follow-up mechanisms at the national level. The results of this follow-up will be shared with the public at the national level and will also be used to influence government policies at the national, regional and hemispheric level.

The selected themes include:

- 1) Strengthening of local governments;
- 2) Decentralization;
- 3) Freedom of expression, opinion and the right of access to information
- 4) Judicial reform and access to justice
- 5) Strengthening of participation in national and hemispheric processes

These themes were chosen on the basis of the following criteria:

- These themes constitute the foundations required for the effective development of the other themes laid out in the Québec City Plan of Action.
- The advancement of these themes creates positive conditions for the strengthening of civil society and will support the fight against the “crisis of democracy and governance” that plagues the region.
- They permit the verification of progress in areas related to good governance, an area that is essential for the strengthening of democracy and of civil society.
- The involved organizations have experience and interest in these themes.
- These are themes that are not being tackled by other civil society networks in the region.

This is a three-phase strategy consisting of the following stages: (i) Development and design of the monitoring instrument (indicators) and the outreach and advocacy strategies; (ii) Training and Transfer of Methodology to the National Coordinators (NC) and (iii) Implementation.

This methodological guide is the main product of the first phase. It contains contextual information and the indicators that will permit each of the countries to collect the data required to evaluate implementation to date. These indicators will allow civil society groups to assess the strengths and weaknesses of democracy and governance issues and to prepare proposals to support implementation based on results.

The following institutions have designed this methodological guide and are serving as coordinators at the hemispheric and regional levels:

- Corporación PARTICIPA from Chile.

- The Canadian Foundation for the Americas (FOCAL) from Canada
- Coordinadora Regional de Investigaciones Económicas y Sociales (CRIES), a network of NGOs from the Greater Caribbean
- Department of Political Science, University of the Andes, from Colombia
- Latin American Faculty of Social Sciences (FLACSO), from Chile.

The Justice Studies Centre of the Americas (CEJA) has actively supported the themes of judicial reform and access to justice.

The next step is to hold a workshop to transfer the methodology (indicators) to the organizations responsible for the follow-up of their countries. This workshop is a crucial step in the process.

A national coordinator will be established in each country with the following roles:

- Contribute to the process of designing the instrument to monitor the implementation of the Quebec City Plan of Action.
- Train themselves in the use and application of the monitoring instrument (the indicators).
- Apply the indicators in their countries, producing national reports according to the agreed upon work plan.
- Coordinate activities with the regional coordinators.
- Coordinate the activities of the specialized CSOs, other organizations and national networks that are involved in the follow-up work.
- Influence policies of local and national governments, preparing proposals for the improved implementation of summit mandates based on the indicators findings.
- Take responsibility for diffusion of findings at the national level.

Where resources are available, the next step is for each organization responsible for follow-up in their country to participate in a workshop to transfer the methodology and indicators. If resources are not available, the workshop may be replaced by an instructive manual that describes with more detail the methodological process for the application of the indicators and the systematization of the results.

We are confident that this project, and the resulting information, will be a useful contribution to the success of the Summit of the Americas, and will reinforce civil society's involvement in the process. The country follow-up seeks to capture actual practices and will not only review the regulatory frameworks in place, but will examine the reality of the current situation "on the ground". The connections between policy and practice are a major civil society contribution and will undoubtedly contribute to governmental reports submitted to the SIRG.

OBJECTIVES AND METHODOLOGY

1. Objectives

The objective of this initiative is to design and implement a civil-society-led follow-up mechanism to monitor the implementation of the Quebec Plan of Action in areas related to the strengthening of democracy. The five topics covered by this follow up initiative are:

- a) access to information;
- b) freedom of expression;
- c) justice;
- d) decentralization and local government; and
- e) civil society and participation.

The results of this effort will be widely disseminated to governments and civil society organizations (CSOs). Public information and action campaigns will also be directed toward the governments and civil society, to help promote fulfillment of the Plan of Action.

2. Preparation of the Questionnaires to be Used in the Countries

The plans for this initiative include the preparation and use of indicators measuring the level of fulfillment of the Quebec Plan of Action. This document presents proposed indicators and a questionnaire aimed at carrying out this task, divided by the topics mentioned above.

Preparation of the indicators involved a sequence of five steps, which are reflected in each section of the present document.

- a) First, the commitments established in the Plan of Action with respect to each issue were examined in detail.
- b) Second, a conceptual definition of each issue was formulated, including both the elements contained in the Plan of Action and others deriving from the experience of civil society.
- c) Third, using the above information as a starting point, dimensions and subdimensions were identified for each topic. Each dimension was then used to generate **a list of indicators**, which was as **exhaustive** as possible based on the available information.
- d) Fourth, based on a **selection** of the indicators, **a questionnaire was prepared** to be applied in the participating countries to obtain the results for each country.
- e) Finally, some considerations were noted regarding the application of the questionnaire, potential information sources and procedures for generating information.

As a result, this document is structured as follows **in relation to each issue**:

- I. COMMITMENTS WITHIN THE PLAN OF ACTION
- II. CONCEPTUAL DEFINITION OF THE ISSUE
- III. DIMENSIONS AND SUBDIMENSIONS
- III. INDICATORS
- IV. QUESTIONNAIRE
- V. INFORMATION SOURCES.

The **questionnaire** itself was prepared using the **following criteria**:

- a) Ensuring that the set of questions adequately represents the commitments established in the Plan of Action.
- b) Permitting follow up of all dimensions of the commitments established at the Summit.
- c) Emphasizing practical results over legal questions.
- d) Identifying critical aspects for civil society.
- e) Incorporating emerging aspects within each topic selected; that is to say, issues which have arisen from civil society's experiences and must be taken into consideration, even if the Plan of Action does not explicitly include them.
- f) Designing indicators sensitive enough to allow differentiation among conditions in the various Latin American countries.
- g) Ensuring expeditious access to available information, including secondary sources as well as data generated especially for this follow up process.
- h) Standardizing the responses, by predominantly using indicators which can be formulated as closed (multiple choice) questions.
- i) Including questions on "best practices," where appropriate.
- j) Generating valid and reliable information through the questionnaire, as discussed in detail below.

On December 19 and 20, 2002, a workshop session was held in Santiago to discuss a first draft of the proposed indicators. The consultants collected the participants' comments and then circulated a new document for a second round of commentary. The current version also incorporates these observations.

3. Application Methodology for the Questionnaire in Each Country

The current version of this document contains the questionnaire which, in the instance that resources are available, will be presented at a methodology workshop that will address the operational aspects of its application. The participants will be the representatives from each country responsible for applying the questionnaire within the Follow Up Plan of Civil Society to the Implementation of the Quebec Plan of Action.

The overall process of applying the Follow Up Plan's questionnaire will be supervised by a **Regional-Hemispheric Coordination Unit**, which will assume final responsibility for the initiative and ensure that the quality of the information gathered meets specified

criteria. **The generation of information in each country** on the five issues will be overseen by National Coordination Units, which may, for this purpose, form consortia or associations of specialized or interested civil society organizations. **The National Coordination Units** will designate an individual Issue Supervisor (*Encargado Temático*) for each issue, who will be responsible for generating the required information in each area, coordinating the national application of the questionnaire, implementing the consensus workshops and preparing a national report based on the results obtained.

Each National Coordination Unit will maintain regular contact with the Regional-Hemispheric Coordination Unit.

The National Coordination Unit **will form** a team **charged** with each theme, who will be responsible for supervising the generation of the information required in each theme, coordinating the national application of the questionnaire, as well as workshops to find consensus and develop a national report on the basis of obtained information. The incorporation of these Issue Supervisors will be in relation with each theme, some of which cannot be a part of whatever organization becomes the National Coordination Unit.

The Supervisor must be adequately qualified; ideally, he or she should be a professional with research experience. The position is not suitable for a person who only has field experience, or one without the time required to compile the information and prepare the report, which is estimated at approximately six weeks.

The questionnaire is structured around **two kinds of questions**: those that refer to **“objective” information** and those that require a **well-founded judgment**. The Issue Supervisor will analyze the questionnaire and identify those questions asking for “objective” information as well as those requiring an educated opinion.

For the first type of question (“objective” information), the Supervisor will fill in the information, consulting the sources which he or she finds necessary. Since the country reports will be presented to government authorities, **recognized sources of information should be used whenever possible, ideally official information or data provided by international organizations.**

The questions asking for educated opinions will require a **network of qualified informants**, who must **adequately reflect** the variety **of opinions manifested by civil society in each country**. The National Coordination Unit should fill a registry of the qualified informants who could be consulted on each theme.

The responsibilities of the Issue Supervisor and an estimated schedule of activities are presented in the following chart.

	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6
Identify questions requiring data or opinion	X					
Identify qualified informants	X					
Generate sample cases	X					
Obtain factual information	X	X	X	X		
Interview qualified informants		X	X	X		
Begin application of questionnaire		X	X	X		
Systematize information obtained					X	
Prepare preliminary report					X	
Conduct consensus workshop						X
Prepare final report						X

The application methodology will be different for the topics related to civil society’s oversight of State action (Access to Information, Freedom of Information, and Justice) than for the **topics associated with civil society’s relationship with local development and participation** (Decentralization and Civil Society). Because of this, they will be treated separately.

Topics related to civil society’s oversight of State action:

Suggested Background of the Issue Supervisor

- Access to Information: A professional with legal training related to the issue, who is familiar with State modernization initiatives in the area of accountability.
- Freedom of Information: A professional trained in social communication, with knowledge of the legal aspects of the subject.
- Justice: A professional with legal training as well as experience with legal issues affecting the poor and groups subject to discrimination.

Qualified Informants

In each country, **it is suggested that five individuals should be consulted** per topic for the questions requiring an educated opinion. The **suggested profile of these qualified informants** is illustrated by the following examples, according to the topic in question:

- Access to Information: Director of a civil rights organization; director or expert from an NGO working on the subject; attorney for the communications media; legal representative of a journalists’ or labor organization; law professor with expertise on the subject.
- Freedom of Information: Attorney for the communications media; legal representative of a journalists’ or labor organization; authority or expert working for the communications media; journalism professor researching media communications; law professor with expertise on the subject.
- Justice: Attorney; director or expert from an organization defending women’s rights, children’s rights, or the rights of ethnic groups.

Topics associated with civil society, participation, local government and decentralization:

The broad variation among countries on the issues of local government and civil society makes it difficult to establish standardized measures which can adequately represent this diversity. At the same time, the large number of organizations addressing these issues complicates the search for a fully authoritative expert opinion. Each problem must be addressed separately.

The diversity of experiences related to these topics even makes it difficult to compile factual information. Because of this, it will be necessary in some cases **to generate a structural sample rather than a probabilistic one**. The structural sample is a simplified model of the population being examined, based on relevant characteristics from the point of view of the study. The resulting sample is representative of the population in relation to the criterion selected, although it may be biased with respect to other criteria. While this type of sample does not permit statistical generalization, it is viewed as a valid procedure within the social research community.

Next, we present a matrix for the development of the sample in the issues of local governance and decentralization and participation.

Local Government and Decentralization

There is great variation in the organization and characteristics of local governments, both within and across countries. Local government is understood as the entity responsible for the lowest level of territorial division within the country's political system. To ensure a consistent frame of reference, the territorial unit will be called a "municipality," and the political leader of this unit will be referred to as the "mayor." In systems where a city government includes smaller units, the administrative unit corresponding most closely to the local governments in the rest of the country will be used. However, some questions pertain directly to the city government and should be answered on that basis. The term "city" is used to describe a continuous urban area (also called metropolitan area) that may be comprised of diverse autonomous administrative units. For example, the city of Santiago (Chile) is comprised of 35 districts, as the metropolitan area of Buenos Aires (Argentina) is comprised of diverse systems.

Under the orientation established in the Plan of Action, local governments are viewed as agents of the State's political and administrative decentralization processes. Thus, information about local governments is of particular interest and importance – technically, they constitute the unit of analysis. When specific information about each municipality is included in national statistics, it will be summarized using indicators of centralization and dispersion. However, since some of the required information is not collected in national statistics, it is necessary to generate a sample. The sampling structure for municipalities is presented in the following chart.

Sample of Municipalities for the Questionnaire on Local Government

Follow Up Plan for Commitments Made under the Quebec Plan of Action¹

Level of resources	Municipalities in a city or metropolitan area with over 1 million inhabitants	Municipalities in medium-sized cities with fewer than 1 million inhabitants	Municipalities in rural areas
High	3	3	3
Medium	3	3	3
Low	3	3	3

This classification of local governments combines two criteria: the degree of urbanization and the local government's level of resources. Three cases will be studied in each area, giving a total of **27 cases**. In some countries, the number of local governments is lower than the number of cases indicated in the sample. In these situations, all local governments must be surveyed; that is, census information must be collected.

When constructing the sample, the ideal yardstick for the availability of resources is the amount of resources used for investment and public services per capita (or the total municipal budget minus operational costs). In the case that such information is not available, other alternative data may be used which show the level of municipal resources that reach the city's population.

Three types of urban configuration are identified, due to their effect on local management:

- The metropolitan area is that which is commonly recognized as a "big city": in many cases this is the result of the urban merging of previously isolated communities, whose growth connects them in a manner that makes it difficult to distinguish their limits. As a result, more than one local government may exist within a city; for example, the metropolitan area of Montreal includes 111 municipalities.
- Much time can be spent in discussing the definition of a "medium-sized city," and the answers will vary in each country, especially with regard to the lower limit. For operational purposes, we will consider "medium-sized cities" to be those with a population of less than 1 million, which generally comprise a single municipality. Cities such as Posadas, Corrientes or Mendoza in Argentina would be considered "medium-sized cities," as would Antofagasta, Copiapó, Rancagua or Temuco in Chile.
- Rural or isolated settlements differ markedly from urban configurations, due to their smaller size and the types of services available.

¹ The selection of the structural sample of municipalities considers a sample by conglomerates (city), in which we will select our units of analysis.

Most of the items in this questionnaire must be completed for all of the selected municipalities, in order to reflect the diversity of experiences. However, some of the requested information is more general and can be provided by the central government, universities, research centers or associations of municipalities. Questions 1 through 4, 6, 7, 13, 15 and 16 represent general information applicable at the national level. The rest must be completed for all of the cases sampled.

Information from government sources should be solicited from the official responsible for liaison with civil society organizations. However, questions 5, 17 to 19, 21 to 23 and 26 to 28 should be answered by representatives of at least 3 civil society organizations working in that community.

Procedure for the generation of the sample:

Universe: All municipalities within the country.

Sample Framework: A list of all municipalities for which population data is available.

Sample Unit: Municipality.

Interviewee: Representative of social organizations.

Selection process:

- Group municipalities into three categories: metropolitan areas, medium-sized cities or smaller settlements.
- Order the members of each group according to their levels of resources.
- Collect population data for each municipality.
- Carry out a systematic, random selection based on total population.
- Discard and replace any selected municipalities for which information is unlikely to be available.

Check the distribution of the total sample to verify that the cases are not biased.

Civil Society and Participation

Defining the entities which constitute civil society involves diverse and even contradictory criteria, making it impossible to achieve full consensus. For operational purposes, we will restrict our view of civil society to the **non-profit organizations which seek to improve the population's quality of life through various means, based on diverse philosophies.** This criterion excludes grassroots community organizations from the survey; however, for the purposes of this investigation, we assume that these are represented by the interviewed organizations. The coverage of the survey may be expanded in the future.

The sample of civil society organizations is generated based on the type of organization present in the sector and the issues they cover. There will be a total of 30 interviews. The total distribution must have sufficient geographical diversity to ensure that the organizations in question cover both rural and urban areas, as well as smaller and larger cities.

Sample of Civil Society Organizations (CSOs) for Civil Society and Participation Questionnaire

Follow Up Plan for Commitments Made under the Quebec Plan of Action

THEMATIC FOCUS	Networks of Promotion and Development Organizations	Promotion and Development Organizations Not Participating in Networks	Charitable Organizations
Economic development or technical assistance			
Social issues: poverty, gender, etc.			
Citizenship and participation			
Environmental and sustainable development issues			
Ethnic or multicultural questions			

These organizational types seek to reflect the variation present in the field. The Networks of Promotion and Development Organizations (PDO) include various forms of second-degree coordination, including trade unions, associative networks, issue-based networks and federations. Some PDO may not be linked to networks, but their work is considered relevant or enjoys high visibility, and thus they may be included in the sample. Finally, charitable organizations include foundations or corporations representing organizations which operate outside of civil society.

The selection of thematic focal points must be considered mainly on an illustrative basis; it is used simply to facilitate the classification of the selected organizations and thus it is open to

more precise specification. The goal is more to ensure the diversity of thematic focal points than to make sure that each one is represented. In cases where an organization has more than one focal point, it must be included in each area. It is no problem if some categories are not represented.

The diversity of potential information sources makes it necessary to identify a wide variety of qualified informants and civil society organizations with experience working with local governments. The questions of a general nature will be answered by university experts, associations of municipalities, government officials and NGO representatives.² The questions that require interviews are 4 to 6, 12 to 16 and 20 to 28 of the current questionnaire on Civil Society.

The information on the inter-American system will come from the corresponding organizations and will be collected directly by PARTICIPA. This applies to questions 7, 8 and 9 of the current Civil Society questionnaire.

Procedure for the generation of the sample:

Universe: All organizations of civil society.

Universe of Interest: PDO, Networks of PDO and Charitable Organizations.

Sample Framework: A list of organizations which exhibit the characteristics of the universe of interest and for which data is available -- ideally a national directory or registry.

Sample Unit: Organization.

Interviewee: Director of the organization.

Selection process:

- Classify the organizations according to their type and thematic focus, based on available information.
- Review available lists and supplement them using the knowledge of experts in the field.
- Select a random sample of some ten organizations of each type. If the total is smaller than this (for example, there are only three networks), allocate the remainder proportionately to the other two categories.
- Discard and replace any selected organizations for which information is unlikely to be available.

Review the distribution of the final sample to ensure that it meets the criteria of regional and thematic diversity.

² To further broaden the validity of the results, the consultants suggested that national surveys be taken on a web page making the questionnaire available to any interested party; however, no definitive decision has been adopted in this regard.

4. Presentation of Results of Civil Society's Follow Up in the Region

While numerous informants and information sources will be used to complete the questionnaire, there will be only one report per country. This report will represent the overall point of view of civil society, reflecting its agreements, differences and shades of opinion.

Using the country reports as a foundation, the Regional-Hemispheric Coordination Unit will process the answers to the questionnaires and propose a summary report, synthesizing the information at the regional and hemispheric levels. This report will be presented to the National Coordination Unit in each country, and feedback will be solicited from civil society organizations at the national level.

The final report, reflecting this feedback, will be disseminated and presented to the governments and inter-governmental bodies, in conjunction with a public information and action strategy implemented in each country by the respective National Coordination Unit.

A similar procedure will be carried out in 2004, with emphasis on identifying changes occurring during 2003 with respect to the selected indicators.

ACCESS TO INFORMATION

I. COMMITMENTS UNDER THE QUEBEC PLAN OF ACTION³

In the Plan of Action, the participating governments pledge that they “will work together to facilitate cooperation among the national institutions responsible for guaranteeing (...) free access to information, with the aim of establishing best practices to improve the administration of information held by governments about individuals, facilitating citizens’ access to this information.” This is designed to contribute to the aim of increasing public institutions’ transparency and accountability. Emphasis is placed on the role of new information and communications technologies in this process.

II. CONCEPTUAL DEFINITION OF THE ISSUE⁴

The right to information, including the right of access to information held by the State, is an internationally-recognized human right.

Article 19 of the United Nations’ Universal Declaration of Human Rights establishes the freedom of access to information as part of the right to free expression. The American Convention on Human Rights also establishes this right, which has been constitutionally recognized in various countries of the Americas.

The *right to know* (free access to information) and the *right to speak* (freedom of expression), are basic citizens’ rights (they have intrinsic value), and they are essential for good management of the government and the economy.

The right of access to information is a prerequisite for the exercise of other rights. Access to information contributes to transparency, helps reduce corruption and promotes the accountability of public authorities and institutions to the citizenry, as signaled in the Plan of Action. It also improves the distribution of public and private resources by helping citizens make better decisions, contributes to increased market efficiency, improves the operation of democracy and promotes respect for citizens’ rights in general.

A lack of information about problems affecting a community or social group – that is, when problems exist but are insufficiently recognized by public opinion -- makes it more difficult to take positive action. This is particularly the case with serious problems for society such as poverty and inequity. Full access to information allows citizens to recognize the true situation and to confront poverty and inequity more effectively.

³ The Québec Plan of Action can be found at www.oea.org.

⁴ This conceptual definition has been developed collectively by the members of the Hemispheric-Regional Coordination and consultants associated with the development of this Guide, on the basis of relevant international instruments; in this case, the Universal Declaration of Human Rights and the American Convention on Human Rights, that can be found at www.iidh.ed.cr.

Access to information is understood as releasing information of interest and relevance to communications media, civil society and citizens in general, in areas such as public finances; the activities of the authorities and high public officials; the results of government actions; support offered to vulnerable groups and individuals; and the finances, accounting and audits of private companies and executives. “Public availability” of information in these areas implies that the information is timely, up-to-date, comprehensible, useful for the oversight of public and private entities, and sufficient to permit citizens to exercise rights and take advantage of opportunities.

Establishing constitutional guarantees, laws and governmental directives addressing freedom of information and permitting access to official information can help guarantee appropriate access to information on the part of the public. However, the right of access to information must also be balanced with respect for individuals and the legitimate right to privacy (as mentioned in the Plan of Action), as well as the protection of information for reasons of national security.

III. DIMENSIONS AND SUBDIMENSIONS

Based on the framework defined for Access to Information, and assuming the boundaries adopted by the Quebec Plan of Action, we propose the following dimensions and subdimensions to approach the follow-up process on this issue.

1. Legislation on freedom of access to information and related regulations.
2. Effective access to public information about:
 - 2.1 Public finances.
 - 2.2 Public activities of government authorities and high public officials.
 - 2.3 Results of government action.
 - 2.4 Support provided to vulnerable groups and individuals.
 - 2.5 Finances, accounting and audits of private companies and executives.
3. Restrictions on the freedom of access to information.
4. The use of new information and communications technologies to facilitate access to public information.

IV. INDICATORS

Based on the dimensions and subdimensions previously identified, the following indicators have been developed. However, the following questionnaire is structured around a selection of these indicators, in accordance with the criteria outlined on page 6 of this document. Those indicators that are included in the questionnaire are marked with bold or cursive font.

1. Laws on freedom of access to information and related regulations.

The existence of laws addressing the issue of access to information which ensure that:

- ***Information held by the State can be requested by any person.***
- ***Requests for information must not necessarily state the motive for which the information is solicited.***
- ***The government is obligated to provide all of the requested information which it holds, with exceptions that must be specified restrictively.***
- ***The right to solicit information includes the right to reproduce the requested information.***
- ***The principle of public access to information held by the government serves as a guide in cases of doubt about the interpretation of the law.***
- ***The offices providing public information are required to answer requests for information from individuals within a short period of time.***
- ***The cases in which the State cannot release information (e.g., protection of privacy or national security) are enunciated in a clear and restrictive manner.***
- ***If the release of information is refused, the person requesting the information can resort to the justice system to ask for an explanation, obligating the State to respond.***
- ***Clear responsibilities are established for the officials providing information, along with sanctions for the unjustified refusal of information requests.***
- ***The opportunity to resort to the justice system is provided if the government unjustifiably refuses the requested information.***
- ***Exceptions to the principle of public access to information are reduced to an unavoidable minimum, with the justice system exercising oversight over this process.***
- ***When a document contains a combination of permitted and restricted information, the permitted information must be provided to the requester.***
- ***The costs established by the State for information searches and reproduction must not exceed "reasonable" values, which in the final instance are determined by the justice system.***
- ***Public offices are obligated to publish key information.***
- ***Laws inconsistent with the principle of maximum public access to information have been abrogated or modified.***
- Citizens' access to information about people in positions of power in government offices and State entities is protected.
- A formal government office exists to monitor the government's obligations and commitments with respect to access to public information and to provide liaison with civil society.
- Public information offices are established within government agencies and entities.

- A citizens' protection office (ombudsman) exists, with powers that include the defense of citizens' rights to access public information.

2. Effective access to information held by the State.

Effective availability of information at each of the following levels:

- a) National government and central State.
- b) Regional or provincial governments.
- c) Municipalities.

In measuring the indicators related to the availability of public information, the following quality criteria must be taken into account. The information must be:

- a) *Sufficient to permit citizens to exercise rights and access opportunities*: allowing them to take advantage of services, effectively exercise their rights and negotiate effectively with public and private entities.
- b) *Relevant to the oversight of public and private entities*: of sufficient detail, importance and reliability to permit citizens to monitor corruption, evaluate the effectiveness and efficiency of public services and improve the distribution of economic resources.
- c) *Timely*: provided in real time, at pre-established intervals or as a function of pre-defined events, as appropriate.
- d) *Comprehensible*: presented in a user-friendly manner.

2.1 Access to information about public finances.

Effective availability of information about:

- **The public budget as proposed and implemented.**
- Open procedures for government purchasing.
- Standard cost structures for public projects.
- Periodic financial reports.
- **Public contracts (bidding processes).**
- Expenditures of government bodies.
- Macroeconomic data.
- **Timely information about economic reforms (international agreements, privatization of public enterprises and other measures).**

2.2 Access to information about public activities of the authorities and high public officials.

Effective availability of information about:

- **The income of government employees.**
- **The personal finances of high public officials.**
- Election results.
- **Politicians' actions (roll call of legislators' votes, participation in sessions, etc.).**
- Parliamentary sessions.
- Judges' decisions.

2.3 Access to information about the results of government actions.

Effective availability of information about:

- **Existing levels of poverty and inequity.**
- **Student achievement and other educational indicators.**
- **Health care and other health indicators.**
- Legal cases.
- **Accusations of police abuse and the use of excessive force.**
- **Accusations of human rights violations.**
- Goods and services provided by public programs.
- The effects of public programs and projects for the population.
- Environmental indicators.
- Gender, ethnic and other kinds of discrimination.

2.4 Access to information about support for vulnerable groups and individuals.

Effective availability of information about:

- Public support for the indigent.
- **Sources of support for victims of domestic violence and sexual abuse.**
- Health and sexual orientation programs for youth.
- Legal rights and legal aid services for arrestees and those deprived of their rights.
- **In cases of internal conflict, benefits for displaced persons and others affected by the conflict.**
- Translation and interpretation services for arrestees and those deprived of their rights.
- Personal data held by the government, upon request of the person in question.

2.5 Access to information about finances, accounting and audits of private companies and executives.

Effective availability of information about:

- Ownership of companies.
- Ownership connections in the makeup of corporate boards of directors.
- Corporate balance sheets.
- Transfers of high officials from the public to the private sector.
- **Rate-setting for public utility services managed by public or private enterprises.**
- Price and quality indicators for consumer products.

3. Restrictions on the freedom of access to information.

The existence of laws limiting access to information in order to ensure:

- Respect for individuals' right to privacy.
- Respect for individuals' reputations.
- **Protection of children and adolescents.**
- Protection of public health.
- Protection of the public order.
- Respect for ethnic or religious considerations.
- Protection of national security.

4. The use of new information and communications technologies to facilitate access to public information.

The existence of:

4.1 Information systems on the Internet to disseminate public information from State entities.

4.2 Telephone lines available to the public for the purpose of soliciting information and registering complaints.

V. QUESTIONNAIRE

Laws on freedom of access to information and other regulations

1. Do laws exist regarding freedom of access to information?

- Yes
- Yes, but with restrictions
- No

Explain:

.....

.....

.....

2. In the affirmative case, specify the aspects covered by these laws:

The laws regarding access to information establish that:	YES	NO
1. Public offices are obligated to publish key information.		
2. Information held by the State can be requested by any person.		
3. Information requests must not necessarily state the motive for which the information is solicited.		
4. The government is obligated to provide all of the requested information that it holds, with exceptions that must be explicitly specified.		
5. The cases in which the State is hindered from providing information (e.g., protection of privacy or national security) are enunciated in a clear and explicit manner.		
6. Exceptions to the principle of public access to information have been reduced to the bare minimum.		
7. The justice system possesses the authority to exercise oversight in all cases of exception to the principal of public access to information.		
8. When a document contains a combination of permitted and restricted information, the permitted information must be provided to the requester.		
9. The principle of public access to information held by the government serves as a guide to interpret the law when specific cases are contested/in question.		
10. Short time periods have been established for offices providing public information in response to requests for information.		
11. The justice system can be used as a recourse in cases when requests for information that have unjustifiably been refused by the government.		
12. Persons requesting information can resort to the justice system to ask for explanations of unnecessary delay, obligating the State to respond.		
13. Clear responsibilities are established for the officials providing information, as are clear sanctions for those who refuse the release of information without sufficient justification.		
14. The right to solicit information includes the right to reproduce the requested information.		
15. The costs established by the State for information searches and reproduction must not exceed "reasonable" values, which in the final instance are determined by the justice system.		

16. Laws inconsistent with the principle of maximum public access to information have been abrogated or modified.

Comments: _____

Effective access to information held by the central government.

3. What is the availability of public information in each of the areas indicated?

The categories are defined as follows:

Satisfactory: Information which is broad, relevant, up-to-date, understandable and accessible in accordance with pre-defined rules.

Insufficient: Information which is partial, of little relevance, not up-to-date or confusing or unclear.

Not available: Scarce information which is irrelevant, not updated or incomprehensible.

EFFECTIVE AVAILABILITY OF INFORMATION ABOUT:

Public Finances				
Item	Satisfactory	Insufficient	Not Available	Explanation
1. Government Spending				
2. Public contract w/private sector (bids)				
3. Economic measures (e.g. Privatization and International agreements)				
4. Loans, setting rates for basic services				

EFFECTIVE AVAILABILITY OF INFORMATION ABOUT:

Activities by Public and Senior Officials				
Item	Satisfactory	Insufficient	Not Available	Explanation
5. Public servants' income				
6. Assets of senior officials				
7. Votes on legislation				

Explain: _____

EFFECTIVE AVAILABILITY OF INFORMATION ABOUT:

Results/Impacts of Government Activities				
Item	Satisfactory	Insufficient	Not Available	Explanation
8. Levels of poverty and inequity				

9. Student achievement and other educational indicators				
10. Health care and other health indicators				
11. Accusations of police abuse and the excessive use of force				
12. Accusations of human rights violations				

EFFECTIVE AVAILABILITY OF INFORMATION ABOUT:

Support for Vulnerable Groups and Individuals				
Item	Satisfactory	Insufficient	Not Available	Explanation
13. Sources of support for victims of domestic violence and sexual abuse				
14. Sources of support for populations that are displaced or affected by war or internal conflict				

EFFECTIVE AVAILABILITY OF INFORMATION ABOUT:

Finances, Accounting and Audits of Private Firms and Executives				
Item	Satisfactory	Insufficient	Not Available	Explanation
15. Performance indicators of (public or private) companies providing public services				
16. Price and quality of consumer products				
17. Performance indicators of the financial system				

Restrictions on the freedom of access to information.

4. Are there access to information restrictions for media/communications in order to protect children and adolescents (for example, restrictions on the publication of the names of juvenile crime suspects?)

- Yes
- No

Explain:

.....

Use of information and communications technologies to facilitate access to public information.

5. Is the proportion of government bodies offering web pages on the Internet high, moderate, low or non-existent, at the levels indicated?

At the level of:	% of Government departments that have web pages on the Internet:			
	80-100%	50-79%	Less than 50%	Non-existent
National				
Regional and/or provincial				
Municipal				

Explain:

.....

V. SOURCES OF INFORMATION

Tentative list of information sources for the indicators in this area:

- Information provided by the OAS Special Rapporteur for Free Expression
- Ministry of the Interior
- Communications secretariat of the government, or ministry secretariat general of the government
- Telecommunications secretariat or ministry
- Government agencies' public information departments or offices
- Business associations
- National Statistics Institutes
- Journalists' associations
- Schools of journalism
- Attorneys' associations
- Law schools
- National legislative diaries or official publications of national laws
- Annual report of the Inter-American Human Rights Commission
- Press law databank of the Inter-American Press Association
- National constitutions
- Press archives of the communications media and national libraries
- Penal, civil and military codes of each country
- Consumer groups and other civil society organizations
- National and international NGOs concerned with the subject
- UNDP Human Development Report

- Specialized studies and research
- The regulatory body for corporations.

FREEDOM OF EXPRESSION

I. COMMITMENTS UNDER THE QUEBEC PLAN OF ACTION⁵

In the Quebec Plan of Action, the participating governments declared that it was necessary “to ensure that national legislation on freedom of expression is applied in an equal manner to all, respecting this liberty and access to information for all citizens, and for States to ensure that journalists and opinion leaders are free to investigate and publish without fear of reprisals, harassment or vindictive actions, including the misuse of anti-defamation laws.”

The proposal was also made “to support the work of the inter-American human rights system in the area of freedom of expression through the Special Rapporteur of the Inter-American Commission on Human Rights (IAHCR), to promote the dissemination of works of comparative law, and to ensure that national legislation on freedom of expression meets international legal obligations.”

II. CONCEPTUAL DEFINITION OF THE ISSUE⁶

On the basis of general declarations such as the Universal Declaration of Human Rights, the Declaration of Chapultepec and the OAS Declaration, along with specific documents such as the International Covenant on Civil and Political Rights, the Inter-American Convention on Human Rights, the American Declaration of the Rights and Duties of Man and the First Amendment to the Constitution of the United States, the following definition of freedom of expression can be formulated:

1. General

Freedom of expression is a right established by numerous charters of fundamental principles, such as the Declaration of the Rights of Man. Its basic proposal is that any man or woman, whatever his or her station in life, can disseminate what he or she thinks or believes, without prior censorship and using any wording, language, means or media, subject only to limits established by law aimed solely at ensuring recognition and respect of the rights and liberties of others and satisfying the just demands of the public order and the general welfare of a democratic society. Among these limitations on expression are the prohibition of pro-war propaganda and expressions of national, racial or religious hatred which constitute incitements to discrimination, hostility or genocide.

⁵ You can obtain a copy of the Québec City Plan of Action document at www.oas.org

⁶ The conceptual definition of this issue was elaborated collectively by the members of the Hemispheric-Regional Coordination and the associated consultants who worked on the production of this Guide. The definition was based on the following pertinent international documents: the Universal Declaration of Human Rights, the Declaration of Chapultepec, the OAS Declaration, the International Civil and Political Rights Pact, the Inter-American Convention on Human Rights, the Inter-American Convention on the Rights and Duties of Man and the First Amendment of the US Constitution, which can be obtained at www.iidh.ed.cr

2. Operational

The operational definition requires that any man or woman can **effectively** disseminate what he or she thinks or believes, without prior censorship and using any wording, language, means or media, subject only to certain limitations established by law. “Effectively” in this context means not only that the laws permit free expression, but that experience confirms it to be possible in practice.

A few points should be considered in relation to these conceptual definitions.

The effective exercise of freedom of expression requires a national political and administrative system which allows and supports the dissemination of information, thought and creative work of any kind in a broad, diverse and free manner. At the same time, certain general characteristics of each country must be taken into account, along with certain subjective perceptions of individuals which may favor or hinder free expression.

Operationally, freedom of expression does not exist without the opportunity to exercise it. This raises new challenges in the present environment: the indicators must measure opportunities for freedom of expression both in the traditional media and with regard to the new electronic technologies. In addition, freedom of expression is not limited to journalism but also involves artistic, political, religious and general cultural expression.

To accurately measure freedom of expression, certain social and population characteristics must be included as general indicators, as is done with the UNDP’s human development index. Important issues in this context include the population’s disposition to express itself freely and the number of communications media outlets using indigenous languages in relation to the number of speakers of those languages.

III. DIMENSIONS AND SUBDIMENSIONS

1. Citizens’ rights

- National legislation on freedom of expression.
- International legal obligations related to freedom of expression.
- Equal enforcement of the law on freedom of expression.
- Anti-discrimination legislation.

2. Communications media

- Legislation regarding citizens’ opportunities to express themselves in the public communications media.
- Legislation regarding the free exercise of journalism.
- Legislation on political parties’ access to the media in electoral campaigns.
- Ownership distribution of the public communications media.
- Ethical rules applied to the media.

3. Artistic expression

- Laws or regulations promoting artistic creation.
- Laws or regulations promoting artistic dissemination.
- Laws or regulations restricting artistic creation.
- Laws or regulations restricting artistic dissemination.

4. Non-media citizen expression

Laws or regulations restricting public demonstrations.

Laws or regulations providing public access to political, legislative and judicial authorities.

5. New technologies

Freedom of expression through access to the Internet.

6. Objective opportunities for citizens to express themselves freely

Literacy levels in the country.

Number of communications devices per unit of population (landline and cellular telephones, televisions and radios).

Number and coverage of mass and local communications media in relation to the population.

Number and distribution of communications media outlets using minority or non-official languages relative to the proportion of the population using those languages.

7. Tendency of the population to express itself freely

The population's perception of its opportunities for public expression.

The population's motivation for public expression.

The population's attitude toward public expression.

The population's experiences with public expression.

IV. INDICATORS

1. Citizens' rights.

1.1 National legislation on freedom of expression.

a) **Constitutional**

b) **Criminal**

c) **Civil**

d) **Military**

1.2 International legal obligations on freedom of expression:

Being a party to international treaties and agreements on the subject.

1.3. Equal enforcement of the law on freedom of expression.

a. **Exceptions for political or judicial officials.**

b. **Anti-discrimination legislation.**

Constitutional

Criminal

Civil

Military

2. Communications media.

2.1 Legislation regarding citizens' opportunities to express themselves in the public communications media.

- a. Exercise of the right to reply.
- b. Pluralism in the communications media.**
- c. Distribution of ownership of the public communications media.**
 - i. Television**
 - ii. Radio**
 - iii. Newspapers**
 - iv. Magazines**
 - v. Ownership cross-links**
 - vi. Community-based media or micro-media**

2.3 Legislation regarding political parties' access to the media in electoral campaigns.
Laws regulating this access

2.4 Ethical rules applying to the media.

Laws and regulations spelling out the rights and duties of journalists and media outlet owners

2.5 Legislation regarding the free exercise of journalism.

- a. Mandatory membership in associations
- b. Protection of information sources**

2.6 Laws, regulations or conditions restricting the free exercise of journalism.

- a) **Pressure from media sponsors to publish notices or information**
- b) **Confiscations, including private ones**
- c) Blacklists, blacklisted individuals or taboo issues

3. Artistic expression.

3.1 Laws or regulations promoting artistic creation.

- a) Public funds to support the arts**
- b) Private funds to support the arts**
- c) Laws facilitating artistic production (such as laws favoring donations)**

3.2 Laws or regulations promoting artistic dissemination.

- a. Public funds to support displays of the arts
- b. Private funds to support displays of the arts
- c. Laws facilitating artistic dissemination (such as tax exemptions)**

3.3 Laws, regulations or conditions restricting artistic dissemination.

- a. Censorship.**
- b. Other types of State oversight.

4. Non-media citizen expression.

4.1 Laws or regulations restricting public demonstrations.

- a) Ease of organizing and participating in demonstrations

4.2 Laws or regulations providing access by citizens to political, legislative and judicial officials.

- a) Opportunities to be heard by the authorities.
- b) Existence of official or extra-official channels for public complaints.

5. New technologies.

5.1 Internet access and freedom of expression.

- a) Number of Internet connections per unit of population.**
- b) Internet use in the public schools.**
- c) Number of public spaces with Internet access.**

6. Practical opportunities for free expression by citizens.

6.1 Levels of complete and functional illiteracy in the country.

6.2 Number of communications devices per unit of population (landline and cellular telephones, televisions and radios).

6.3 Number and coverage of the mass and local communications media relative to the population.

6.4 The number and distribution of communications media outlets using minority or non-official languages relative to the number and distribution of the population using those languages.

7. Predisposition of the population to express itself freely.

7.1 The population's perception of its access to free expression:

The perceived need to express itself through some form of the mass communications media.

7.2 The population's motivation for public expression:

The will to express itself through some form of the mass communications media.

7.3 The population's attitude toward public expression:

The perceived importance of public expression.

7.4 The population's experiences with public expression:

The quality of its experiences with freedom of expression.

V. QUESTIONNAIRE

Citizens' rights.

1. Does your country's constitution explicitly guarantee freedom of expression?

- Yes
- Yes, but with restrictions
- No

Explain: _____

1.a. Which criminal, civil or military laws guarantee freedom of expression?

2. Are there criminal, civil or military laws restricting freedom of expression?

	Restrict YES or NO
Immunity	
Libel and slander	
Abuse of publicity	
Others	

Explain:

3. What types of penalties are applied to those who do not respect legal restrictions on the freedom of expression?

	Prison		Fines		Confiscation of publications/productions	
	Severe	Mild	Severe	Mild	Pre-emptive	Subsequent
Immunity						
Libel and slander						
Abuse of publicity						
Others						

Severe prison sentence: Must remain in prison.

Light prison sentence: House arrest or similar.

Severe fines: 1000 dollars or more.

Light fines: Less than 1000 dollars.

Confiscations:

Pre-emptive (previous to circulation)

Subsequent (after circulation).

4. Has your country signed international treaties and agreements related to freedom of expression?

Yes

No

5. Has your country ratified international treaties and agreements related to freedom of expression during the 2000-2002 period?

Yes

No

Specify agreements and dates

6. Have allegations of violations of the freedom of expression in your country been presented to the Inter-American Human Rights Commission during the past year?

Yes, five or more

Yes, less than five

No

7. Are there formal mechanisms in addition to the courts of law (with the state or with civil society) for lodging complaints of abuse or violation of the freedom of expression?

Yes

No

If yes, what kind and how many?

8. Have there been legal cases or decisions aimed at protecting freedom of expression in the 2000-2002 period?

	2000	2001	2002
Yes			
No			

9. Have journalists or other persons involved in communication been detained, tried or sentenced due to limitations on the freedom of expression, during the 2000-2002 period?

	2000	2001	2002
Yes			
No			

If yes, please indicate the number, type of cases and circumstances:

.....

10. Have any of the following incidents occurred during the 2001-2002 period?

Obstruction of the dissemination of information	YES	NO
Confiscation of publications	YES	NO
Threats against journalists	YES	NO
Censored media or programs	YES	NO

If yes, please explain the case(s): _____

11. Is there evidence of pressure from third parties on media sponsors to withdraw support from a program?

- Yes, one or more cases
- Yes, three or more cases
- Yes, five or more cases
- No

12. Is there evidence of pressure from media sponsors to withdraw a program due to its content?

- Yes, one or two cases
- Yes, three or four cases
- Yes, five or more cases
- No

13. Is there evidence of financial pressure from creditors on a media outlet due to the contents of their production/output?

- Yes, one or two cases
- Yes, three or four cases
- Yes, five or more cases
- No

14. Have journalists or other persons involved in communication been assassinated during the 2000-2002 period for reasons connected to their professional work?

	2000	2001	2002
Yes			
No			

Details:

.....

15. Have journalists or other persons involved in communication been fired, displaced or exiled during the 2000-2002 period for reasons connected to their professional work?

	2000	2001	2002
Yes			
No			

Explain:

.....

16. Have restrictions on freedom of expression due to membership in an ethnic group, nationality, gender, religion or minority group, or other similar reason, been evident in practice during the 2000-2002 period?

Yes

No

If yes, explain:

.....

Communications media.

17.a. Are the country's diverse ideological currents reflected in the leading communications media?

Yes

No

Explain:

.....

17.b. Are the country's diverse cultural currents reflected in the leading communications media?

Yes

No

Explain: _____

18. Do local communities, ethnic and minority groups and others have public guarantees to have access to their own means of communications (local press, community radio, local television, etc.)?

Yes

No

Explain:

.....
.....
.....

19. Do any anti-monopoly regulations for the communications media exist?

Yes

No

Explain: _____

20. Is ownership of the communications media relatively concentrated, or relatively dispersed among various owners?

	Relatively Concentrated	Relatively Dispersed
Television		
Radio		
Newspapers		
Magazines		

Comment: _____

21. Are there any laws or regulations that control or define the relationship (rights, responsibilities, duties) between journalists and owners of communications media outlets?

Yes

No

22. Is there a law protecting journalists' information sources or professional secrecy?

Yes

No

Explain: _____

23. What is the level of public confidence in the communications media?

	High	Moderate	Low
Television			
Radio			
Newspapers			
Magazines			

Explain:

Artistic expression.

24. Do public funds exist to support the arts?

No

Yes

If yes, indicate the total annual amount in US \$

25. Do private funds exist to support the arts?

No

Yes

If yes, indicate the total amount in US \$ available during the last fiscal year.

26. Are there laws that facilitate and promote artistic production and dissemination (e.g., tax exemptions, laws favoring donations)?

Yes

No

27. Have any works been censored, or exhibitions closed down during the 2000-2002 period?

	2000	2001	2002
+1			
Over 5			
None			

Non-media citizen expression.

28. In practice is the population's right to stage public demonstrations respected?

- Yes, without restrictions
- Yes, with a few restrictions
- Yes, with many restrictions
- No

Explain:

29. Are authorized demonstrations generally tightly controlled?

- Yes
- No

Explain:

New technologies.

30. What percentage of the population has an Internet connection (in their homes)?

- 5% or less
- 5-10%
- 10-20%
- 20-30%
- 30-40%
- Over 40%

31. How many public outlets offer free access to the Internet (including public schools)?

- Under 1000
- 1001 to 3000
- 3001 to 5000
- 5001 to 8000.
- 8001 to 10000.
- Over 10,000

Capacity and opportunities for citizens to express themselves freely.

32. What percentage of the population over 15 years of age has less than five years of schooling?

..... %

33. What percentage of the population OVER 15 YEARS OF AGE is illiterate?

..... %

34. Number of communications devices per capita:

Telephones (land lines).....

Cellular Telephones.....

Television sets.....

Radios.....

Citizens' disposition to express themselves freely.

35. Have violent actions taken place within the past five years against members of the population, or a subgroup of the population, due to their expression of ideas contrary to those of State officials or of another powerful group, whether legal or illegal?

Yes

No

Explain:

.....
.....
.....

36. If there has been a high or moderate level of generalized repression, as referred to in the preceding question, has the situation changed during the 2000-2002 period?

	2000	2001	2002
Yes			
No			

Explain:.....

VI. SOURCES OF INFORMATION

Tentative list of sources of information for the indicators in general:

- National Statistics Institutes
- Journalists' groups and associations
- Schools of journalism
- Attorneys' associations
- Law schools
- Official legislative diaries or national legal registries
- Annual report of the Inter-American Human Rights Commission
- Press law databank of the Inter-American Press Association
- National constitutions of each country
- Media archives of the communications media and the national libraries
- Criminal, civil and military laws of each country
- Domestic and international NGOs concerned with the subject
- UNDP Human Development Report
- Human Rights Watch reports
- Studies: Latinobarómetro, World Values Survey

JUSTICE

I. COMMITMENTS UNDER THE QUEBEC PLAN OF ACTION⁷

In the Quebec Plan of Action, the governments declared that “equal access to an independent, impartial and expeditious justice system is a fundamental pillar of democracy and social and economic development.” In recognition of this, they pledged to promote initiatives in two areas:

a) **Access to justice.** “Supporting public and private initiatives and programs to educate people about their right of access to justice, and promoting measures to ensure expeditious, equitable and universal access to justice.”

A commitment was also made to exchange experiences regarding alternative mechanisms for administering justice, such as those applied to indigenous peoples.

b) **Independence of the judicial branch.** The countries pledged to “promote measures to strengthen the independence of the judicial branch, for example through initiatives related to transparency in the selection of judicial officials, judges’ job security, appropriate codes of conduct and accountability mechanisms.”

II. CONCEPTUAL DEFINITION OF THE ISSUE

The societies of the Americas face numerous problems related to **injustice**, which include insufficient reparations for human rights violations, excessive judicial bureaucracy, ineffectiveness in fighting ordinary and organized crime, legal discrimination against disadvantaged groups, judicial actions which systematically favor the interests of a privileged minority, judicial corruption, and the disregard of constitutional and legal rights supposedly guaranteed by the State. Confronting these problems as a whole and ensuring **justice** for the region’s inhabitants will require judicial reforms, modifications to the legal framework on which the justice system is sustained, and the correction of inequities in political, economic and social institutions.

Due to our societies’ profound aspiration to ensure justice for their populations, access to justice and the independence of the judicial branch were recognized as important topics by the governments in the Quebec Plan of Action.

Access to justice is the ability of individuals and groups to make use of the judicial system to effectively resolve their conflicts.

To ensure this access, and to achieve equality of opportunity in access to justice, far-reaching reforms will be required in our societies. According to voices arising from civil society, these reforms must dismantle many barriers which prevent the region’s justice

⁷ You can obtain a copy of the Québec City Plan of Action document at www.oas.org

systems from being accessible, affordable, impartial, effective and sensitive to citizens' needs, especially the needs of the indigent, the disadvantaged and those suffering from discrimination. Equity in access to justice requires preferential action aimed at indigenous peoples, women, children, the handicapped, immigrants and other groups.

An **independent judiciary** pronounces impartial decisions regarding the application of the law to citizens and the State, in the cases presented to it.

This is a prerequisite -- although in our judgment not the only one -- for a judicial reform process that will establish an impartial, efficient and reliable justice system. An emerging issue put forth by civil society is the failure of judicial institutions, as currently constituted, to facilitate the inclusion of the indigent, the disadvantaged and those subject to discrimination; thus, they do not provide impartial justice with respect to all of the groups.

III. DIMENSIONS AND SUBDIMENSIONS

1. Access to justice.

1.1 Education of individuals about their right of access to justice.

1.2 Expedient, equitable and universal access to justice.

1.3 "Fair treatment" for the poor, the disadvantaged and those subject to discrimination.

2. Independence of the judicial branch.

2.1 Transparency in the selection of judicial authorities.

2.2 Job security for judicial authorities.

2.3 Appropriate codes of conduct.

2.4 Accountability to society.

2.5 Institutional structures which facilitate the inclusion of the poor, the disadvantaged and those subject to discrimination.

Subdimensions 1.3 and 2.5 are "emerging issues" of interest to civil society. Subdimension 1.3 was addressed by the Quebec Plan of Action in relation to indigenous peoples.

IV. INDICATORS FOR FOLLOW UP OF THE PLAN OF ACTION

1. Access to justice.

1.1 Education of individuals about their right of access to justice.

1.1.1 Government bodies tasked with educating people about their right of access to justice:

- a) **Public institutions carrying out this type of initiative.**
- b) Implementation of a policy or ongoing plan to inform and educate people about justice-related issues.
- c) **Coverage of the educational initiatives on justice-related topics.**

1.1.2 Initiatives by the judicial branch aimed at educating people about their right of access to justice:

- a) **Judicial offices carrying out this type of initiative.**
- b) Implementation of a policy or ongoing plan to inform and educate people about justice-related issues.
- c) **Coverage of the educational initiatives on justice-related topics.**

1.1.3 Private institutions educating people about their right of access to justice:

- a) Private institutions carrying out this type of initiative.
- b) Types of initiatives carried out.

1.1.4 Specialized coverage by the communications media, with professional support, of issues related to the right of access to justice.

1.1.5 Available evidence about citizens' level of knowledge or education about their right of access to justice.

1.2 Expedient, equitable and universal access to justice.

1.2.1 Public defender's office.

- a) **Year of establishment of the public defender's office (if existing).**
- b) Level of resources available to the public defender's office.
- c) Number of lawyers available to provide legal assistance.
- d) Number or percentage of cases supported by legal assistance:
 - Criminal cases
 - Civil cases
 - Total cases.
- e) Population per available lawyer.
- f) Description of the type of cases handled by the public defender's office.
- g) **Results of the public defender's activity, as far as available information allows.**

1.2.2 Free legal aid (distinct from the public defender's office).

- a) **Number of lawyers offering legal aid (if any).**
- b) Number or percentage of cases supported by legal aid:

Criminal cases
Civil cases
Total cases.

- c) Population per available legal aid lawyer.
- d) Description of the type of cases supported by legal aid services.
- e) Characterization of the results of legal aid, as far as available information permits.**

1.2.3 Ombudsman (citizens' defender).

- a) Year of establishment of the citizens' defender (if existing).**
- b) Description of the main types of actions undertaken.
- c) Characterization of the results of the ombudsman's activity, as far as available information permits.**

1.2.4 Oral trials.

- a) Year of establishment of oral proceedings (if existing).**
- b) Coverage of oral trials; number or percentage of cases tried orally.
- c) Available information as to whether the trial process has been simplified.
- d) Available information as to whether judgments have become more expeditious.**
- e) Available information as to whether trials have become more economical.

1.2.5 Persons detained, tried and convicted.

- a) Number of persons indicted.
- b) Number of persons indicted but awaiting a judicial decision.**
- c) Number of defendants convicted.
- d) Available information as to whether the length of time between arrest and sentencing has decreased in recent years.**
- e) Available information as to whether the population of indicted prisoners awaiting judicial decisions has decreased.**
- f) Socioeconomic composition of the prisoner population.

1.2.6 Reforms making police actions more compatible with the requirements of a democratic State, including:

- a) Proper treatment of arrestees by the police.**
- b) Informing arrestees of their rights and duties as citizens.**
- c) Informing arrestees in a timely manner of the accusations against them.**
- d) Respecting arrestees' right to contact an attorney.**

1.3 "Fair treatment" of the poor, the disadvantaged and those subject to discrimination.

1.3.1 Experiences with alternative conflict resolution mechanisms to help expedite the administration of justice among indigenous peoples.

1.3.2 Disposition (willingness) of the poor, the disadvantaged and those subject to discrimination to use legal channels to redress injuries to their rights.

1.3.3 Level of access of the poor, the disadvantaged and those subject to discrimination to the formal judicial system when they are affected by a criminal,

civil, employment, juvenile or other problem. Available information about the proportion of problems which are reported and brought before the formal judicial system.

1.3.4 The existence of extra-institutional mechanisms to assist victims of violence among the poor, the disadvantaged and those subject to discrimination.

1.3.5 The role of the police in helping provide solutions to the administration of justice among the poor, the disadvantaged and those subject to discrimination, without resorting to the courts.

1.3.6 Quality of the legal aid services available to the poor, the disadvantaged and those subject to discrimination.

1.3.7 The provision of specialized legal aid to specific groups such as women, children, the illiterate or the elderly.

1.3.8 The provision of translation and interpretation services in the courts to members of ethnic or immigrant groups, when necessary or requested.

1.3.9 The implementation of initiatives to inform citizens of their right of access to justice, especially the poor, the disadvantaged and those subject to discrimination, by:

- a) offices of the judicial branch,
- b) governmental bodies,
- c) private organizations.

1.3.10 Reforms to the criminal trial laws with results favoring the poor, the disadvantaged and those subject to discrimination, if any.

1.3.11 Implementation of reforms making police actions more compatible with the requirements of a democratic State, with emphasis on appropriate treatment and the protection of citizens' rights, especially for the poor, the disadvantaged and those subject to discrimination.

1.3.12 Initiatives to improve the quality of legal aid services for the poor, the disadvantaged and those subject to discrimination, including legal assistance, psychological support, protection of victims and plaintiffs, and other measures to support clients and mitigate the effects of their problems.

1.3.13 Initiatives to provide support and assistance to crime victims.

1.3.14 Implementation of policies to ensure humane and dignified treatment of prisoners.

2. Independence of the judicial branch.

2.1 Transparency in the selection of judicial authorities.

2.1.1 Advances in transparency and independence in the selection of judges, in the following areas:

- a) The range of entities participating in the selection of judges.**
- b) Mechanisms for constituting the entities which select judges.
- c) Objective criteria for the selection of judges in accordance with their merits.**
- d) Legal mandate (term) for which judges are selected.**
- e) Public release of information about judicial candidates.**
- f) Open and public mechanisms for the expression of objections to candidates.**

2.2 Job security for judicial authorities.

2.2.1 Effective term of office of members of the Supreme Court.

2.2.2 Existence of clear and publicly-recognized mechanisms for judges' advancement and removal.

2.2.3 Average term of service of judges outside the Supreme Court.

2.2.4 Recent cases in which judges have been removed or suspended from their duties due to political pressures or other arbitrary influences, in reaction to their previous judicial decisions.

2.3 Appropriate codes of conduct.

2.3.1 The establishment of objective procedures to monitor judges' performance and apply sanctions for inappropriate conduct.

2.3.2 The establishment of a judicial code of ethics.

2.3.3 The existence of an entity charged with the oversight of judicial ethics.

2.3.4 The existence of a relationship between a judge's standard of conduct and his or her professional advancement.

2.3.5 The existence of a guaranteed right to defense for judges if needed.

2.3.6 Recent results of the application of ethical standards.

2.3.7 Recent cases of judicial corruption not resulting in sanctions.

2.4 Accountability to society.

2.4.1 Initiatives aimed at improving access to information about:

- a) **the judicial system's budget**
- b) **salaries and personal assets of judges**
- c) **judicial proceedings**
- d) **judicial cases and decisions**
- e) **users of the judicial system**
- f) **persons held as detainees**
- g) **various judicial statistics.**

2.4.2 Breadth of information available on the Internet.

2.4.3 Mechanisms giving the communications media access to information about the judicial system's performance.

2.4.4 Available information permitting objective evaluation of the results of the judicial system's activity.

2.4.5 The existence of response mechanisms for complaints and demands for investigation lodged against the judicial system or individual judicial officials.

2.5 Institutional structures facilitating the inclusion of the poor, the disadvantaged and those subject to discrimination.

2.5.1 Degree of social diversity in the composition of the judiciary.

2.5.2 Available information indicating a social perception of discrimination and prejudice within the judicial system toward the poor, the disadvantaged and groups subject to discrimination.

2.5.3 Available evidence indicating that the poor, the disadvantaged or those subject to discrimination have difficulty in initiating communication with an overly rigid judicial bureaucracy.

2.5.4 Available evidence pointing to a public lack of confidence in the judicial system's performance.

V. QUESTIONNAIRE⁸

Access to justice.

Education of individuals about their right of access to justice.

1. Are educational efforts on justice-related topics by the judicial branch and other government bodies:

- Scattered or occasional, and restricted in coverage
- Scattered or occasional, but reaching a wide audience
- Ongoing, but restricted in coverage
- Ongoing, and reaching a wide audience

Explain:

.....

.....

.....

2. The level of citizens' knowledge or education regarding their right of access to justice is:

- High
- Moderate
- Low
- Nonexistent

Explain:

.....

.....

.....

⁸ When answering the questions regarding judicial power consider only the level of the Supreme Court (or highest national court).

Expeditious, equitable and universal access to justice.

3. Does the country have a public defender's office, free legal aid (distinct from the public defender's office), an ombudsman (citizens' defender), and oral trial proceedings?⁹

If yes, indicate the number of cases served by each office/service during the previous years.

	Does it exist?		Number of cases attended to		
			2000	2001	2002
Public defender	YES	NO			
Legal aid (distinct from the public defender)	YES	NO			
Ombudsman (citizens' defender)	YES	NO			
Oral trials in civil cases	YES	NO			
Oral trials in criminal cases	YES	NO			

Explain, especially if recent changes have taken place:

.....

4. In recent years, average time delays for the pronouncement of judicial sentences have been:

- Excessive
- Reasonable

If estimates exist of the actual time periods (in months), indicate:

.....

If estimates of the actual time periods do **not** exist, explain the response:

.....

5. Has the number and percentage of persons detained or brought to trial but still awaiting a judicial sentence changed in recent years, and how?

	2000	2001	2002
Number of pre-trial prisoners without a sentence			

⁹ Note that the oral trial proceeding portion of this question does not apply to countries using the Common law system.

% of pre-trial prisoners without a sentence vs. the total prison population			
---	--	--	--

Explain:

.....

“Fair treatment” of the poor, the disadvantaged and those subject to discrimination.

6. What level of recognition/legitimacy does the State grant to justice administration mechanisms (community justice/sentencing programs etc.), applied by indigenous peoples/communities?

- None
- Some
- High

If recognition is given, indicate the types of mechanisms used:

.....

7. Are the actions of the police compatible with the requirements of a democratic state in the following ways?

Appropriate treatment of detainees by the police	YES	NO
Informing detainees of their rights and duties	YES	NO
Informing detainees in a timely manner about the accusations against them	YES	NO
Respecting detainees' right to contact an attorney	YES	NO
Police training in the area of human rights	YES	NO
Respectful treatment of victims, complainants and anyone else who contacts the police	YES	NO

Explain:

.....

8. Among lower-income social groups, the proportion of problems which are reported to and brought before the formal judicial system is:

- High
- Moderate
- Reasonable
- Low

Nonexistent

Explain:

.....
.....
.....

9. In your country do cases exist where the population (or communities) has resorted to “taking justice into their own hands” (beatings, extra-judicial killings, lynchings etc)

	2000	2001	2002
Number of cases			

Explain:

10. The quality of free or low-cost legal aid services for the poor, disadvantaged or those subject to discrimination is:

	High	Average	Low	Does Not Exist
Free legal aid				
Support services (e.g. transport to courts, etc.)				
Psychological support				
Protection of victims and accusers				
Translation services for those who require them				

Explain:

.....
.....
.....

11. a) Have reforms been made to the criminal trial laws?

Yes

No

If yes, indicate what kind and when (dates):

.....
.....
.....

b) If yes, is there evidence that the reforms favor low-income plaintiffs?

Yes

No

Explain:

.....
.....
.....

c) If yes, is there evidence that the reforms favor those affected by domestic violence (spousal violence, child abuse)?

Yes
No

Explain:

.....

12. Have there been initiatives to provide special support for victims of domestic violence (spousal violence, child abuse) since 2000?

Yes
No

If yes, what kind?

.....

13. Have there been initiatives to ensure more humane and dignified treatment of prisoners since 2000?

	2000	2001	2002
Yes			
No			

If yes, what kind?

.....

Independence of the judicial branch.

Transparency in the selection of judicial authorities.

14. Have advances been observed since 2000 in relation to transparency and independence in the selection of Supreme Court justices, in the following areas?

Broadening of the entities involved in the selection of justices	YES	NO
Establishment of objective criteria for the selection of justices by merit	YES	NO
Limitation (in law and in practice) of the term for which justices are selected	YES	NO
Publication of information about candidates	YES	NO
Open and public mechanisms for objection to candidates	YES	NO

If yes, specify the advances:

.....
.....

If no, explain:

.....
.....

Job security for judicial authorities.

15. Is there evidence from the previous year of cases in which judges have been removed or suspended from their jobs due to political pressure or other arbitrary influences, in reaction to their previous judicial decisions?

Yes

No

If yes, explain:

.....
.....
.....

Appropriate codes of conduct.

16. Have codes of ethics, if existing, been applied in specific cases to the judicial branch since 2000?

Yes

No

There are no explicit codes of ethics for the judicial branch

If yes, explain whether these codes are effective in ensuring transparency in the judicial branch:

.....
.....
.....

17. If cases of judicial corruption have occurred since 2000, have they been adequately addressed?

Yes

No

No cases have occurred

Explain:

.....

Accountability to society.

18. What is the availability of information for each of the following items?

Item	Availability of Information				What / who facilitates access to this info.?
	High	Average	Low	None	
Budget of the judicial system					
Remuneration and personal assets of judges					
Judicial proceedings					
Judicial cases and decisions					
Users of the judicial system					
Detainees and defendants awaiting judicial sentencing					
Accusations of torture and police abuse					

Other judicial statistics (specify):

19. What is the quality level of information about the judicial system available on the Internet?

- Excellent
- Good
- Mediocre
- Unsatisfactory

Explain:

.....

.....

.....

20. Are there effective response mechanisms for complaints and demands for investigation lodged against the judicial system or individual judicial officials?

- Yes
- No

Institutional structures facilitating the inclusion of the poor, the disadvantaged and those subject to discrimination.

21. What is the composition of the Supreme Court, by gender and ethnic origin? Indicate the number of:

	Number	Explanation of data available and used
Men		
Women		
Whites		
Blacks		
Indigenous Peoples		
Other visible minorities (specify)		

22. Have there been changes to the composition of the judiciary, allowing it to better reflect gender, ethnic and other kinds of social diversity, since 2000?

- Yes
- No

Explain:

.....

.....

.....

VI. SOURCES OF INFORMATION

Tentative list of information sources for the indicators in general:

- Ministry of Justice
- Supreme Court
- Offices of the judicial branch
- Archives of the communications media
- Attorneys' associations
- Law schools
- NGOs
- Ministry of Finance
- Public Defender's office
- Studies and research by various authors
- National constitution
- Laws
- Citizens' defender (ombudsman)
- Government agencies
- Research centers specializing in legal issues

LOCAL GOVERNMENT AND DECENTRALIZATION

I. COMMITMENTS UNDER THE QUEBEC PLAN OF ACTION¹⁰

In the Quebec Plan of Action, the participating governments established the following commitments:

In recognition that adequate citizen participation and political representation constitute the foundations of democracy, and that local governments have a more significant presence in the daily lives of citizens, the governments will:

- Promote mechanisms to facilitate citizen participation in political life, especially in local or municipal governments;
- Promote the development, autonomy and institutional strengthening of local governments, to help create favorable conditions for the sustainable economic and social development of their communities;
- Strengthen local governments' institutional capacity to permit full and equitable citizen participation in public policies without discrimination, to facilitate access to essential services in order to improve citizens' quality of life of citizens, and to promote decentralization and integral development of these services, in part through adequate and timely financing and in part through initiatives that help local governments generate and administer their own resources;
- Promote the interchange of information, best practices and administrative techniques among local government officials, associations of municipalities, community groups and citizens' organizations, by facilitating municipalities' access to information and communications technologies, as well as promoting cooperation and coordination among national, subregional and regional organizations of mayors and local governments;
- Promote cooperative international programs to help train local government leaders and mid-level officials.

II. CONCEPTUAL DEFINITION OF THE ISSUE

In the conceptual framework of the Plan of Action, local government is regarded as an active agent of the State's political and administrative decentralization. The concepts underlying the Quebec Summit's proposals value decentralization as a key tool in deepening democracy and promoting the population's well-being.

In accordance with this reasoning, local governments' more prominent presence in citizens' daily lives favors adequate participation and political representation, which are the foundations of democracy. Local governments are more familiar with the affairs of the community, and thus more responsive to the population's needs and demands. This same proximity allows them to mobilize local resources more effectively to promote sustainable community development.

¹⁰ You can obtain a copy of the Québec City Plan of Action document at www.oas.org

An emerging issue within the conceptual framework described above is concern for the capacities of local management. Many experiences with decentralization have shown that the positive role played by local governments is not automatic; it requires a proactive focus which takes local governments' unequal strength in managing and implementing policies and programs into account. Similarly, strengthening decentralization requires local governments to be willing to actively welcome citizen participation.

III. DIMENSIONS AND SUBDIMENSIONS

1. Development of autonomy and institutional strengthening of local governments.
 - Operations of local government.
 - Political, fiscal and administrative autonomy.
 - Performance of municipal officials.
 - Coordination and interchanges of experience on the national and international levels.

2. Mechanisms established by local governments for citizen participation in political life.
 - Local political system: selection of authorities.
 - Local political system: quality of representation.
 - Opportunities to participate in decision-making provided to the citizens by local government.
 - Openness of the local government to citizen participation.

3. Non-discriminatory participation of citizens in public policymaking.
 - Citizen participation in the formulation of public policies and decisions affecting their quality of life.
 - Citizen participation in the administration of public policies.
 - Best practices for citizen oversight of government actions.
 - Degree to which citizens take advantage of available participation opportunities.

4. Promotion of the social and economic development of local communities.
 - Access to public services and user satisfaction with them.
 - Local governments' duties and initiatives with respect to public services.
 - Financing of initiatives for the economic and social development of local communities.

IV. FOLLOW UP INDICATORS FOR THE PLAN OF ACTION

Based on the dimensions and subdimensions previously identified, the following indicators have been developed. However, the following questionnaire is structured around a selection of these indicators, in accordance with the criteria outlined on page 6 of this document. Those indicators that are included in the questionnaire are marked with bold or cursive font.

1. **Development of autonomy and institutional strengthening of local governments.**

Unit of local government. “Local government” is here understood to refer to the entity responsible for the lowest level of territorial division within the country’s political system. Throughout the document, this territorial unit will be called a “municipality,” and the political leader of this unit will be referred to as the “mayor.” In systems where large city governments include smaller units (such as townships), the administrative unit corresponding most closely to the local governments in the rest of the country will be used. However, some questions pertain directly to the city government and should be answered on that basis.

1.1. **Operation of the system of local government.**

1.1.1. Number of local governments in the country (according to the definition above).

1.1.2. Distribution of the population within municipalities (number of municipalities for each quintile of the population).

1.1.3. Number of sessions held by municipal councils or assemblies during 2002.

1.1.4. Number of regularly-scheduled sessions.

1.1.5. Whether any meeting had to be suspended, postponed or canceled due to a failure to achieve a quorum.

1.1.6. Flexibility of municipal councils or assemblies in making decisions.

1.2. **Autonomy of local governments.**

1.2.1. Political autonomy of the local government in decision-making.

1.2.2. Existence of a legal framework to regulate and support the decentralization process on the constitutional, legal and regulatory levels.

1.2.3. Characteristics of the local government.

1.2.4. Perceptions of the level of local autonomy.

1.2.5. Fiscal autonomy in the use of local resources.

1.2.6. Origin of the resources available to the local government.

1.2.7. Capacity to make decisions about the use of available resources.

1.2.8. Transparency of financial management.

1.2.9. Administrative autonomy of the local government.

1.2.10. Functions and powers of the local government.

1.2.11. Status of the local government within the political-administrative system.

1.2.12. Existence of oversight mechanisms for local government administration.

1.2.13. Use of information technologies, websites and electronic government.

1.2.14. Participation of mayors or local governments in regional, national or international associations.

1.3. Performance of municipal officials.

1.3.1. Existence of formal systems for personnel recruitment.

1.3.2. Legal status of local government officials.

1.3.3. Number of local government officials.

1.3.4. Turnover rate of municipal personnel.

1.3.5. Qualification of municipal employees.

1.3.6. Income of local government officials.

1.3.7. Existence and enforcement of a code of conduct for officials.

1.3.8. Systems to promote excellence among officials.

1.3.9. Development programs for administrative personnel.

1.4. Coordination and interchange of experiences at the national or international levels.

1.4.1. Availability of adequate information to support local management.

1.4.2. Ties to networks of national and international experts.

1.4.3. Participation in national and subregional forums.

1.4.4. Availability of electronic and virtual networks.

1.4.5. Availability of horizontal technical support.

1.4.6. Existence of training courses and seminars, studies and publications.

1.4.7. Availability of up-to-date databases for each municipality, including demographic and socioeconomic data as well as information about the administration of municipal plans and programs.

2. Citizen participation in local or municipal politics.

2.1. Local political system: selection of authorities and elections.

2.1.1. System for selection of local authorities.

2.1.2. Periodicity of elections (years).

2.1.3. Electoral participation patterns and trends.

2.1.4. Percentage of blank or spoiled ballots, and recent trends in this respect.

2.2. Local political system: quality of representation.

2.2.1. Correspondence of the local party system and voting patterns with those at the national level.

2.2.2. Existence of a council of local representatives.

2.2.3. Representation by gender, ethnic group and other factors.

2.2.4. Balance of power between the mayor and the local government's representative body.

2.2.5. Satisfaction of the population with the local government.

2.3. Participation opportunities provided to the citizens by the local government.

2.3.1. Individual participation.

- a. **Citizen consultations (referenda, plebiscites).**
- b. **Mechanisms for consultation on specific issues (e.g., public surveys, assemblies).**
- c. **Open council meetings.**
- d. Barriers to political participation by the population.

2.3.2. Participation by civil society organizations.

- a. **Participation in programs or projects via committees or working groups on a consultative basis.**
- b. **Participation in programs or projects via committees or working groups with decision-making power.**

2.3.3. Accountability.

- a. **Websites or other expeditious form of access to information about local government planning, programs and administration.**
- b. **Publication of annual management reports.**

2.4. Openness of local government to citizen participation.

2.4.1. Sensitivity to the needs and demands of the population.

2.4.2. Development of a management culture receptive to citizen participation.

2.4.3. Specific concern for disadvantaged groups and those subject to discrimination.

3. Non-discriminatory citizen participation in public policymaking.

3.1. Participation in policymaking.

3.1.1. Consultations with the population to support policy formulation.

3.2. Participation in the management of public policies.

3.2.1. Channels, systems or mechanisms for citizen participation in the management of public services.

3.2.2. Channels, systems or mechanisms for citizen participation in the implementation of development projects.

3.2.3. Best practices in decision-making.

- a. Decision-making systems for the municipal budget.
- b. **Influence of civil society organizations on the local government's decisions.**
- c. Influence of local leaders or interest groups.

4. Promoting the sustainable economic and social development of the community.

4.1. Access to basic services that improve citizens' quality of life.

4.1.1. *Municipalities in which the population's standard of living is below the national average.*

4.1.2. *Municipalities having a medium- or long-term development plan.*

4.1.3. *Areas of responsibility assumed by the local government.*

4.1.4. Powers and initiatives of local governments with respect to public services.

4.2. Powers of local governments with respect to public services.

4.2.1. Powers granted to and exercised by local governments.

4.3. Adequate and opportune financing of initiatives permitting local governments to generate and administer their own resources.

4.3.1. Date of approval of the 2001 municipal budget (maximum and minimum time period).

4.3.2. Total income distribution among local governments (by quintiles).

4.3.3. Mechanisms for resource redistribution among municipalities.

4.3.4. Spending levels of local governments.

4.3.5. Implementation of public social spending.

4.3.6. Contribution of the citizens to municipal spending.

4.3.7. Debt levels of local governments as of the end of 2001.

4.3.8. Difficulty of local governments in paying their operating costs.

V. QUESTIONNAIRE

Promoting the development of autonomy and the institutional strengthening of local governments.

Operation of the local governmental system.

1. What is the number of local governments in the country (according to the national definition of local government)?

Total number.....

2. Ranking the municipalities according to population size, how many local governments contain 20% of the population in the largest and smallest municipalities?

- Number of local governments serving 20% of the population living in the largest municipalities.
- Number of local governments serving 20% of the population living in the smallest municipalities.

3. Is there a city government system for large metropolitan areas that covers several smaller units, for instance an umbrella government headed by a senior mayor? (Review the definitions of metropolitan areas found in the instructions for the application of the survey)

YES

NO

- How many city governments exist in the country?
- How many municipalities do they include?
- What percentage of the national population do they cover?

Strengthening the autonomy of local governments.

4. Since 2000, have there been modifications to the legal framework which regulates or supports the decentralization process at the constitutional, legal or regulatory levels?

	YES	NO	YEAR	COMMENTS
Constitutional				
Legal				
Regulatory				

5. Local government's powers and capacity for action.

	DISTRIBUTION OF POWERS	ABILITY TO ACT		
		HIGH	MEDIUM	LOW
Broad: All those necessary for the development of the community				
Focused on key areas (for example, public health, education, housing, development planning)				
Focused on secondary Areas (for example, sports and recreation, tourism)				

6. What percentages of the total income of all local governments have come from the following sources since the year 2000?

	% of Total Income		
	2000	2001	2002
Transfers from the central government			
Collection of taxes or license fees			
User fees for services			
Loans			
International aid			
Other sources			

7. Is there a redistribution system to help compensate for income inequalities among municipalities?

YES

NO

If yes, explain:

8. How many municipalities approve their budgets within the legal deadline?

9. Are there associations of mayors or local governments at the levels indicated?

Levels	YES	NO
Regional		
National		
International		

Territorial (for example a rural township with a geographical area)		
---	--	--

Municipal officials.

10. Is there a formal recruitment system for municipal personnel?

- YES
- NO

Explain:

.....

.....

.....

.....

Describe some of the best examples:

.....

.....

.....

11. What proportion of municipal officials have a technical or university degree?

	2000	2001	2002
Under 10%			
Between 10% and 20%			
Between 20% and 30%			
Over 30%			

12. Are there systems to encourage excellence among public employees?

- None
- Rewards for productivity
- Incentives for innovation
- Training programs

Describe some of the most noteworthy examples:

.....

.....

.....

13. Since 2000, have there been cases in which officials were denounced and given administrative or legal sanctions for poor job performance?

	YES	NO	# of denouncements	# of sanctions
2000				
2001				
2002				

Citizen participation in the political life of local governments or municipalities.

Local Political System.

14. Are there elections to select local authorities?

YES
NO

a) If not, explain what system is used:

.....
.....
.....

b) If yes, how often are elections held?

Every..... years

15. How many current mayors represent visible minorities, disadvantaged groups or those subject to discrimination?

	Number		
	2000	2001	2002
Female mayors			
Mayors representing an ethnic minority			
Mayors representing another relevant group: What group(s)?			

16. What powers are exercised by the body of elected local representatives, if it exists?

Does not exist	
Propose topics to the mayor	
Advise the mayor	
Provide information to the mayor	
Veto the mayor's decisions	
Must approve key decisions	
Elaborate and approve regulations and ordinances	
Control/check mayoral power	
Approve only secondary decisions	

Non-discriminatory citizen participation in public policymaking.

17. Indicate whether there are channels, systems or mechanisms for citizen participation in the management of public services and development projects at the local level. Check off what the legal requirements and best practices in the country are, but comment also on the reality and extent of such participation mechanisms – ie. are they the result of some applied norm, do they depend on the goodwill of those in authority, etc?

Channels, systems or mechanisms of participation	Public Service Management	Development Projects	Comments on the extent/reality of such participation
Information			
Consultation			
Training			
Participation in project administration			
Participation on administrative or managing councils			
Oversight or control mechanisms			

18. In the decision-making process for the municipal investment and development budget, have there been noteworthy experiences in the following areas since 2000?

	2000	2001	2002
Consultation with civil society organizations			
Direct consultation with the population (assemblies, council meetings, referenda)			
Public sessions of the municipal council in which the budget is discussed			
Public dissemination of the proposed budget for information and/or discussion			
Discussion of the budget with community opinion leaders			

Explain or provide examples: _____

Openness of local governments to citizen participation.

19. Indicate whether the following participation opportunities are available generally, often, occasionally or not at all.

	OFTEN	OCCASSIONALLY	NEVER
Websites or other expeditious form of access to information about local governments' planning, programs and administration			
Consultation on specific issues through public surveys or assemblies			
Participation of civil society organizations in programs or projects through committees or working groups on a consultative basis			
Participation of civil society organizations in programs or projects through committees or working groups with decision-making power			
Promotion by local government of alliances with civil society organizations			
Procedures for hearing and responding to complaints of irregularities or nonfulfillment of authorities' duties			
Release of annual management reports			
Citizen consultation: Referenda, Plebiscites			

Describe some of the most noteworthy examples:

.....

.....

.....

20. How many municipalities have an official department responsible for:

	YES	NO	Number
Citizen Participation initiatives			
Community organizations			

21. Does the municipality put any of the following facilities at the citizens' disposal to support participation?

	YES	NO
Infrastructure: meeting places, recreational facilities		
Equipment, service centers		
Training		
Financing for organizations		

22. In general, how much influence do civil society organizations have on local government decision-making in the following areas?

	HIGH	AVERAGE	LOW	NONE
On the mayor				
In consultations with the local government				
In negotiations among council members				
In discussions about topics directly affecting the population or subgroups				
In the work of committees				
In assemblies or plenary debates of the municipal government				

23. Are there forms of local citizen participation which legally establish obligations for or bind the municipality?

YES
NO

If yes, explain the mechanism and its binding character:

.....

Promotion of the sustainable economic and social development of communities.

24. a. The number of municipalities in which the population's standard of living is:

	Above national poverty line average	Below the national Human Development Index average)	% of housing without sewage is higher than national average
Number in 1992			
Number in 2002			

25. What is the proportion of local governments having a medium- or long-term development plan (covering 3 or more years)?

- The majority
- Around half
- Some
- None

26. For the local governments with development plans, what level of priority is placed on each of the following issues?

	VERY HIGH	MODERATE	LOW	NONE
Eliminating poverty				
Cultural affairs				
Disaster management				
Combating corruption				
Environmental stewardship				
Access to technology				
Local economic development				

27. What level of agreement/concurrence is there been civil society organizations priorities and those of the local governments' development priorities?

	EXPLANATION
FULL	
HIGH	

MODERATE	
LOW	
NONE	

28. What is the population's general level of satisfaction with the public services managed by local governments?

	Satisfaction			Comments
	High	Medium	Low	
Education				
Health				
Infrastructure				
Community safety				
Housing				
Support for small businesses				

VI. SOURCES OF INFORMATION

Tentative list of sources of information for the indicators in general:

- National statistics offices
- Socioeconomic household surveys
- www.eclac.cl/search
- Ministry of the Interior
- Associations of municipalities
- NGOs
- Studies and research by various authors
- National constitutions
- Laws
- Regulations
- UNDP Human Development Report and its background papers
- IMF: Government Finance Statistics Yearbook
- World Bank reports by country

CIVIL SOCIETY AND PARTICIPATION

I. COMMITMENTS UNDER THE QUEBEC PLAN OF ACTION ¹¹

In the Plan of Action agreed upon in Quebec, the governments recognized the importance of civil society's participation to the consolidation of democracy, as well as the fact that this participation is a vital element for the success of development policies. They further affirmed that men and women have the right to participate, in conditions of equality and equity, in decision-making processes affecting their lives and well-being, and acknowledged that the diversity of opinions, experiences and technical knowledge found within civil society constitutes an important and valuable resource for governments and democratic institutions.

Accordingly, the Plan establishes commitments for the strengthening of civil society's participation in national and hemispheric and national processes. This will be accomplished through the following measures:

The creation of public and private financing mechanisms to help strengthen the capacity of civil society organizations (CSO) to publicize their work and its results, as well as to promote social responsibility.

The elaboration of strategies, at the national level and through the OAS, other multilateral organizations and multilateral development banks, to help increase the participation of CSO in the inter-American system and in the political, economic and social development of their countries and communities, promoting representativeness and facilitating the participation of all sectors of society. These strategies are also aimed at increasing governments' institutional capacity to receive, integrate and incorporate civil society's proposals and contributions, especially through the use of information and communications technologies.

The promotion of the participation of all minority groups in the creation of a stronger civil society.

The development of educational programs, in cooperation with the relevant civil society organizations, academic experts and other appropriate sources, to educate the public in the areas of democracy and human rights. The use of books and educational materials reflecting the ethnic, cultural and religious diversity of the Americas within the primary and secondary school systems will also be promoted.

II. CONCEPTUAL DEFINITION OF THE ISSUE:

Civil society contributes to the dynamics of citizen participation in public life without dependence on the political parties, helping the citizenry serve as a counterweight to the power of the State. The Quebec Plan of Action defines civil society as a dynamic element which expresses, through participation, the rights of men and women to influence the decision-making processes affecting their lives and well-being, in conditions of equality and equity.

¹¹ You can obtain a copy of the Québec City Plan of Action document at www.oas.org

The inherent diversity and differentiation in civil society must not become a hindrance to the participation process and citizens' exercise of their rights. Although civil society comprises a variable and heterogeneous spectrum, its diversity of opinions, experiences and technical knowledge represent an important and valuable resource for governments and democratic institutions. Participation fulfills a positive function for society because it contributes to institutional stability and social progress. The participation of civil society also contributes to the regional objectives of the consolidation of democracy and the success of development policies. Within this perspective, the highest form of citizen participation is the control and oversight of government action.

Cultural aspects are key in the development of a stronger civil society. The Plan of Action emphasizes the importance of formal education and public information in this respect. However, an emerging topic in this area is the development of an associative culture which promotes "civic virtues" such as an interest in public affairs, commitment to concerns transcending one's own group, and active participation in associations.

The Plan of Action refers in much more detail to government support for civil society than to civil society itself. Because of this, the autonomous logic of civil society, as a counterweight to government decision-making and the operations of the market, must be considered an implicit dimension in the conceptualization above. The participation of civil society organizations "from outside" emphasizes the development of agendas which are separate from those of the government, and sometimes in conflict with them, thus transcending the consultative level of citizen participation.

III. DIMENSIONS AND SUBDIMENSIONS

The concepts contained in the Plan of Action permit the identification of four main dimensions for civil society's participation:

1. Government support for the strengthening of civil society, implying a positive linkage between the diversity of the social world and governments and democratic institutions. This includes:
 - measures to strengthen the civil society organizations;
 - the creation of mechanisms to promote the public sector's accountability before the citizens; and
 - support to help publicize the work of civil society organizations.
2. Institutional participation in the inter-American system, where civil society's participation can contribute to regional democratic governance. This dimension can be divided into three levels or subdimensions:
 - strategies to promote the participation of CSO in the inter-American system and in the political, economic and social development of their countries and communities;
 - efforts to promote the participation of minority groups, in service of the population's right to influence decision-making processes in equality of conditions and in recognition of diversity; and
 - receptivity to the proposals and contributions of civil society.

3. The promotion of a culture which values democracy, human rights and diversity, through public education in these values using both formal and informal channels.
 - An emerging topic which must be considered in this area is the development of an associative culture promoting active citizenship.
4. Autonomous networks of civil society, involving the “participation” from outside the system which is chosen by some civil society organizations.

IV. FOLLOW UP INDICATORS FOR THE PLAN OF ACTION

Based on the dimensions and subdimensions previously identified, the following indicators have been developed. However, the following questionnaire is structured around a selection of these indicators, in accordance with the criteria outlined on page 6 of this document. Those indicators that are included in the questionnaire are marked with bold or cursive font.

1 Strengthening of civil society.

- 1.1 Laws, regulations or programs which constitute instruments of public or private financing for the civil society organizations (CSO).
 - 1.1.1 Resources aimed at **strengthening** the capacity of the CSO:
 - a. ***Direct financing of organizations.***
 - b. ***Resources invested in management or leadership training.***
 - 1.1.2 Resources aimed at making the work and contributions of CSO more **visible**:
 - a. ***Financing or support to help publicize the work of the CSO.***
 - b. ***Space provided to the CSO by the communications media.***
 - c. ***Availability to the CSO of their own communications media.***
 - d. Channels and opportunities for participation provided to the CSO.
 - 1.1.3 Resources to promote government accountability before the citizens:
 - a. Promotion and organization by CSO of public accountability measures for national, federal or local authorities.
 - b. Organization by CSO of referenda, plebiscites or surveys on public affairs issues.
- 1.2 The use of information and communications technologies to receive, integrate and incorporate the proposals and contributions of civil society.
 - 1.2.1 Availability of information from the public sector which is relevant to the various groupings of civil society.
 - 1.2.2 ***The existence of special mechanisms to provide information to citizens.***
 - 1.2.3 ***Websites maintained by the public sector which include feedback, contributions and comments from citizens and CSO.***
 - 1.2.4 Training of social leaders in the use of information technologies.
 - 1.2.5 Government assistance to CSO for the acquisition of digital infrastructure.

1.3 Promotion of the participation of all minority groups in the creation of a stronger civil society.

1.3.1 **Support for the expressions of minority groups or those subject to discrimination.**

1.3.2 Educational campaigns teaching respect and appreciation for minority groups and those subject to discrimination.

1.3.3 **Official recognition of native languages.**

1.3.4 **The existence of laws and regulations guaranteeing the representation of minority groups or those subject to discrimination in decision-making processes.**

1.3.5 **The existence of laws and regulations combating discrimination by race, ethnic group, religion or gender.**

1.3.6 The existence of laws and regulations favoring discrimination by race, ethnic group, religion or gender.

1.4 Legal recognition of the civil society organizations.

1.4.1 **Respect for the right of association.**

1.4.2 **Level of recognition of the CSO on the part of governments:**

a. **Formal, informal, legitimate, illegitimate, respected, non-respected.**

b. **Type of expressions recognized.**

c. **Appropriateness of regulations applying to the CSO; recognition of their legitimacy as public institutions.**

d. **Steps involved in legally registering a grassroots association.**

e. **Steps involved in legally registering an NGO.**

1.4.3 **Governmental offices responsible for liaison with CSO at the various levels of government.**

2 Increasing civil society's participation in the inter-American system.

2.1 OAS strategy to increase the participation of civil society in the inter-American system.

2.1.1 **Dissemination of information to CSO about the inter-American system.**

2.1.2 **CSO participation in consultative processes within the inter-American system.**

2.1.3 **Linking character of CSO participation in initiatives of the inter-American system.**

2.2 Strategy of multilateral development banks to increase the participation of civil society in the inter-American system.

2.2.1 **Dissemination of information to CSO about multilateral development banks.**

2.2.2 **Participation of CSO in multilateral development banks' programs and projects (on a consultative or administrative basis).**

2.2.3 **Linking character of CSO participation in multilateral development banks' initiatives.**

2.3 National strategy to increase the participation of civil society in the inter-American system.

2.3.1 **Liaison with CSO on the ministerial level.**

2.3.2 **Inclusion of CSO in official country delegations to hemispheric events.**

3 Participation of CSO in the political, economic and social development of their countries and communities.

3.1 ***National, regional or local laws and regulations promoting CSO participation in the design, implementation and evaluation of political, economic and social development plans and programs.***

3.2 ***Promotion by governments of alliances with civil society organizations.***

3.3 CSO participation in budgetary or investment decisions.

3.3.1 ***Availability of information to the CSO.***

3.3.2 ***Consultation of CSO opinions by government.***

3.3.3 ***CSO organization of and participation in consultative processes.***

3.3.4 ***The proposal of political, economic and social development plans and programs by CSO.***

3.3.5 ***Participation of CSO in councils administering programs or projects (as invitees, on their own initiative, with limited rights or with full rights).***

3.3.6 ***Monitoring by CSO of the public budget or public investments.***

4 Education in the values of democracy, human rights and diversity.

4.1 Cooperation of CSO with the government and academic experts to develop educational programs in the areas of democracy and human rights.

4.1.1 ***Existence of initiatives arising from CSO to implement educational programs in the area of democracy and human rights.***

4.1.2 ***Existence of official bodies tasked with developing educational programs in the area of democracy and human rights (committees, working groups, programs).***

4.1.3 Level of institutional consolidation of these bodies.

4.2 Incorporation by the formal educational system of books and educational materials reflecting the ethnic, cultural and religious diversity of the Americas.

4.2.1 ***Inclusion of the topics of democracy and human rights in the school curriculum for primary and secondary education.***

4.2.2 ***Inclusion of books and educational materials reflecting the ethnic, cultural and religious diversity of the Americas in the school curriculum for primary and secondary education.***

5 Autonomous networks of civil society organizations.

5.1 Proportion of civil society organizations rejecting cooperative participation as a strategy for strengthening civil society.

5.1.1 Visibility of CSO belonging to hemispheric anti-globalization networks.

- 5.1.2 Influence of CSO belonging to hemispheric anti-globalization networks.
 - 5.1.3 ***Number of CSO working with or belonging to national, regional or hemispheric anti-globalization networks or movements (such as the Hemispheric Social Alliance).***
 - 5.1.4 Influence of these CSO on the national level, and degree of their participation in CSO networks or federations.
- 5.2 Level of conflict in the relationship between government and civil society.
- 5.2.1 ***Frequency of occurrence and level of public awareness of activities of national, regional or hemispheric anti-globalization networks or movements.***
 - 5.2.2 ***Main criticisms of the policies of governments or official international bodies/forums (e.g., summits, presidential gatherings), and level of public awareness of these criticisms.***
 - 5.2.3 ***Methods used to publicize these activities and criticisms of government policies.***

V. QUESTIONNAIRE

Strengthening of civil society.

1. Are there currently, or is there an initiative to establish **laws, regulations or programs creating instruments of public or private financing for CSO.**

Refer in particular to best practices and situations of discrimination or inequality.

	Amount of resources (if known)	Requirements for access	Comments: Best practices and/or discriminatory situations:
Direct institutional financing			
Financing of management or leadership training			
Financing or support to help publicize the work of CSO			
Provision of space in the communications media to CSO			
Financing to help CSO establish their own communications media			

	YES	NO	EXPLAIN
2. Is the right of free association is respected in practice?			

3. How appropriate is the current legal framework for the various CSO?

	PROMOTION AND DEVELOPMENT NETWORKS	SOCIAL OR COMMUNITY-BASED ORGANIZATIONS	CHARITABLE ORGANIZATIONS
No recognition at all			
Only informal recognition			
Recognition is tied to their objectives and proposals			
Difficulties in registering legally			
They are recognized as public interest institutions			

Explain:.....
.....

4. Are their government bodies/officials responsible for liaison with CSO at various levels of the political system?

	YES	NO	Comment on their operation as an established mechanism:
Local			
Regional			
Executive branch			
Legislative branch			

Use of information and communications technologies to receive, integrate and incorporate civil society’s proposals and contributions.

5. Do the following types of mechanisms exist to provide information to civil society groups and the citizens in general?

	Usually	Sometimes	Rarely	Never
Meetings with authorities				
Public Information and “customer service” office				
Telephone information lines				
Web pages				
Seminars or question and answer sessions				

6. Do the public sector’s web pages that you normally deal with/consult in your work have any or all of the following characteristics?:

	Usually	Sometimes	Rarely	Never
Information is relevant				
Information is up-to-date				
Information is timely				
Comments from citizens and CSO are included				
Two-way communication with authorities is possible				
Answers to questions are provided				

Promoting increased participation by civil society in the inter-American system.

7. What are the mechanisms established by the OAS to increase the participation of civil society in the inter-American system?
<ul style="list-style-type: none"> • How many CSOs are accredited by the OAS?
<ul style="list-style-type: none"> • How is information about the inter-American system disseminated to CSOs
<ul style="list-style-type: none"> • Is support provided to member States for the integration and incorporation of contributions from civil society?
<ul style="list-style-type: none"> • Is there an updated data base of the best practices databank in the area of participation?
<ul style="list-style-type: none"> • Is CSO participation in initiatives of the inter-American system of a binding nature? Explain:

8. What are the mechanisms established by the World Bank, IDB, PAHO or ECLAC to increase civil society's participation of civil society?
<ul style="list-style-type: none"> • Is there a regular dissemination of information to CSO about opportunities for involvement in multilateral organizations?
<ul style="list-style-type: none"> • Done there exist a formal mechanism for ongoing participation in multilateral banks' activities?
<ul style="list-style-type: none"> • Is CSO participation in initiatives of the inter-American system of a binding nature? Explain:

9. Do CSOs participate in consultative processes of multilateral organizations and banks?

	Topic	Number	Consultation mechanism
OAS			
World Bank			
IDB			
PAHO			
ECLAC			
United Nations			

10. Are there mechanisms at the national level to increase civil society's participation in the inter-American system?
<ul style="list-style-type: none"> • Is there an active liaison department/person between CSOs and the Foreign Ministry
<ul style="list-style-type: none"> • Does the Foreign Ministry regularly disseminate information from/about the inter-American system?
<ul style="list-style-type: none"> • Is there CSO participation in consultative processes related to the inter-American system?
<ul style="list-style-type: none"> • Are CSO included in countries' official delegations?
<ul style="list-style-type: none"> • What is the institutional rank of the ministerial official responsible for liaising with CSOs. <p>Explain:</p>

CSO participation in the political, economic and social development of their countries and communities. [Provide a summary of the general situation with regard to the processes described, pointing out best practices and noteworthy deficiencies.]

11. Are there or is there an initiative to establish national, regional or local laws or regulations to promote CSO participation in the design, execution and evaluation of political, economic and social development plans and programs?

	National	Regional	Local	None
Political				
Economic				
Social				

Explain:

12. In practice, are there working relationships between CSO and the government on national, regional or local development issues?

	National	Regional	Local	None
Committees				
Working groups				
Networks				
Alliances				
Others				

13. What is the extent of CSO participation in budget or investment decisions?
Indicate the frequency at each level of government:

	National			Regional and/or Local		
	Usually	Sometimes	Rarely	Usually	Sometimes	Rarely
CSOs propose political, economic and social development plans and programs						
CSOs organize and participate in consultation processes						
Information is made available to the CSOs						
Authorities consult the opinions of CSOs						
CSOs participate in councils administering policies, programs or projects <i>as invited guests</i>						
CSOs participate in councils administering policies, programs or project <i>with limited rights</i>						
CSOs participate in councils administering policies, programs or projects <i>with full rights</i>						
CSOs monitor the implementation of the budget or public investments						

Explain:

14. Do laws and regulations exist guaranteeing the representation of minority groups or those subject to discrimination in bodies making political, social or economic decisions? [Affirmative action, quota systems, etc.]

	YES	NO	Explain or comment
Political			
Economic			
Social			

15. Do the country's current laws and regulations generally defend discrimination by race, ethnic group, religion or gender?

YES

NO

Explain:

16. Do specific policies exist in support of minority groups or those subject to discrimination?

	YES	NO
Special access to social programs		
Support for cultural expressions		
Support for associative expressions		
Recognition of other languages		

Education for the values of democracy, human rights and diversity.

17. Do civil society organizations work together with the government and academic experts to develop educational programs in the areas of democracy and human rights?

YES

NO

Explain:

18. Are there official government bodies (committees, working groups, programs) tasked with developing educational programs in the areas of democracy and human rights?

YES

NO

Explain:

19. Are the topics of democracy and human rights included in the country's educational curriculum?

	Yes, Mandatory	Yes, Voluntary	Not present
Elementary schools			
Secondary schools			
Other systems of education			

20. Does the educational system use books and other educational materials reflecting the ethnic, cultural and religious diversity of your country?

	YES	NO
Elementary schools		
Secondary schools		
Other systems of education		
Public dissemination		

Autonomous networks of civil society.

- 21. Are there civil society organizations in your country that participate in national, regional or hemispheric anti-globalization networks or movements (such as the Hemispheric Social Alliance)?

- 22. What are the main criticisms that these movements/networks have about the policies of governments or official international bodies/forums (e.g., summits, presidential gatherings)?

- 23. What is the level of public awareness and acceptance of these criticisms?

- 24. What methods do these movements or networks used to publicize their groups' activities and their criticisms of government policies?

- 25. In your opinion, what is the estimated proportion of civil society organizations which reject participation in dialogue with government/international bodies as a strategy for strengthening civil society?

CSO's ability to access to public information

- 26. Which is/are the Ministry /Ministries with which you keep greater contact and from which you require the most information?

Name of Ministry	How would you rate the facility to obtain the information you need?

- 27. What kind of public information do you need? (For example: Budget information, resources that will be invested in training)

Type of Information	Is it easy or difficult for you to access this information? Why?
Budget	
Policies or Programs	
User rights	

Program/Activity Outcomes	
Other	

28. If you think about the latest three years, do you think it is easier for you access public information than it was three years ago? How? Why?

VI. SOURCES OF INFORMATION

- National constitutions and laws.
- Statutes and reports of the OAS and multilateral organizations and banks.
- Annual reports and accounting of local, regional and national governments.
- UNDP reports.
- Organizational charts of the various public institutions involved with the issue.
- Government press offices and web pages.
- National plans.
- Educational texts and official programs of the Ministry of Education.
- Federations or national networks of civil society organizations.
- Annual reports of civil society organizations and related networks and federations.
- Informative bulletins and other publicity materials of the organizations and networks of civil society.
- Directories of national, regional and hemispheric organizations and networks of civil society.
- Studies carried out at the local level.
- Experts on the issue.