

Executive summary

Mainstreaming integrity policies to ensure their effective implementation throughout the public administration is a challenge in all countries. Gaps are often observed between what legislation or policies on integrity stipulate and what is put into practice in public entities, hampering change in organisational cultures and the behaviour of public servants.

Integrity is the responsibility of all public servants. Nonetheless, dedicated integrity units can help overcome the challenge of mainstreaming integrity policies to promote organisational cultures of integrity. International experience shows the value of having such specialised and dedicated persons or units that are responsible and held accountable for the implementation and promotion of integrity laws and policies within their entities.

This report focuses on the challenge of mainstreaming integrity policies throughout the federal executive in Brazil. It reviews the current institutional arrangements and the ongoing efforts of the Office of the Comptroller General of the Union (CGU) to effectively implement integrity policies. Based on this review, the report provides recommendations to strengthen the integrity system in the federal executive branch.

Main findings

Recognising the challenge of mainstreaming integrity policies throughout its 186 federal entities, Brazil undertook two major initiatives over the past decades to reach out to the different organisational levels. First, in 2007, Brazil established the Ethics Management System of the Federal Executive Branch (SGEP). More recently, and based on the Integrity Programmes introduced by the CGU in 2017, Brazil established the Public Integrity System of the Federal Executive Branch (SIPEF).

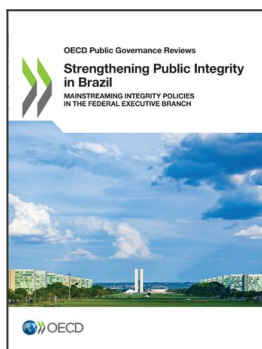
However, the review has brought to light some challenges and areas for improvements.

- First, the co-existence of both the SGEP and the SIPEF with essentially the same goal creates complexity, opacity and overlapping responsibilities, especially for training and guidance on values, ethical dilemmas and conflict of interest situations. Indeed, the review found that the co-existence creates misunderstandings and confusion amongst public servants.
- Second, the members of the Ethics Commissions -- the sectorial units of the SGEP -- serve on a temporary basis, and often do not have time to develop specialised knowledge on integrity or establish trust-based relationships within their public entity. In addition, the Ethics Commissions can receive reports about potential integrity breaches and issue reprimands (*censura*). This mixing of prevention with enforcement-related tasks could create tensions with their role on providing guidance and overlap with the federal disciplinary regime.
- Finally, the SIPEF provides an opportunity for the CGU to review its Secretariat of Transparency and Corruption Prevention (STPC) to avoid overlaps and clarify responsibilities. Currently, similar to the overlap between the Federal Ethics Management System and the Public Integrity System, the responsibilities of the Directorate for Integrity Promotion (DPI) and the Directorate for the Prevention of Corruption (DPC) are blurred and partly overlapping, which leads to a lack of clarity, the risk of sending mixed messages, misunderstandings, and, therefore, potentially a waste of scarce resources.

Main recommendations

To address the challenges identified, the report provides a series of concrete recommendations to strengthen the promotion of integrity policies throughout the federal executive branch and help build open cultures of organisational integrity.

- The establishment of the SIPEF and the ongoing revision of the 1994 Code of Professional Ethics and the 2000 Code of Conduct for High Officials in the Federal Public Administration provide an opportunity to clarify concepts and streamline responsibilities for promoting cultures of organisational integrity in the federal executive branch. In particular, Brazil could consider moving the responsibility for supporting the management of public ethics and conflict of interest from the SGEP to the SIPEF and its institutions, thus leading to a single system that avoids overlaps and misunderstandings. Furthermore, Brazil could consider broadening the scope of the SIPEF to apply to the entire federal public administration.
- Within the SIPEF, the Integrity Management Units (UGI) are responsible for promoting guidance and training related to public integrity and for supporting integrity risk management. As such, the UGI could replace the current preventive tasks of the Ethics Commissions and become dedicated units with permanent and professionalised staff. This requires clarifying the existing normative framework and updating the guidance issued by the CGU. Furthermore, the CGU should continue the ongoing efforts to strengthen the institutional design and capacities of the UGI to fulfil their core mandate related to prevention, co-ordination, guidance and support on public integrity, including conflict of interest management, integrity risk management, and guidance on ethical dilemmas.
- The CGU, the central organ of the SIPEF, could strengthen the STPC by streamlining the tasks related to public integrity and the SIPEF under the responsibility of the DPI. In turn, the DPC could build on recent initiatives by promoting surveys and exploring the use of innovative tools, data and data analytics or undertaking research projects with academia. The CGU could consider strengthening the current DPC by building its capacities as a unit responsible for providing methodological and research advice to all units in the STPC. This internal rearrangement could help clarify responsibilities while fostering the development of specialised skills over time.



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