

Changes in Brazil's FOI Act Requests: moving towards the defense of human rights?¹

Mudanças nos pedidos da Lei de Acesso à Informação no Brasil: avançando em direção à defesa dos direitos humanos?

Cambios en las solicitudes de Ley de Acceso a la Información en Brasil: ¿avanzando hacia la defensa de los derechos humanos

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Abstract: A global diffusion of Freedom of Information (FOI) has occurred in recent decades. Despite the origins of FOI being associated with Human Rights (HR), it has been legitimized as a set of tools to strengthen public integrity based on the discourse that transparency reduces corruption. Brazil portrays a representative case. Its FOI act and associated instruments have reproduced the idea that its primary purpose is seen as promoting public integrity. Recent studies indicate that the COVID-19 pandemic placed significant demands on health services and social protection systems, shifting the debate on FOI and increasing demands for information in Brazil and other countries. Nevertheless, there is still a gap on how the pandemic affected FOI mechanisms, particularly in relation to their use from a human rights perspective. This raises a central question: to what extent has the COVID-19 pandemic reshaped FOI usage in Brazil, particularly from a human rights perspective? In this paper, we adopt an exploratory approach to analyze a dataset comprising 522,140 requests submitted by 242,491 requesters using qualitative and quantitative methods. Data were collected on October 25, 2022, and included requests from April 2020 to September 2022. We also considered the open data on requests and corresponding requesters from the same period before the pandemic, from October 2017 to March 2020. Results indicated a significant increase, followed by a relative decrease over time in requests regarding the most urgent measures to face the pandemic, emphasizing requests for information on health services and cash transfer programs. The number of requests by subject groups varied significantly in relation to the requester's occupation, education, and gender. These findings highlight the need for improvements in FOI norms, procedures, and tools. The results also underscore the urgent need to enhance public capacity to navigate FOI mechanisms effectively.

Keywords: right of access to information; information requests; human rights; COVID-19; integrity.

Resumo: Uma difusão global do direito de acesso à informação tem ocorrido nas últimas décadas. Apesar de suas origens estarem associadas aos Direitos Humanos, o acesso à informação tem sido legitimado como um conjunto de ferramentas para o fortalecimento da integridade pública, baseado no discurso de que a

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transparência reduz a corrupção. O Brasil representa um caso emblemático. Sua lei de acesso à informação e os instrumentos associados reproduzem a ideia de que seu principal objetivo é promover a integridade pública. Estudos recentes indicam que a pandemia de COVID-19 impôs demandas significativas aos serviços de saúde e aos sistemas de proteção social, deslocando o debate sobre o acesso e ampliando as exigências por informação no Brasil e em outros países. No entanto, ainda há lacunas quanto ao impacto da pandemia sobre os mecanismos de acesso, especialmente em relação ao seu uso sob a perspectiva dos direitos humanos. Isso levanta uma questão central: em que medida a pandemia de COVID-19 mudou o uso do acesso à informação no Brasil, particularmente sob a ótica dos direitos humanos? Neste artigo, adotamos uma abordagem exploratória para analisar um conjunto de dados composto por 522.140 pedidos de informação feitos por 242.491 solicitantes, utilizando métodos qualitativos e quantitativos. Os dados foram coletados em 25 de outubro de 2022 e incluem pedidos realizados entre abril de 2020 e setembro de 2022. Também consideramos os dados abertos dos pedidos e respectivos solicitantes no mesmo período, de outubro de 2017 a março de 2020. Os resultados indicaram um aumento significativo, seguido de uma diminuição relativa ao longo do tempo, nos pedidos de informação relacionados às medidas mais urgentes para o enfrentamento da pandemia, com destaque para pedidos sobre serviços de saúde e programas de transferência de renda. O número de pedidos por grupo temático variou significativamente em relação à ocupação, escolaridade e gênero dos solicitantes. Esses achados evidenciam a necessidade de aprimoramento nas normas, procedimentos e ferramentas de acesso. Os resultados também reforçam a urgência de ampliar a capacidade do setor público de orientar e apoiar o uso eficaz dos mecanismos de acesso à informação.

Palavras-chave: direito de acesso à informação; pedidos de informação; direitos humanos; COVID-19; integridade.

Resumen: Una difusión global del derecho de acceso a la información ha ocurrido en las últimas décadas. A pesar de que sus orígenes están asociados a los Derechos Humanos, el acceso a la información ha sido legitimado como un conjunto de herramientas para el fortalecimiento de la integridad pública, basado en la premisa de que la transparencia reduce la corrupción. Brasil representa un caso emblemático. Su ley de acceso a la información y los instrumentos asociados reproducen la idea de que su principal objetivo es promover la integridad pública. Estudios recientes indican que la pandemia de COVID-19 impuso demandas significativas a los servicios de salud y a los sistemas de protección social, desplazando el debate sobre el acceso y aumentando las exigencias de información en Brasil y en otros países. Sin embargo, aún existen lagunas en cuanto al impacto de la pandemia sobre los mecanismos de acceso, especialmente en lo que se refiere a su uso desde la perspectiva de los derechos humanos. Esto plantea una pregunta central: ¿en qué medida la pandemia de COVID-19 ha cambiado el uso del acceso a la información en Brasil, particularmente desde la óptica de los derechos humanos? En este artículo, adoptamos un enfoque exploratorio para analizar un conjunto de datos compuesto por 522.140 solicitudes de información realizadas por 242.491 solicitantes, utilizando métodos cualitativos y cuantitativos. Los datos fueron recolectados el 25 de octubre de 2022 e incluyen solicitudes realizadas entre abril de 2020 y septiembre de 2022. También consideramos los datos abiertos de las solicitudes y de los respectivos solicitantes en los mismos meses del período anterior, de octubre de 2017 a marzo de 2020. Los resultados indicaron un aumento significativo, seguido de una disminución relativa a lo largo del tiempo, en las solicitudes de información relacionadas con las medidas más urgentes para enfrentar la pandemia, destacándose las solicitudes sobre servicios de salud y programas de transferencia de ingresos. El número de solicitudes por grupo temático varió significativamente en relación con la ocupación, el nivel educativo y el género de los solicitantes. Estos hallazgos evidencian la necesidad de mejorar las normas, los procedimientos y las herramientas de acceso. Los resultados también refuerzan la urgencia de ampliar la capacidad del sector público para orientar y apoyar el uso eficaz de los mecanismos de acceso a la información.

Palabras clave: derecho de acceso a la información; solicitudes de información; derechos humanos; COVID-19; integridad

1. INTRODUCTION

Freedom of information (FOI) has seen a marked global expansion in recent decades. Despite the origins of FOI being associated with Human Rights (HR), it has been legitimized as a set of tools to provide information on government structures, initiatives, and expenses to strengthen public integrity based on the discourse that transparency reduces corruption (Costa, 2013; Escaleras, Lin, & Register, 2010; Fox, 2007).

Brazil serves as a representative case. Although the legislative discussion process of its FOI Act reports elements such as the Right to Memory and Truth, this Act and its associated instruments have reinforced the notion that its primary purpose is to promote public integrity (Cintra, 2016; Oliveira Júnior & Lustosa da Costa, 2020). Moreover, FOI instruments in Brazil were shaped by political disputes and compromises among conflicting interests that resulted in gaps and ambiguities, with insufficient provisions for the governance of access to information during disaster situations or how to gather and treat personal data and socio-economic information of requesters (Farranha, Lustosa da Costa, & Oliveira Júnior, 2020; Farranha & Oliveira Júnior, 2020; Oliveira Júnior, 2019).

But recent work indicates that the COVID-19 pandemic imposed tremendous public efforts for health services and social protection, shifting the debate on FOI and increasing demands for information in Brazil and other countries (Braga, Caldeira, & Sabença, 2020; Dafuleya, 2020; Morales, Mariño, & Miele, 2022; Yumna, Suryahadi, & Izzati, 2021). However, there is still a gap in how it affected FOI mechanisms, especially their use for a more Human Rights perspective. Here, we explore the following issues: How has the COVID-19 affected the use of FOI in Brazil? To what extent has the pandemic shifted information requests in Brazil towards a stronger HR perspective?

Drawing on FOI research from a human rights perspective and focusing on the COVID-19 pandemic in Brazil, this paper adopts an exploratory approach to analyze open data comprising 522,140 requests submitted by 242,491 individuals, using both qualitative and quantitative methods. The analysis method follows basic notions and steps proposed by Akinyode & Khan (2018) and Chauvette, Schi-

ck-Makaroff & Molzahn (2019). Data were collected on October 25, 2022, and we analyzed requests submitted during the 30-month period after the declaration of the COVID-19 pandemic as a public disaster, from April 2020 to September 2022. To keep comparability, we also considered the open data on requests and corresponding requesters in the same number of months before it, from October 2017 to March 2020.

For the analysis and comparison, we created 23 groups by interpreting the 602 request topics. Regarding the challenges of social inequalities and structural deficits in Brazil, we decided to use data on the socio-economic situation of requesters. Accordingly, our hypothesis is that the COVID-19 pandemic may have had differentiated effects on FOI use, depending on requesters' socio-economic status.

2. FREEDOM OF INFORMATION AND HUMAN RIGHTS

International conventions have recognized the right to information as a fundamental human right, mandating its incorporation into national legislation. This recognition has been further reinforced by democratic transitions, technological advances, increased demand for responsiveness from elected leaders and the need for participation in decision-making processes (Birkinshaw, 2006; Mendel, 2009).

Regarding conventions that reference this subject, the UN Universal Declaration of Human Rights of 1948, in article 19, and the Inter-American Convention on Human Rights of the OAS, in article 13, are mentioned (UN, 1948; OAS, 1969). As recognized in international conventions, this right is linked to its importance for democracy by enabling mechanisms of participation in decisions about public policies, transparency, and fighting corruption, allowing the existence of more active citizens, and limiting abuses by representatives and bureaucrats (Farranha, Santos, Reis, & Santos, 2016).

Similarly, Mendel (2009) outlines several principles that should guide both its regulation and the development of public policies: i) maximum disclosure; ii) obligation to publish essential information by government bodies; iii) promotion of open government; iv) limited exceptions; v) facilitation of access by

agile and fair procedures; vi) no cost-related barriers to access; vii) openness of meetings of public bodies for citizens; viii) verification of precedence of laws that are not following maximum disclosure; ix) protection for whistleblowers of unlawful acts.

This right was regulated in Brazil in 2011 by the Freedom of Information Act (LAI - Law n. 12.527/2011). The legislative process for this law took approximately nine years in Congress.

In this debate, we identify that there are two distinct approaches to the topic: a) FOI as a Human Right, in which the focus of the research is to understand how people use this right, or b) FOI as a tool to foster rights to health, education, and housing. This approach views information as a means of seeking good practices for realizing these rights.

This text also works as a tool to analyze the context of information requests during the COVID pandemic period and to identify aspects that warrant further investigation through systematic research.

3. ACCESS TO INFORMATION AND COVID-19 IN BRAZIL

Although the foundations of the right to information date back to the mid-twentieth century and are related to a wide range of Human Rights issues, the global diffusion of FOI mechanisms only began in the 1990s, with the rise of the discourse on the urgency of controlling corruption and the provision and dissemination of good governance principles and recommendations (Andersson & Heywood, 2009; Hindess, 2009; Pieth, 2002).

As of today, the Global Right to Information Rating (<https://www.rti-ratatg.org/country-data/>) indicates that, among 136 countries with formal FOI laws, only thirteen had enacted such legislation prior to the 1990s.

Brazil serves as a representative example. Although the legislative debate on its Freedom of Information (FOI) Act includes references to the Right to Memory and Truth, both the Act itself and related mechanisms have primarily framed their objectives around the promotion of public integrity (Cintra, 2016; Oliveira Júnior & Lustosa da Costa, 2020). The development of FOI policies in Brazil was characterized by political dynamics involving conflict and compromise among opposing interests, resulting in

gaps and ambiguities—particularly regarding provisions for access to information during emergencies and the handling of personal and socio-economic data from information requesters. (Farranha, Lustosa da Costa, & Oliveira Júnior, 2020; Farranha & Oliveira Júnior, 2020; Oliveira Júnior, 2019).

However, recent studies suggest that the COVID-19 pandemic placed significant pressure on public health systems and social protection measures, shifting the focus of the FOI debate and amplifying the demand for information in Brazil and internationally (Braga, Caldeira, & Sabença, 2020; Dafuleya, 2020; Morales, Mariño, & Miele, 2022; Yumna, Suryahadi, & Izzati, 2021). In general, the COVID-19 pandemic has been regarded as a global public disaster, representing a massive shock that produced pressures and changes in health systems, private services, commerce, jobs, and social aid, including in international efforts, such as in the implementation of Sustainable Development Goals (SDG) of the 2030 Agenda (Dafuleya, 2020; Iwuoha & Jude-Iwuoha, 2020; Rodrigues, Carpes, & Raffagnato, 2020).

In Brazil, as in other countries, due to the high level of contamination and dissemination and the resulting increase in the number of hospital admissions and deaths attributed to COVID, a series of response measures were adopted to face such a disaster and its several impacts (Braga, Caldeira, & Sabença, 2020; Rodrigues, Carpes, & Raffagnato, 2020).

In the global south, besides the direct impacts on health, lockdown measures adopted as COVID-19 responses produced other economic and human challenges that strongly affected low-income and informal employment strata, who were already economically vulnerable and more reliant on public services prior to the pandemic. Thus, the COVID-19 pandemic and resulting lockdown measures demanded rapid responses from governments to expand and provide new health services and social protection programs, such as cash transfers and social assistance, primarily focused on vulnerable groups (Braga, Caldeira, & Sabença, 2020; Dafuleya, 2020; Deshpande, Mulat, Mao, Diab, & Ogbuoji, 2022).

Studies on information-seeking behavior have indicated changes under this new context. The spread of COVID-19 and health and social protec-

tion responses have increased, at least temporarily, the number of searches for information about this disease and its symptoms and the measures adopted to contain it (Bento, et al., 2020; Ciofani, MPhys, Allahwala, Asress, & Bhindi, 2021; Du, Yang, King, Yang, & Chi, 2020). Socioeconomic variables such as income, education, age, and gender were identified as factors related to the types of sources most used and the likelihood of exposure to misinformation (Falcone & Sapienza, 2021; Reisdorf, et al., 2021; Skarpa & Garoufallou, 2021).

Regarding work on information-seeking behavior and FOI in Brazil, no scientific studies have specifically examined changes in these themes resulting from the COVID-19 pandemic. Nasu, Borges & Silva (2022), despite not explicitly addressing COVID as a driver of change in FOI requests, analyzed the evolution of requesters' profiles between May 2012 and May 2021, limiting the analysis to just thirteen months in the context of the pandemic.

Their findings provide valuable insights to support the rationale of this study. Differences in requesters' profiles informed between 2012 and 2019 in relation to those informed in 2020 and 2021 indicate an increase in the relative frequency of requesters that, a priori, do not represent wealthy groups. In summary, it indicates increments in requesters that informed their gender as "female," education as "high school," and profession as "others," being remarkable that the defined list of options does not include "unemployed" or "informal jobs" (Nasu, Borges, & Silva, 2022, pp. 41-44).

4. METHODOLOGY

This section outlines the methodological steps of the exploratory study, including data collection, preprocessing, and analysis procedures. This paper is based on qualitative data analysis, following notions and basic steps proposed by Akinyode & Khan (2018) and Chauvette, Schick-Makaroff & Molzahn (2019). The study aims to assess how the COVID-19 pandemic affected the use of FOI in Brazil, as indicated by its issues: How has the COVID-19 pandemic affected the use of FOI in Brazil? To what extent has the pandemic shifted information requests in Brazil towards a stronger HR perspective?

The primary data for this investigation was gathered on October 25, 2022, from the Brazilian Portal

of Open Data, option *e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão* (<https://dados.gov.br/>). The open datasets comprise information on requests for information and their requesters collected from the *Fala.Br* system², which serves as the official channel for submitting FOI requests to the federal government (Nasu, Borges, & Silva, 2022; Sasso, Peres, Souza, Brito, & Vitta, 2017).

Considering the date on which the data were gathered from the available open data, we were able to analyze requests for information submitted during a 30-month period following the declaration of the COVID-19 pandemic as a public disaster, from April 2020 to September 2022. To keep comparability, we also examined request and requester data from the 30-month period preceding the pandemic, from October 2017 to March 2020.

The dataset, publicly available in CSV format via the Brazilian Open Data Portal, included structured records on requests and requesters, including an automatically generated identifier assigned to each requester, a subject, destination body selected from pre-defined lists, dates of reception, the situation and decision of the request. Requesters' data include their automatic-created IDs, their occupation, date of birth, schooling, city of residence and whether they are a natural or legal person with no information that allows personal identification.

After importing open data to two corresponding tables of Requests and Requesters in a database, data were cleaned and prepared before data analysis. Preliminary analysis showed that in the first 30 months, 269,271 requests were sent from 115,263 requesters as natural persons. In the next 30, 252,869 requests from 127,228 requesters were sent, indicating a respective increase of 6.32% in requests and 7.93% in requesters.

We identified 602 topics defined as simple words or short sentences in Portuguese, which requesters selected to attribute to their requests.

Then, requests for information were coded into 23 subject categories according to their relationship with public sectors, programs, and policies. Ac-

2. When registering for the "FALA BR" system in 2025, the following information is mandatory:

name, country, person (individual or legal entity), document and respective number, gender, color/race.

Occupation, date of birth, education, profession, address, and telephone number are not listed as "mandatory". These elements may have changed from the period of analysis to the present day (2025).

cordingly, we created a table to establish the relationships between these topics and their corresponding groups to enable systematic comparison across themes. Next, we include in the Requests table information whether the request was sent in the 30-month period before or after the pandemic.

Regarding the analysis of the number of requests per subject category, we observed a significant limitation in the data on the topics of request. More than 20% of requests contained general or undefined topics, making it impossible to associate them with a specific sector, program, or policy, preventing relating them to a specific category.

Considering social inequalities and structural deficits in Brazil with notable implications by occupation, education and gender, and assuming that the COVID-19 pandemic could have produced different effects on the use of FOI depending on the socioeconomic situation of the individuals, we also decided to use data on the socioeconomic situation of requesters.

5. RESULTS OF OPEN DATA ANALYSIS

This section presents the results of qualitative data analysis of collected and processed open data on requests and their corresponding requesters. As outlined in the methodology section, we examined and compared information on requests submitted during the 30-month periods before and after the declaration of the COVID-19 pandemic as a public disaster (October 2017 to March 2020 and April 2020 to September 2022).

For the analysis, we created 23 groups by interpreting 602 existing topics of requests. We focused our analysis on the eight groups of topics most requested in the data, representing about 75% of the total requests in the period of interest.

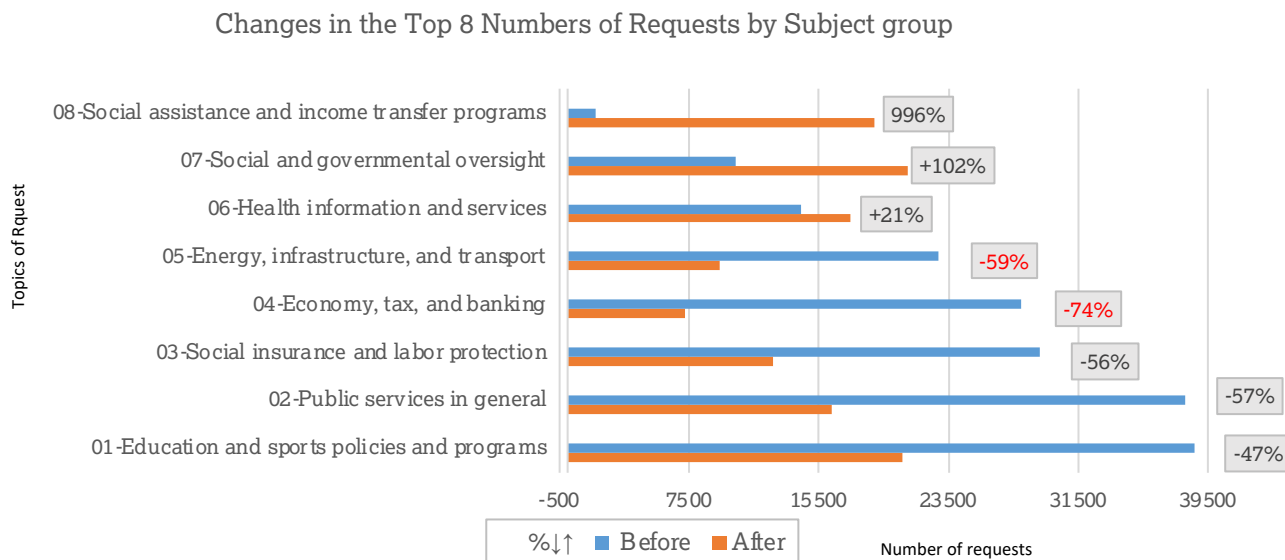
Table 1 presents, by subject categories, the number and percentage of requests sent before (October 2017 to March 2020) and after (April 2020 to September 2022) the declaration of the COVID pandemic as a public disaster, highlighting the top eight groups in terms of request volume in the period of interest.

TABLE 1 – NUMBERS AND PERCENTAGES OF REQUESTS BY SUBJECT CATEGORY

SUBJECT CATEGORY	BEFORE	AFTER	↑↓ %	BEFORE + AFTER	% TOTAL	% TOTAL MINUS UNDEFINED
Education and sports policies and programs	38,657	20,621	-46.66%	59,278	11.35%	14.49%
Public services in general	38,076	16,329	-57.11%	54,405	10.42%	13.30%
Social insurance and labor protection	29,081	12,655	-56.48%	41,736	7.99%	10.20%
Economy, tax, and banking	27,921	7,228	-74.11%	35,149	6.73%	8.59%
Energy, infrastructure, and transport	22,883	9,411	-58.87%	32,294	6.18%	7.89%
Health information and services	14,415	17,424	20.87%	31,839	6.10%	7.78%
Social and governmental oversight	10,371	20,943	101.94%	31,314	6.00%	7.65%
Social assistance and income transfer programs	1,728	18,943	996.24%	20,671	3.96%	5.05%
Government and public administration	1,640	11,875	624.09%	13,515	2.59%	3.30%
Agriculture and Food Supply	8,677	3,099	-64.28%	11,776	2.26%	2.88%
Industry, concurrence regulation, and consumer protection	7,919	2,868	-63.78%	10,787	2.07%	2.64%
Drugs, Sanitation, and Health Surveillance	7,002	3,037	-56.63%	10,039	1.92%	2.45%
Human rights and affirmative and social inclusion	6,155	2,945	-52.15%	9,100	1.74%	2.22%
Legislation and norms	4,691	4,093	-12.75%	8,784	1.68%	2.15%
Environmental protection and climate change	5,061	3,073	-39.28%	8,134	1.56%	1.99%
Science, research, and development	3,452	1,781	-48.41%	5,233	1.00%	1.28%
ICT policies and programs	2,948	2,237	-24.12%	5,185	0.99%	1.27%
Defense and national security	3,139	1,655	-47.28%	4,794	0.92%	1.17%
Justice, civil defense, and public safety	2,539	1,901	-25.13%	4,440	0.85%	1.09%
Cultural diffusion and incentive programs	2,870	1,332	-53.59%	4,202	0.80%	1.03%
International relations	1,518	1,755	15.61%	3,273	0.63%	0.80%
Urban policies and cities	1,895	1,321	-30.29%	3,216	0.62%	0.79%
Undefined	26,633	86,343	224.20%	112,976	21.64%	-
TOTAL	269,271	252,869	-6.09%	522,140		

Note: Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>)

Figure 1 shows a graph of the top eight subject categories, indicating percentage change in the number of requests sent before (October 2017 to March 2020) and after (April 2020 to September 2022). While there have been increases in requests for information on assistance and social assistance, health services, and governmental oversight, topics related to the economy, social insurance, education/sports programs, and public services in general have decreased.

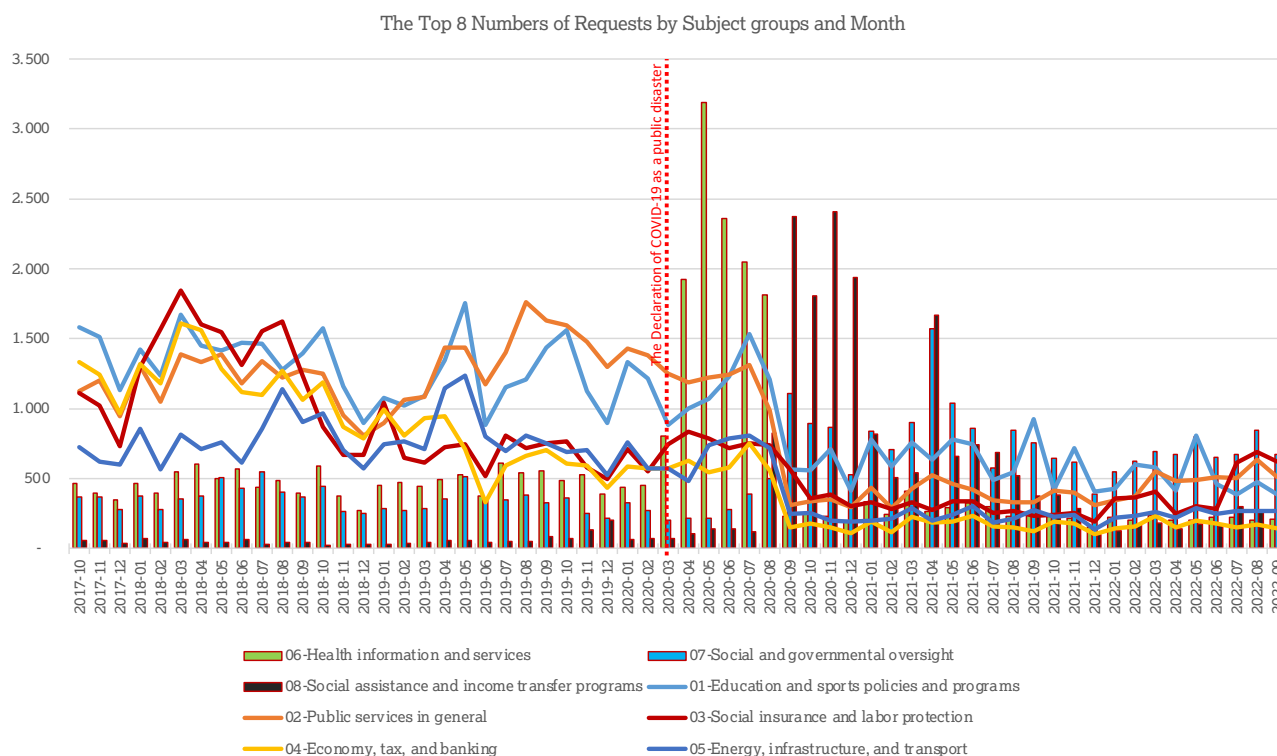
FIGURE 1 - CHANGES IN THE TOP 8 REQUESTS BY SUBJECT CATEGORY BEFORE (OCT 2017-MAR 2020) AND AFTER (APR 2020-SEP 2022)

Note: Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>)

The results above seem to corroborate previous work that points to increasing pressure on governments for health services and programs to reduce the impact of lockdown. However, the drop in requests for education seems to be an interesting object of more accurate investigation in the future, given the challenges posed by the need for distance learning strategies.

Observing the change in the number of requests related to the eight top groups, we then conducted a month-by-month analysis of these changes across subject groups.

Figure 2 shows a graph of the top eight categories, indicating the number of requests submitted each from October 2017 to September 2022. In this graph, we have included a dotted line to indicate the period before and after the declaration of the COVID-19 pandemic as a public disaster.

FIGURE 2 - CHANGES IN THE TOP 8 REQUESTS BY SUBJECT CATEGORY MONTH BY MONTH (OCT 2017 TO SEP 2022)

Note: Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>)

The data shown in the graph indicate rapid and significant increase in requests after the declaration of the COVID-19 as a public disaster. Requests for health information and services, between February and May 2020, rose by 605.75%. Requests for social assistance and transfer programs, between February and September 2020, increased by 313.01%. Requests for social and governmental oversight, between February and September 2020, increased by 3424.25%. Remarkably, such increases are followed by a relative decrease over time.

On the other hand, the number of requests for information on energy, infrastructure, and transport (-69.76%); public services in general (-76.43%); economy, tax, and banking (-79.60%); and education and sports programs (-63.13%) declined and did not return to their previous levels by the end of period of interest.

Future research covering longer timeframes may explore whether the changes of FOI use through requests for information shortly after the declaration of the COVID-19 pandemic as a public disaster represent more ephemeral or perennial effects.

Subsequently, we examined whether these changes were associated with the socio-economic profiles of the applicants and whether they could indicate that the use of FOI was directed towards people in vulnerable situations.

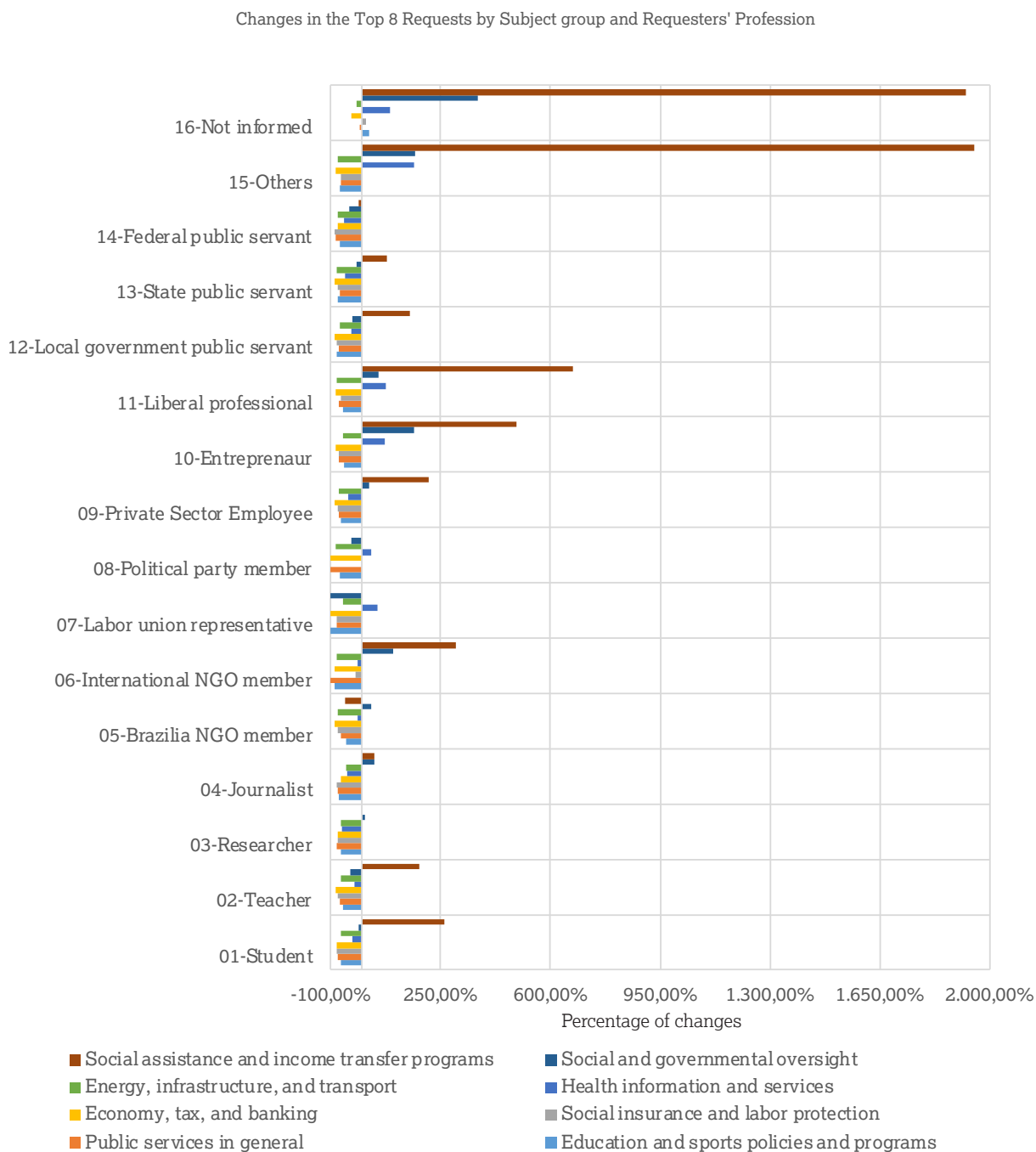
Accordingly, we hypothesized that the COVID-19 pandemic may have affected FOI use differently across socio-economic groups. Table 2 presents, by occupation reported by requesters, the number and percentage of requests sent before (October 2017 to March 2020) and after (April 2020 to September 2022) the declaration of the COVID pandemic as a public disaster.

TABLE 2 – NUMBERS AND PERCENTAGES OF REQUESTERS BY THE INFORMED OCCUPATION

TYPES OF PROFESSION	BEFORE	AFTER	↑↓ %	BEFORE + AFTER	% TOTAL
01-Student	13,673	6,856	-49.86%	20,529	3.93%
02-Teacher	5,219	2,382	-54.36%	7,601	1.46%
03-Researcher	3,026	1,512	-50.03%	4,538	0.87%
04-Journalist	1,759	916	-47.92%	2,675	0.51%
05-Brazilia NGO member	245	109	-55.51%	354	0.07%
06-International NGO member	57	30	-47.37%	87	0.02%
07-Labor union representative	77	22	-71.43%	99	0.02%
08-Political party member	50	20	-60.00%	70	0.01%
09-Private Sector Employee	16,314	6,153	-62.28%	22,467	4.30%
10-Entrepreneur	5,477	2,704	-50.63%	8,181	1.57%
11-Liberal professional	7,331	4,806	-34.44%	12,137	2.32%
12-Local government public servant	4,519	1,786	-60.48%	6,305	1.21%
13-State public servant	5,534	2,089	-62.25%	7,623	1.46%
14-Federal public servant	10,732	4,195	-60.91%	14,927	2.86%
15-Others	20,237	17,453	-13.76%	37,690	7.22%
16-Not indicated by requesters	21,013	76,195	262.61%	97,208	18.62%
TOTAL	115,263	127,228	10.38%	242,491	

Notes: Source: Research data. The “Before” column corresponds to requests from October 2017 to March 2020, and the “After” column corresponds to requests from April 2020 to September 2022. Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>.)

Observing Table 2, we see that the number of requesters by occupation fell in all categories except “not informed”, which represents 18.62% of requesters in the period. This limitation results from the option given to requesters to select the pre-defined “not informed” type. This data raise other questions: Is it necessary to collect information about the requesters, and are such social and economic data essential for greater transparency in public information management?

FIGURE 3 - CHANGES IN THE TOP 8 REQUESTS BY REQUESTERS' OCCUPATION BEFORE (OCT 2017-MAR 2020) AND AFTER (APR2020-SEP2022)

Note: Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>)

Despite the limitations noted above, Figure 3 presents a graph of changes in the number of requests for the top eight subject categories by requester occupations.

The graph presented in Figure 3 indicates that the highest percentage increases in requests for information occurred in topics related to health information and services, social assistance and income transfer programs, social and governmental oversight. Notably, this growth occurred not only among requests who did not report their profession but also among those who identified their occupation as “others”.

It is essential to point out that among the pre-defined options of occupations, there are no types such as “unemployed,” “informal employment,” or “household and domestic services.” This observation hi-

ghlights the need for further investigation and potential revision of information about requesters, both for the government’s attention and for studies about them, to assess whether the requesters include individuals in vulnerable socio-economic conditions. It is necessary to include other occupations that reflect lower positions (maid, unemployed, among others) in the labor market. Despite these limitations, it suggests an increase in the use of FOI to request information on social protection and other themes linked to social discussions, such as education and health.

Regarding the requesters’ education, Table 3 presents, by levels informed by requesters, the number and percentages of requests sent before (Oct 2017 to Mar 2020) and after (Apr 2020 to Sep 2022) the declaration of COVID pandemic as a public disaster.

TABLE 3 - NUMBERS AND PERCENTAGES OF REQUESTERS BY THE INFORMED EDUCATION

LEVEL OF EDUCATION	BEFORE	AFTER	↑↓ %	BEFORE + AFTER	% TOTAL
1-Elementary and Middle school	3,566	4,167	16.85%	7,733	1.48%
2-Secondary or High school	21,438	16,089	-24.95%	37,527	7.19%
3-Graduation or Bachelor’s degree	39,996	17,373	-56.56%	57,369	10.99%
4-Technical Graduate degree	19,736	8,839	-55.21%	28,575	5.47%
5-Master or Doctoral degree	11,143	5,442	-51.16%	16,585	3.18%
6-No formal education	637	758	19.00%	1,395	0.27%
7-Not informed	18,747	74,560	297.72%	93,307	17.87%
TOTAL	115,263	127,228	10.38%	242,491	

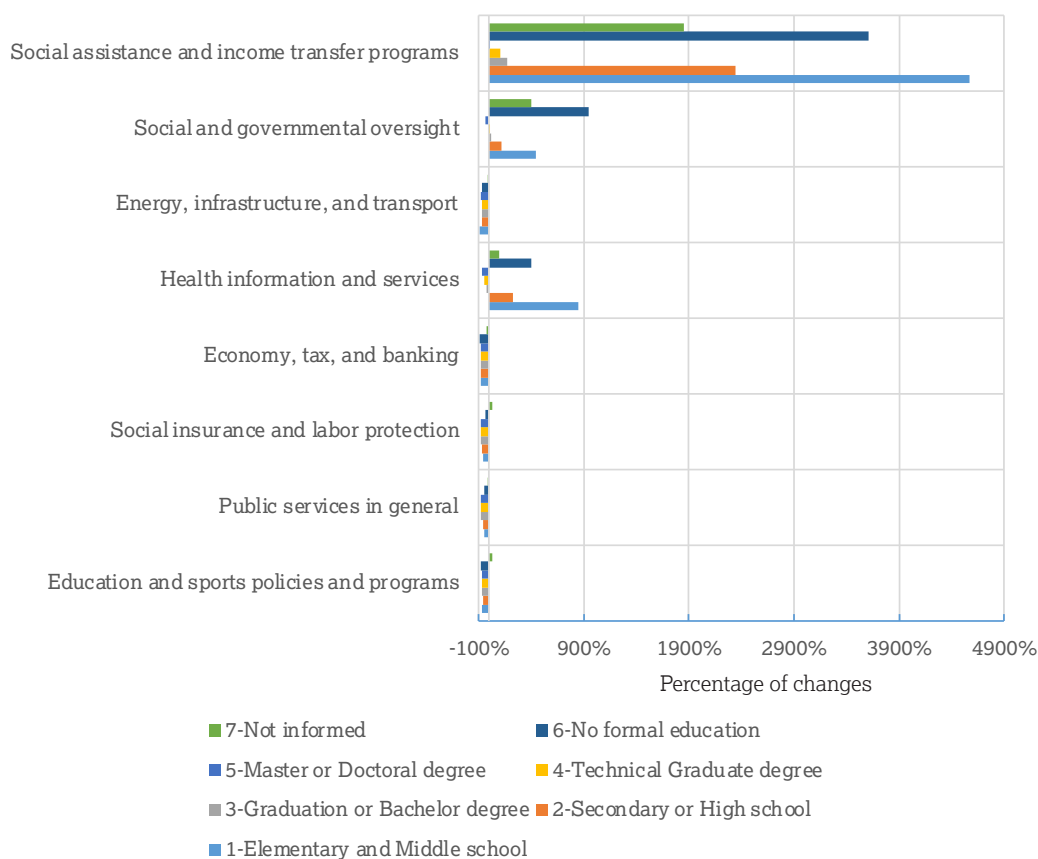
Notes: Source: Research data. The “Before” column corresponds to requests from October 2017 to March 2020, and the “After” column corresponds to requests from April 2020 to September 2022 Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>).

As well as the high number of uninformed occupations, the table above indicates a high percentage of the requesters who did “not inform” their education, which represents 17.87% of requesters in the period. This limitation also results from the option given to requesters to select the pre-defined “not informed” type.

As in the case of professions, we also present a graph of changes in the number of requests for the top eight subject categories by education level in Figure 4.

FIGURE 4 - CHANGES IN THE TOP 8 REQUESTS BY REQUESTERS' EDUCATION BEFORE (OCTOBER 2017-MARCH 2020) AND AFTER (APRIL 2020-SEPTEMBER 2022)

Changes in the Top 8 Requests by Subject group and Requesters' Level of Education



Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>).

The graph presented in Figure 4 indicates that the highest percentage increases in requests for information occurred in topics related to health information and services, social assistance and transfer programs, and social and governmental oversight.

We highlight the considerable increase in requests for information in those subject categories—especially social assistance and transfer programs—by requesters who reported that their education as “no formal education,” “elementary and middle school,” or “secondary or high school.” Despite its

limitations, this result also indicates an increase in the use of FOI by people with low levels of education to request information on topics related to social protection. Future studies might investigate whether these requesters represent vulnerable populations.

In reference to the requesters' gender, Table 4 presents, by gender, the number and percentages of requests sent before (October 2017 to March 2020) and after (April 2020 to September 2022) the declaration of COVID pandemic as a public disaster.

TABLE 4 - NUMBERS AND PERCENTAGES OF REQUESTERS BY THE INFORMED GENDER

GENDER	BEFORE	AFTER	↑↓ %	BEFORE + AFTER	% TOTAL
Female	44,404	28,606	-35.58%	73,010	13.98%
Male	58,574	28,882	-50.69%	87,456	16.75%
Not informed	12,247	69,058	463.88%	81,305	15.57%
Others	38	682	1694.74%	720	0.14%
TOTAL	115,263	127,228	10.38%	242,491	

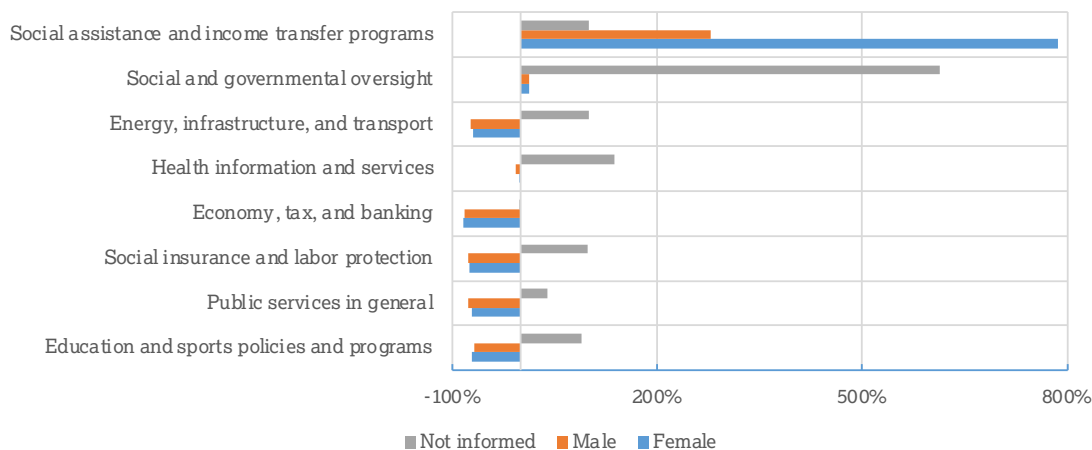
Notes: Source: Research data. The “Before” column corresponds to requests from October 2017 to March 2020, and the “After” column corresponds to requests from April 2020 to September 2022. Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>).

As in the case of information on occupation and education, the table above indicates a high percentage of requesters who did not inform gender, representing 15.57% of the total during the period. Once again, this limitation results from the option given to requesters to select the pre-defined “Not Informed” category.

Here, we also present a graph in Figure 5 showing changes in the number of requests for the top eight subject categories by gender, excluding the “others” category due to its small size compared to the others.

FIGURE 5 - CHANGES IN THE TOP 8 REQUESTS BY REQUESTERS' GENDER BEFORE (OCTOBER 2017-MARCH 2020) AND AFTER (APRIL 2020-SEPTEMBER 2022)

Changes in the Top 8 Numbers of Requests by Subject group and Requesters' Gender



Data adapted from Brazilian Portal of Open Data, option e-SIC - Sistema Eletrônico do Serviço de Informações ao Cidadão (<https://dados.gov.br/>)

The graph presented in Figure 5 indicates that the highest percentage increases in requests for information occurred in topics related to social assistance and transfer programs, as well as social and governmental oversight.

The most significant increase in requests by gender was observed among requesters identifying as female and requesting information about social

assistance and transfer programs. This result is consistent with official data from Brazilian government, which indicates that women were responsible for heading 81.6% of families that received cash transfer programs in 2022 (Ministério do Desenvolvimento e Assistência Social, Família e Combate à Fome, 2022).

6. DISCUSSION AND CONCLUSIONS

This study addresses a gap in the literature regarding the impact of the COVID-19 pandemic on the use of Freedom of Information (FOI) mechanisms in Brazil, identified by the following questions: How has the COVID-19 pandemic affected the use of FOI in Brazil? To what extent has the pandemic shifted information requests in Brazil toward a stronger HR perspective?

Here, we adopted an exploratory strategy to investigate open data of 522,140 requests of 242,491 requesters based on quantitative and qualitative data analysis, following notions and basic steps proposed by Akinyode & Khan (2018) and Chauvette, Schick-Makaroff & Molzahn (2019). Data gathered from the available open data allowed the analysis of requests for information submitted during a 30-month period following the declaration of the COVID-19 pandemic as a public disaster, from April 2020 to September 2022. To keep comparability, we also examined request and requester data from the 30-month period preceding the pandemic, from October 2017 to March 2020.

By focusing on the top eight subject categories, which represent about 75% of the total number of requests in the period of interest, we observed a significant increase followed by a relative decrease over time in those related to health information and services; social assistance and transfer programs; and social and governmental oversight. On the other hand, the number of requests for information on energy, infrastructure, and transport; public services in general; economy, tax, and banking; and education and sports programs declined and did not return to the same numbers by the end of the period of interest.

The results indicate that changes in the number of requests across the eight subject categories varied significantly in relation to requesters' occupation, education, and gender. Despite the results, we consider that some limitations in open data restricted the possibility of generating robust and more generalizable responses to the questions presented, especially regarding the impact of the COVID-19 pandemic on the use of FOI in Brazil from a more human rights perspective.

The substantial increase in information requests on programs and measures aimed at coping with the

COVID-19 pandemic underscores the need for reforms in FOI norms, procedures, and instruments, which should provide special provisions and pre-defined strategies for their use in possible future crises of a similar nature. Additionally, the results indicate the urgent need to facilitate the correct use of instruments of request for information by citizens and to enhance the gathering of socio-economic information from requesters without requiring personal data that allow their identification.

For future studies, methods and techniques based on text mining might be used to overcome limitations imposed by the number of requests with undefined topics and requesters with no socio-economic information. Additionally, further investigations using data collected after October 2022 may explore other questions, for example, whether the observed changes in FOI usage were transient or indicative of a lasting shift.

Recent literature on Freedom of Information (FOI) laws in Latin America has emphasized the importance of institutional, social, and identity-related factors in shaping government responsiveness to information requests. In the Brazilian context, Rodrigues and Michener (2018) demonstrated that institutional requests have a significantly higher chance of receiving a response compared to those submitted by ordinary individuals. This finding reveals a structural asymmetry in the treatment of requesters, suggesting that institutional capital—rather than the content of the request itself—plays a critical role in the effectiveness of the right to information. Such patterns raise concerns regarding the principle of equality and the universalization of access as a fundamental human right.

Additional evidence from Latin American countries reinforces the notion that social identity and perceived status influence the implementation of FOI laws. Lagunes and Pocasangre (2018), in an audit of Mexico's FOI system, found that both the presumed social class and the identifiability of the requester impact the quality and likelihood of responses. Anonymous requests, for example, tend to receive less substantive replies, whereas those associated with socially privileged names are more likely to be answered. These findings suggest the existence of discretionary bias in public agencies, potentially restricting equitable access to public information, particularly for vulnerable or marginalized groups.

In Uruguay, Rodríguez and Rossel (2018) conducted a field experiment to assess how requester characteristics such as gender, profession, and knowledge of FOI law influence bureaucratic behavior. Their results showed that the requester's profile—especially their occupational status and familiarity with the law—affects the degree of cooperation from civil servants. This study supports the argument that the unequal treatment of FOI requesters is not isolated but a systemic challenge across different transparency regimes, even in countries with relatively strong legal frameworks.

Together, these works suggest that the full realization of the right to information in Latin America depends not only on the existence of legal instruments but also on the removal of social, institutional, and cultural barriers that shape how FOI laws are enforced. As we observed in the analyses above, understanding these dynamics is essential for evaluating whether recent changes in Brazil's FOI requests are truly advancing the defense of human rights or if they continue to reproduce structural inequalities in access to public information.

Reflecting on the first research question, our findings indicate that a relevant challenge for Brazil is to review its FOI mechanisms and even information governance itself in a higher sense. Therefore, it is crucial to reconsider FOI mechanisms in light of their potential to deliver timely and reliable responses during crises, as evidenced in this study. The analysis highlighted the prominence of topics such as health and social protection, which are particularly relevant when considering the needs of the most vulnerable requesters. These findings point to the importance of strengthening active transparency policies, especially during disaster events, as a means to improve access to essential services.

Regarding the second research question—concerning the adequacy of available social and economic data for public policy formulation—our findings indicate the need for governments to expand the range of indicators used. This includes incorporating data on ethnic and racial identity, salary brackets, and diverse employment conditions, such as unemployment, informal work, or domestic labor. Although addressing this issue is complex, it is essential for a more equitable and inclusive approach to public policy and transparency.

On the one hand, socio-economic information helps in decision-making and in the evaluation of government measures. On the other hand, there are recommendations and studies pointing out that the identification of requesters can lead to risks of harassment, undue denials, discrimination, and stigmatization (Article 19, 1999; Rodrigues & Michener, 2018).

These are elements that justify the descriptive analysis of these data, which establishes their connection to the broader discourse on human rights. The right to information is a fundamental right related to the right to freedom of expression. Informational freedom is closely linked to these requests for information concerning health and social protection policies. The increase in demands and the expansion in the number of people requesting this information, when combined with the provision of information, corroborate the construction of this human right. This development was instrumental in securing other rights, further reinforcing the idea that passive transparency serves as a catalyst for fundamental rights, as FOI requests can reveal how other rights (individual, social, or collective) are being upheld or neglected.

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