

FINAL TECHNICAL REPORT / RAPPORT TECHNIQUE FINAL FEMINIST OPEN GOVERNMENT IN LATIN AMERICA

Silvana Fumega;;

Brando Flores,;Sofia Vilalba;Silvia Font;Susana Soto;

© 2019, ILDA



This work is licensed under the Creative Commons Attribution License (<https://creativecommons.org/licenses/by/4.0/legalcode>), which permits unrestricted use, distribution, and reproduction, provided the original work is properly credited.

Cette œuvre est mise à disposition selon les termes de la licence Creative Commons Attribution (<https://creativecommons.org/licenses/by/4.0/legalcode>), qui permet l'utilisation, la distribution et la reproduction sans restriction, pourvu que le mérite de la création originale soit adéquatement reconnu.

Feminist Open Government in Latin America: Lessons from Mexico, Costa Rica, and Uruguay

Latin American Open Data Initiative (ILDA)

Coordinator: Silvana Fumega
Research Lead: Brando Flores
Researchers:
Susana Soto (CR)
Silvina Font (UY)
Sofia Villalba Laborde (UY).



Licensed under Creative Commons 4.0

Executive Summary

The Open Government Partnership (OGP) has recently stated that inclusion and gender equality are two of its priorities. Accordingly, its next action plans seek to expand viable means of implementing those commitments. In this context, to support gender equality in open government, “Feminist Open Government” (FOGO) has been launched with support from OGP and the Canadian government (in particular with aid provided by the International Development Research Center/IDRC and Global Affairs Canada). FOGO supports initiatives that seek to eliminate barriers and support inclusion of all persons through transparency, participation, and accountability.

The Latin American Initiative for Open Data (ILDA) has led this research, aimed to analyze, through qualitative research tools and strategies, how women are (or not) involved in OGP processes in 3 Latin American countries. These three countries are Mexico, Costa Rica, and Uruguay.

After 40 interviews and analysis, we were able to identify certain barriers as well as activities, which may enrich OGP processes on terms of inclusion from a feminist perspective:

- The ability to anchor commitments and activities to other international instruments, such as Sustainable Development Goals (SDGs) is vital to support the actions of officials leading such efforts in the public sector. This kind of links with other international instruments can support the work of advocates in government agencies, but when we move to civil society (individually or at organization level) different elements are important to achieve effective participation.
- In this sense, in the different countries, networking and working spaces of grassroots organizations, which are not connected to OGP processes, were identified. These grassroots groups could be invited to take part in OGP co-creation processes. To do that, a systematic mapping of such actors, before each invitation to design action plans, is seen as an important step towards a more inclusive process.
- These same women’s organizations, whether they operate at the national or sub-national level, can contribute to awareness raising among public officials at different levels of government.
- Finally, data as the raw material for decision-making and tools development and can contribute to further equality and inclusion of women and women’s groups in public life, and the open government agenda, in particular. Thus, it is important to have the data to help us identify and analyze groups of the population, which are currently marginalized from public statistics and data.
- Added to this disaggregation, the involvement of different actors in civil society to complement or validate the production of certain official data is considered vital when dealing with social problems that are hard to approach.

This feminist open government agenda is in its early stages. Expanding the universe and applying innovative ideas are tasks for everyone who works and participates in the mechanism to develop action plans. It is time to create more inclusive processes, and for that we need to continue working actively to make them a reality.

TABLE OF CONTENTS

| | |
|---|-------------------------------------|
| 1. INTRODUCTION | 4 |
| FOGO – RESEARCH | 5 |
| 2.1 RESEARCH METHODOLOGY AND IMPLEMENTATION | Error! Bookmark not defined. |
| 2.2 WHAT ARE THE PROFILES OF THE INTERVIEWEES? | 6 |
| 3. CONTEXT OF OPEN GOVERNMENT PROCESSES TO PROMOTE FOGO | 7 |
| 3.1 CONTEXT - COSTA RICA | 8 |
| 3.2 CONTEXT – MEXICO | 10 |
| 3.3 CONTEXT - URUGUAY | 13 |
| 4. COMMON CHALLENGES | 15 |
| 4.1 PARTICIPATION | Error! Bookmark not defined. |
| 4.2 WOMEN AND ACCESS TO INFORMATION | 18 |
| 4.3 WOMEN, TECHNOLOGY, AND OPEN DATA | 19 |
| 4.3.1 OPENNESS OF DATA | 20 |
| 5. RECOMMENDATIONS TO OVERCOME CHALLENGES | 22 |
| 6. REFERENCES | 25 |
| ANNEX 1. Questions on each axis, taking into account the purpose of this report | 29 |
| ANNEX 2. Profiles selected for interviews (adapted depending on the context of each of the 3 selected countries) | 30 |
| ANNEX 3- Representatives from these organizations were interviewed for this research | 31 |

1. INTRODUCTION¹

The Open Government Partnership (OGP) has recently stated that inclusion and gender equality are two of its priorities. Accordingly, its next action plans seek to expand viable means of implementing those commitments, but also to further the development of mechanisms, policies, and procedures to ensure that they are reflected in all internal operations and articulate processes in which women lead and direct. Thus, a series of measures have been proposed, such as a more inclusive co-creation of action plans, ensuring representation of the diversity of groups of women who participate fully in transformative commitments to move forward in gender equality, performing a leadership role in shaping it.

Assessments through the Independent Review Mechanism (IRM) and a new outlook on the organization of OGP events and summits are actions included to further a more inclusive perspective. At the regional level, OGP has focused on “*confronting the serious problem of sexual and gender violence, or improving the voice and participation of women in the political arena [which] have been identified as common challenges.*”

In this context, to promote gender equality and equity in open government, “Feminist Open Government” (FOGO) has been launched with the support of OGP and the Canadian government (in particular with aid provided by the International Development Research Center/IDRC and Global Affairs Canada). FOGO supports initiatives, aimed to reduce barriers and to promote inclusion of all persons through transparency, participation, and accountability.

More specifically, FOGO translates into seeking the inclusion of a gender approach in the processes and strategies of OGP, while supporting initiatives that focus on specific groups. FOGO aims to conduct research and produce evidence to promote stronger commitments on gender and research to improve open government. In the first phase, regional hubs of the Open Data for Development (OD4D) network have produced a diagnosis of OGP processes in countries of Latin America, Asia, Africa, and the Middle East.

The Latin America Initiative for Open Data (ILDA), has led a research to analyze, through design and implementation of qualitative research tools, how women have been involved in open government processes in three Latin American countries and identify elements which further substantive advances in conditions of parity and commitments to equality. The three countries are Mexico, Costa Rica, and Uruguay.

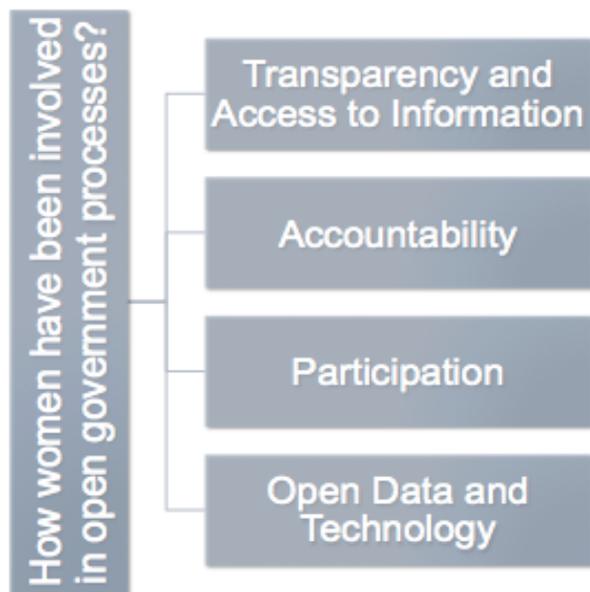
This report is a reflective exercise in three countries, with the ultimate goal of improving the design of co-creation processes in national commitments, and identifying conditions for truly inclusive processes. First, it includes a brief explanation of the research methodology and how the information was collected. Second, it provides the context in each of the selected countries regarding open government and gender equality. Then, the analysis of some barriers in those processes is included, and finally, some recommendations to produce more inclusive and equalitarian OGP processes are offered.

¹ This report has the support of the International Development Research Center (IDRC). This research was finished by October 2018.

2. FOGO – RESEARCH

This report's primary objective is to analyze how/if women have become involved in OGP processes in three Latin America countries (Mexico, Costa Rica and Uruguay) and identify elements which contribute to produce substantive advances in conditions of equity and commitments to equality.

2.1 RESEARCH METHODOLOGY AND IMPLEMENTATION



Through the design and implementation of qualitative tools and strategies, this research seeks to answer a series of questions related to barriers and challenges for women and groups of women to participate in government processes, to access information and data, and to demand accountability.

Gender analysis allows for a differentiation of effects for men and women throughout their life, which affects their well-being, position and

material conditions. It also facilitates the identification of actions to close the existing gaps. The most accessible method for obtaining this information is of a qualitative nature through semi-structured interviews. This type of interviews allows not only avoiding pre-fixed questions but also for the interviewee to expand on their answers. It also allows the researcher to better adapt to the needs of research and to different profiles. However, it requires more preparation by the interviewer and a more detailed analysis of the information.

Before developing guiding questions, the first step was to analyze both structural and content-related aspects of OGP processes in the selected countries, at both the national and local levels. For that purpose, we needed to understand the context of design and implementation of processes, and identify data, experiences, common practices, gender relations, and roles and responsibilities of the various profiles and instances involved.

Dimensions to consider for this analysis are defined by the methodology proposed by the open government field, with topics rooted in principles such as: transparency (and access to information), accountability, participation, and – on ILDA's own initiative- Open Data and Technology. Thus, taking these topics into consideration, a series of guiding questions were established around OGP processes. (See Annex 1 for details)

2.2 WHAT ARE THE PROFILES OF THE INTERVIEWEES?



Profiles included in this research were defined taking into account the principles of Open Government, with a particular focus on technology, a key tool in these processes. In other words, we prioritized profiles with the knowledge and information necessary in designing commitments; those related to the potential of agencies to implement them, and to the articulation and execution at the national or sub-national level as well.

Thus, we identify the following profiles, which have been adapted depending on the context of each of the 3 selected countries: *Authorities (A)*; *Open Government Leaders (LGA)*;

Gender Government Leaders (LGG); *Implementers (IGA)*; *Infomediaries (INF)*; *Experts in Transparency and Accountability (OSTR)*; *Experts in Gender (OSG)*; and *Experts in Open Data and Technology (OSDT)*. Forty face-to-face interviews were conducted for this research by 3 researchers. In Mexico there were 15 interviews, while 16 in Uruguay and 9 in Costa Rica. (See Annex 2 and 3 for more details).

| Profile | Number of interviewees |
|--|------------------------|
| <i>Authorities (A)</i> | 2 |
| <i>Open Government Leaders (LGA)</i> | 4 |
| <i>Gender Government Leaders (LGG)</i> | 4 |
| <i>Implementers (IGA)</i> | 3 |
| <i>Infomediaries (INF)</i> | 3 |

| | |
|--|---|
| Experts in Transparency and Accountability (OSTR) | 8 |
| Experts in Gender (OSG) | 8 |
| Experts in Open Data and Technology (OSDT) | 8 |

The next section includes an analysis of the context in which OGP processes are implemented in each of the selected countries. These analyses were conducted based on the information extracted from the aforementioned interviews, as well as normative texts and other documents obtained from desk research.

3. CONTEXT OF OPEN GOVERNMENT PROCESSES TO PROMOTE FOGO

In general terms, the situation of women in Latin America presents many challenges. According to the *Gender Gap Report 2018*², several countries in Latin America are located within the first places and that the region is the third highest ranked, behind Western Europe and North America. In spite of that, when looking closely to the indicators, there is a clear gap in terms of “Economic Participation and Opportunity” in all 3 countries: Costa Rica, Mexico and Uruguay.

Costa Rica and Uruguay show good results in terms of education and health but they both lack good scores in terms of Economic Participation. Thus, in Costa Rica, for example, “...among the main challenges for women in Costa Rica are barriers to entering the labor market, unemployment, underemployment and income” (Alonso and Fonseca, 2014). A similar situation is observed in Uruguay, where, according to the review of national statistics done by Cotidiano Mujer, women receive on average 73.7% of what men receive. Also, extended households, as well as female single-parent households, have the highest levels of incidence of poverty, despite substantial improvements between the years 2006-2017 in that country.

According to the Gender Gap Report, Costa Rica (22) moves up 19 places, largely driven by a significant increase of women in parliament, moving the country into the global top 10. Uruguay (56) sees some improvement this year, driven by progress across several indicators within the Economic Participation and Opportunity sub-index, while Mexico shows improvement across all four sub-indexes, reversing last year’s downward trend, with particularly strong progress in gender parity in women in parliament as well as healthy life expectancy.

Overall, all 3 countries rank above the global average. Costa Rica is placed in number 22 (overall) and 3 at the regional level; Mexico is number 50 (overall) and 12 at the regional level while Uruguay is number 56 (overall) and 15 within the region. In this context, to fully understand how sensitive OGP processes are to the feminist approach in the 3 selected countries, we present a summary of the main features of each one. The elements included for each country are related to the main pillars of open government, and some considerations regarding access to technology, as previously mentioned. All these elements help us to better understand recommendations included in Section 4.

² This report is developed by the World Economic Forum since 2006.

3.1 CONTEXT - COSTA RICA

Despite the above-mentioned inequality in terms of economic participation, for many years, Costa Rica has been seen as a regional referent in Latin America in relation to the adoption of international instruments, development of a normative framework, and the implementation of programs focused on extending and enforcing protection of human rights. This pursuit of equality has allowed for progress in public policies, which protect the fundamental rights of women and other minorities. Since the second half of the 20th Century, and especially in the first years of the 21st, substantial progress has been made in legislation and implementation of national plans and programs, which seek to ensure women to fully exercise their rights.

In this context, in 2012, Costa Rica joined OGP. Currently, the country is implementing its third action plan, which, for the first time, includes a commitment specifically focused on women and it is clearly linked to Sustainable Development Goal No. 5, which aims for gender equality. The plan also includes an additional commitment, presented by the Supreme Court of Elections, to develop a training process for women politicians, in the context of the national elections held in the year 2018.

Regarding Open Government principles, in terms of **Access to Information**, Costa Rica is one of the few countries, which lacks a law on access to public information. Although the Constitution, in Articles 27 and 30, provides for freedom of petition and free access to the administrative agencies for purposes of information on matters of public interest, it does not encompass the principles of the right of access to information in its modern conception, and much less does it contemplate assistance in exercising it for groups in conditions of vulnerability or discrimination.

However, there are disperse normative provisions in laws like the Law Regulating the Right of Petition or the Law to Protect Citizens from Excessive Administrative Requirements and Bureaucracy, together with and extensive jurisprudence of the Constitutional Chamber, which resolves practically all denials of access. Also, Costa Rica has a law to protect citizens from inappropriate treatment of their personal data.

In terms of **Participation**, Costa Rica does not have a law regulating citizen participation. Instead, normative provisions are dispersed, almost always in instruments creating instances for participation or the institutions that oversee them. For example, the Constitution, in Article 9, stipulates, "Government of the Republic is popular, representative, participative, alternative, and responsible."

However, regarding women, we can find particular norms protecting the rights of political participation, especially in terms of parity and alternation. In other words, parity laws require elected public organizations to alternate men and women to achieve a 50% of women and 50% of men in even-numbered agencies. In odd-numbered organs, the difference between the total numbers of men and women may not exceed one and under the terms of the mechanism of alternation (it is not permitted for two persons of the same gender to appear consecutively on the ballot).

One of the country's great deficiencies is the lack of a national data-based **accountability** system, which really oversees compliance in the programs of various government agencies. On the other hand, as one of the claims of open government, intensive use of **technology** to achieve aspirations for substantial progress in transparency and participation, and due to ILDA's particular focus in terms of open data in the region, it is necessary to state that gaps in access

to technology are marked by gender, socioeconomic condition, and distance from major population centers. This situation gains greater relevance taking into account that “the way we exercise citizenship today is dependent on our access to technology”³ and that access has become a privilege, which implies a gender gap, among other factors. That in turn exponentially amplifies existing vulnerabilities. Virtual spaces are not necessarily safe and provide an outlet for powerful manifestations of gender violence.

In general lines, in terms of increasing inclusion of women and eliminating existing inequalities, while there have been substantial advances which have been crystalized in various elements of public policy and legislation -for example the creation of a National Child Care and Development Network⁴, growing female participation in the labor market and a slight increase in women’s average income, approval of greater employment guarantees for paid domestic workers, improved protection for victims of violence through reforms to the criminal code and other specific laws like the Law Penalizing Violence against Women– reports by mechanisms like the CEDAW (United Nations 1999) or the State of Women’s Rights in Costa Rica (INAMU 2011) are clear in stating that women’s real situation shows gaps in expected outcomes in quality of life and exercise of their rights, as mentioned in the first paragraphs of this section.

Despite the obvious differences between Costa Rica and Mexico in terms of size and political history, we can also find similarities in the inclusion (or lack of inclusion) of women and a gender perspective in Open Government processes, as we discuss below.

³ Epsy Campbell Barr, Vice President and Chancellor of the Republic of Costa Rica

⁴ Official Gazette of Costa Rica (2014)

COSTA RICA - COMMITMENTS TO EQUALITY IN PLANS OF ACTION

Costa Rica developed its third plan of action based on its commitment to the Sustainable Development Goals, for which it chose five of those goals, among them No. 5: Equality between genders.

The process of this commitment started as a joint initiative of the organization *Abriendo Datos Costa Rica*, at the time a member of the National Commission for Open Government, with the support of the OGP Civil Society Support Unit, which allowed it to draw on the experience of Mexican civil society, implementing a similar process. Also, it was met with the full approval and support of the Vice-Ministry of Citizen Dialog of the Presidency of the Republic, the agency responsible for coordinating the open government agenda in Costa Rica.

This was the commitment that had the most working sessions and process development time in the entire action plan. **The main difficulty may have been the limited response to invitations on the part of independent organizations, collectives, and activists.**

An obstacle or deficiency identified in the co-creation of the commitment was a lack of continuity throughout the process of women participating, who did not attend all the sessions. However, the richness of the methodology used, which permitted in-depth discussion of the problems identified, for which the participants wanted to propose solutions, was assessed positively.

Another deficiency was the lack of institutional involvement, which occurred only at the last session, where the commitment was to be drafted. This made it harder for participants to be more specific when stating a working proposal consistent with institutional reality.

The commitment calls for the development of a digital platform which compiles full information on plans, programs, and policies to address violence against women and emerged from the growing consensus among participants that none of the other issues it was proposed for inclusion (education, economic rights, enterprise, and sexism in the media, among others) had gone through the initial phase of generating public, published, and accessible information.

The result is a commitment that- while for other contexts it may appear very basic- is highly effective in the local context. It offers a potential that, if realized, would allow for the creation of other products like critical paths to identify as a victim of violence and seek attention from existing services. The aim is that the platform to be constructed gather not only institutional information from the agency with specific jurisdiction on the matter, but also include the full program offerings provided nationwide by the state and organizations which support the struggle against violence from civil society.

It is under the responsibility of the National Women's Institute and has as its counterparts two civil society organizations (*Colectivo Peras del Olmo* and *Abriendo Datos Costa Rica*) and an academic research institute, among others. For implementation, it defines several benchmarks that start with the creation of a multi-sectorial working group, with representation from civil society, academia, the private sector, and government. However, more than a year into the implementation period, none of the counterpart organizations have been invited to take part in the work, despite their having contacted the authorities in charge of the open government agenda. **A factor thought to have affected this situation is the fact that the implementation of the third plan has overlapped with a transition between presidential administrations.**

Another great unknown concerns how progress will be measured in the absence of indicators, which should have been developed by the multi-sectorial working group. For the IRM researcher, such indicators should have been developed focusing on the platform, funding, and degree of progress. In this sense, they are aligned because the commitment is basically to develop the platform.

3.2 CONTEXT – MEXICO

In the year 2011, President Felipe Calderon presented the first action plan for Mexico before the OGP. Thus, Mexico undertook to raise public integrity, manage public funds more efficiently, increase corporate accountability, and improve public services⁵.

⁵ <https://www.opengovpartnership.org/countries/mexico>

When Mexico joined OGP, the country already had made normative progress of regional relevance, mainly in the area of access to public information. In this area, since 2002 (and with subsequent amendments), Mexico has a robust normative structure regulating the universal right of access to plural and timely information, as well as to search for, receive, and disseminate information and ideas of all kinds by any means of expression.⁶ Oversight bodies are even mandated, (...) to encourage the principles of open government, transparency, accountability, grassroots participation, accessibility, and technological innovation.”⁷ However, implementation to favor equalitarian conditions, information disaggregated by gender, and other variables, which help to identify specific users and needs to exercise that right, are in incipient stages. Based on recent statistics on transparency and access to information, in 2016 a higher proportion of women than men de los hombres mentioned having made an express request for information from the government, 54.4 and 45.6% respectively. (INEGI, 2017)

In the area of **participation**, regulations have been amended in recent years to guarantee equal conditions. Since 2014, a constitutional reform on political and electoral matters has guaranteed gender parity in candidacies to the federal congress and local congresses. After the recent elections held in July 2018, for the first time in its history, Mexico, will have the most balanced representation in its houses, with 243 congresswomen (48.6%) and 63 female senators (49.2%). (Avila, 2018) In any case, it is noteworthy that the digital gender gap has been identified as a barrier to political participation and inclusion of women, which affects how they can exercise their rights and make their proposals, needs, and interests visible. (Calvin, 2018)

The **accountability** framework, in particular the national anticorruption system⁸, lacks proper implementation, due to the complexity of its institutional structure. (Roldan, 2018) On the other hand, we have seen deterioration in access to public services and also efforts to implement public policies with a gender perspective remain incipient. Only a third of public policies on federal and state aid (and half of municipal interventions) are designed to differentiate by gender, by type of aid, mode of delivery, and choice of beneficiaries. Also, transversal applications of the gender perspective in social policy at the local level is rare, and on average only 4 in 10 programs include promoting gender equity in their objectives. (IPRO, 2018) In recent years, this has contributed to a widening of gender gaps in areas where progress had been made: according to the last Global Gender Gap Report (2017), Mexico is 81st among 144 nations, with deficiencies in health services and salary equality. In 2013, Mexico was 66th in the same ranking. (World Economic Forum, 2017)

Finally, in the area of **technology and data**, as mentioned, the digital gender gap is clearly visible. To remedy these differences, some initiatives seek to break from stereotypes related to women, science, and technology. In any case, such differences are even more important outside capital cities and urban areas:

“There are national policies to promote Internet access and use for women, but we lack official or concrete figures which would allow us to measure progress. The Mexican government should incorporate a gender perspective in its data collection methodologies, taking into account social factors such as cultural barriers and sexist attitudes” (Perez de Acha, 2018. p.4)

⁶ House of Deputies (2012)

⁷ Official Gazette of the Federation (2015)

⁸ <http://sna.org.mx/>

This research takes place against the backdrop of a presidential transition in which the outgoing administration was accused of spying on activists and journalists⁹ and the incoming administration must define a clear position regarding progress with this aspect of its agenda. This in turn has impacted the development of commitments for the third action plan¹⁰, including a commitment to equality, which furthers the design of a comprehensive system of care.

MEXICO – REDUCING THE PAY GAP BETWEEN MEN AND WOMEN IN THE STATE OF JALISCO

In November 2016, the Local Plan of Action for Open Government Jalisco 2016 – 2018 added a commitment related to implementing a roadmap where the productive sector and responsible government agencies would adopt the recommendations derived from the Diagnosis of the Pay Gap in the State of Jalisco (2016), which concluded that there was a difference in payments between men and women of 19.6 percent in favor of men.

The central challenge of this commitment was shared responsibility among different sectors to ensure that policies on equal salary were implemented, especially on the part of private sector. The goal was clear: for at least 20 companies to adopt the recommendations derived from the study to reduce the pay gap in Jalisco. This would complement the design of policies and promote practices that advance equal payment and thus reduce the pay gap between men and women in the state of Jalisco through shared responsibility.

In the assessment of the persons interviewed, **various factors contributed to the success of this commitment: on the one hand, alignment of processes in state government linked to the promotion of commitments with a gender perspective and strong linkage to legislative reforms, and secondly the creation of a government agency with a high organizational level and capacity for oversight.**

This success is also reflected in the list of participating institutions: the Ministry of Labor and Public Welfare, the Jalisco Women's Institute (IJM), and a broad-based Committee for Evaluation and Oversight of Labor Policy (CESPT), which includes the Commission on Gender Equality and Social Inclusion, Economist Circle of Jalisco A.C., the Central Supply Market Merchants' Union, the Jalisco Workers' Federation, the Jalisco Federation of Women in Professional Careers and Business (FEMAC), the Jalisco State Economic and Social Council, the Jalisco Council of Industrial Chambers (CCIJ), *Proyecto MUJER*, the Employers' Confederation of the Mexican Republic (COPARMEX Jalisco), and the University of Guadalajara, among others.

Another significant factor was the capacity for adaptation of the activities of government agencies to the working style of the Committee for Evaluation and Oversight of Labor Policy, which was already in place when the commitment was designed.

Based on the interviews, various actions were taken that contribute to the consolidation the commitment to equality:

- First, round tables with experts and Jalisco society at large on six topics of strategic importance to identify problems of public interest and identify persons relevant for the agenda.
- Second, awareness building talks to raise public awareness of the concept of Open Government and the persons involved, including different state actors in the public and private sectors, civil society, academia, and others.

Then an online consultation lasting one month to allow state residents to identify the problems to be solved, under six strategic categories on the Open Government platform. In any case, the unknowns surrounding this effort revolve around the change of government following the local elections and oversight mechanisms to ensure that organizations.

⁹ Article 19 (2017)

Calvillo (2018)

¹⁰ <https://www.gob.mx/gobiernoabierto/articulos/plan-de-accion-2016-2018>

3.3 CONTEXT – URUGUAY

Like Mexico, Uruguay has been part of OGP since 2011. Open government processes in Uruguay have developed in a space of dialog among state actors and the Open Government Network (RGA¹¹), within the Electronic Government and Society of Information and Knowledge Agency (AGESIC). In this context, monthly meetings and activities have been organized which have sought to strengthen both the work group and co-creation of plans of action. In September 2018, Uruguay completed the process of defining the fourth action plan. This process of co-creation has been useful throughout this research.

On gender issues, during the last decade Uruguay has made significant progress with the passage of the law on voluntary interruption of pregnancy (VIP), same-sex marriage, the law on paid domestic labor, the integral law against gender violence, the national care system, and the recent passage of the integral law for trans persons. These legislative advances contrast with the persistence of gender violence and obstacles to the exercise of sexual and reproductive rights. Political participation of women in Uruguay remains an area with notable deficiencies. In the last elections, the first to apply a quota law, the congress reached 18.2% female representation, while the percentage in the senate rose to 25.8%. The executive branch attained a higher percentage, with 38.5%.

On the other hand, there is a Gender Information System (SIG) managed by the National Women's Institute (Inmujeres). The development of the system's indicators is based on information received from various government agencies and data producers like the National Institute of Statistics, the Ministry of Public Health, the National Civil Service Office, the Electoral Court, and Local Governments, among others. The SIG reports indicators for gender, at the regional level, to the CEPAL Gender Equality Monitoring Center for Latin America and the Caribbean, and at the national level, to the MIDES (Ministry of Social Development) Social Monitoring Center of Programs and Indicators.

Law 18.381 regulates, since 2008, the right to access information in Uruguay. This enactment was an advance on strengthening access to information as one of the pillars of Open Government, as well as a fundamental human right in international instruments. However there are no explicit social policies to advance the exercise of this right and the proactive access to information by women.

¹¹ The RGA is a space currently integrated by 9 Civil Society organizations: DATA, The Archives Center and Access to Public Information (Cainfo), the Free Software Studies Center, Trusted Network Consumers (RED CON), Everyday Woman, Uruguay Transparente, Creative Commons, El Abrojo Cooperativa Civil Association and the Inclusive Education Work Group

URUGUAY – OBSERVATORY ON GENDER-BASED VIOLENCE

The observatory on gender-based violence is a legal mandate derived from Law No. 19,580 “Gender-Based Violence towards Women” enacted in December 2017. Article 10 of that law establishes an Inter-institutional response system, based on the understanding that the approach to gender-based violence towards women should be comprehensive, and therefore inter-institutional. The National Women’s Institute is named as the body charged with guiding public policy on the issue.

By legal mandate, in each of the country’s Departments, the National Advisory Council for a Life Free of Gender Violence towards Women will create a Departmental Commission. Also, Article 18 mandates the creation of an Observatory devoted to monitoring, collection, production, record-keeping, and ongoing systematization of data and information.

The design and implementation of the Observatory was one of the gender commitments contained in the 4th action plan. The institutions and actors responsible are the same established by legal mandate: the inter-institutional commission formed by: the Office of Planning and Budget (OPP), the Ministry of the Interior, the Ministry of Public Welfare (MIDES) – the National Women’s Institute (INMUJERES), and the Uruguayan Network against Domestic and Sexual Violence. The OPP will chair the commission.

The creation of the Observatory, according to the actors involved, will help to proactively disseminate information on the activities, use of public funds, and results achieved based on the principles of relevance, enforceability, accessibility, opportunity, veracity, comprehensibility, simplicity, and maximum divulgation. It will facilitate access to information on the use of public resources and results achieved, strengthening citizen oversight and constituting a fundamental factor in the design, implementation, evaluation, and monitoring of this public policy. This commitment is assumed under a participative framework made up by actors in government and organized civil society in accordance with the provisions of Law N° 19,580. It will entail joint decision making in the stages of design, implementation, evaluation, and monitoring of the commitment.

The creation of the Observatory is part of an ongoing effort to provide relevant, reliable, current, and accessible data that will contribute to the effective oversight and monitoring of the implementation of this public policy in order to expedite informed, evidence-based citizen participation.

4. COMMON CHALLENGES

After 40 interviews, as previously explained, the local researchers extracted certain key findings, which help us understand each of the processes in the 3 selected countries, according to the lines defined earlier in this document: participation and accountability, transparency and technology.

4.1 PARTICIPATION

There is one clear common finding between the three countries: the centrality of processes. While some efforts have been made to decentralize the co-creation process, it remains concentrated primarily in capital cities and urban areas. This also relates to other common finding that indicates that Open Government is a highly technical area in which one needs to acquire concepts to get involved. This is a limitation on participation for women's groups coping with urgent problems day to day, like the various manifestations of violence experienced by the populations they work with. Women grassroots are also discouraged as because the relevance of the open government platform is concentrated almost exclusively in a small group and the impact of co-creation processes is not properly communicated.

"In Costa Rica, throughout the previous administration, Open Government had a woman's face." With this statement, the IRM OGP researcher in Costa Rica began one of the conversations, which contributed to this report, referring to the leadership exercised by women, from both government and civil society during these processes. Former Vice-Minister of the Presidency, Ana Gabriel Zuniga, with her team, was in charge of the agenda for the second and third action plan. She worked with a majority female representation. Members of this governmental team, together with representatives from organizations like *Abriendo Datos Costa Rica* and *Costa Rica Integra* -which formed the first National Commission for Open Government- were all female figures whose work furthered empowerment of other women.

In general terms, there is a growing consensus in Costa Rica that women's presence, in leadership roles, in coordinating agencies and spaces of co-creation, has been a factor in expanding the presence of issues related to women's rights. However, even though it is said that women's leadership and the open government agenda will be present in the current administration, there is no evidence of it so far. Many of the government actors involved in open government agenda during the past administration are now continuing this line of work but in civil society organizations.

A similar situation can be seen in Mexico, where government agencies, in the context of transition, showed a low level of willingness to be part of a dialogue during this research. Moreover, in Mexico, in the federal process of constructing plans of action and shaping commitments in open government, implementers agree that female participation has always been greater and more balanced from civil society than within public service. This is also reflected at the level of decision-making and composition of the Tripartite Technical Secretariat¹².

¹² In Mexico, OGP operates through the Tripartite Technical Secretariat a permanent and institutionalized space for dialogue and decision-making regarding the processes of open government. It is formed by a representative of the Government, a representative of the National Institute of Transparency and Access to Information and Protection of

Besides electoral changes, while some efforts have been made to decentralize the co-creation process in all 3 countries, it remains concentrated primarily in capital cities and urban areas. Thus, civil society experts in Mexico point to the low participation of women's groups which are not based in capital cities and more developed areas, combined with a lack of safe spaces for the construction of commitments under the framework of open government. In other words, where there are territorial crises, violence, and persecution of journalists or human rights defenders, it is extremely difficult to ensure the participation of such groups in co-creation mechanisms. Thus, while progress has been made in terms of legislation, in contrast the persistence and evolution of different forms of violence against women continue largely unchecked.

In Uruguay, in general terms, there is no gap or difference in how women and men participate in the different spaces of Open Government. According to AGESIC, a total of 300 persons participated in the process of creating the 4th plan, of whom 64% were women¹³. Furthermore, all working groups and instances organized to date have had high levels of female participation, sometimes surpassing their male counterparts. However, interviewees did cite a gender gap in higher levels of government (and a lack of inclusion of local actors outside Montevideo), which is reflected in Open Government processes.

It is difficult for women to commit to taking part in processes, which require participation in meetings over an extended period when they have no help with domestic chores or childcare as they are tasks traditionally assigned to women. These lacks of help for individual women, and the limited amount of resources of small groups to face extended co-creation processes, remain challenges for substantive and pluralistic participation.

Outside urban areas in Mexico, a relevant finding shows that processes of articulating women's groups which work to expand rights and improve services do not necessarily relate to institutionalized processes, like those of OGP, but to their need for greater dissemination of their activities and to the articulation focused on the deployment of technological innovations, the use of open data, and networking with other organizations and specialists on access to information or processes of participation. In this context, the size of grassroots organizations and groups determines their capacity for agency, continuity, and involvement in open government processes. These differences between organizations, for some interviewees, imply a need to create a mechanism for ongoing collaboration, which strengthens the intersectionality of gender in the agenda and articulates their participation in a fluid and systematic manner.

In Costa Rica, local governments do not present any exercises in open government, and organizations that work on issues of transparency or engage in local-level activism are also marginalized or entirely isolated from the discussion and processes of co-creation at the national level. One of the main findings of the research in this country indicates that Open Government and the co-creation processes are unknown not only to the leading women's organizations but also to officials in charge of national and local government agencies, such as Women's Offices at local governments.

Moreover, despite the high level of participation of women in OGP processes in Uruguay, as remarked for the other two countries, there is no diversity of women's groups in these instances.

Personal Data and a representative of Society Civil organizations.<https://gobiernoabierto.mx.org/blog/2017/06/13/ques-el-secretariado-tecnico-tripartita/>

¹³ More information: https://www.agesic.gub.uy/innovaportal/file/6048/1/4to_plan_accion_gobierno_abierto_final.pdf

In fact, from the beginning only three organizations with specific expertise in gender have participated: *Mujer y Salud Uruguay* (MYSU), *Mujer Ahora*, and *Cotidiano Mujer*¹⁴. In that regard, Lilian Celiberti (*Cotidiano Mujer*) observed that there are “*areas of conflict with the government which create a certain reluctance to participate in the development of commitments*”.

On the other hand, an important issue observed in Uruguay involves difficulties and obstacles for commitments and processes oversight. One of the central obstacles to maintaining participation is that the Open Government Network is a space for articulation which lacks resources: “Monitoring commitments requires times which we often do not have in civil society. It requires preparation, follow-up, persistence, and creation of knowledge. We do not have the time, the funding, or the specialized knowledge to do an adequate job.” Lilian Celiberti (*Cotidiano Mujer*)

In that sense, in Costa Rica, co-creation OGP processes have revealed a clear lack of participation by leading organizations traditionally devoted to working for women’s rights such as *Cefemina* or the Collective for the Right to Decide or other more recently formed movements like the group *Ni Una Menos para Costa Rica*, broad divulgation of the process notwithstanding. In this sense, after the first action plan, some efforts have been made to ensure that co-creation processes improve and meet the standards established by the platform. In response to these efforts, for the third plan some organizations, academic entities, and independent activists working for women’s rights reached out and got involved in the co-creation process, as in the case of the collective *Peras del Olmo*, which took part in the entire process and assumed the counterpart role in implementing the commitment to equality.

In numerical terms, women’s participation in processes of co-creation in Costa Rica has been significantly similar to Uruguay. Current and former public officials and activists involved in these efforts, together with IRM researchers, agree on this. However, for representatives of civil society organizations (mostly), it remains inadequate, both in quantitative terms and in the shared aspiration that women not only participate but also conceptualize and take their place in all spaces, as half of the population. In this sense, authorities and leaders within government, in all three countries, tend to present a more optimistic vision about the current pluralist inclusion of actors in the processes. In general terms, civil society organizations, although in most cases recognize the efforts, understand that it is still far from achieving an inclusive and pluralist participation in OGP processes.

Despite the differences in context between the countries, as regards obstacles to participation by women and women’s groups in OGP processes, we can observe highly similar situations. Open Government, as a practice, is not implemented transversally in public policy and in territorial reach. In other words, there is a highly centralized approach to the practice of open government, in specific agencies and urban areas within each country, and within a small group of civil society organizations (mostly related to the transparency and accountability fields). In all cases, women leadership and women’s groups are included in these processes in the capital cities, however, even in the best cases, this situation changes when moving to the rural, local areas.

¹⁴ Some organizations, like *Plenario de Mujeres del Uruguay* - PLEMUU, an NGO with a long history of struggle for women’s human rights, lack knowledge of OGP processes. Also, for example other organizations such as *Colectivo Catalejo* claimed that they had never been reached to participate in these processes.

After the interviews, it was clear that public officials and authorities, and also some IRM researchers, recognize that OGP processes are currently starting to include specific gender commitments. However, some civil society members are emphasizing that the gender approach is not applied to other areas but only to the “women’s specific issues”. As previously mentioned, there is no transversally gender approach to all areas of the administration.

Lastly, despite this progress, within some IRM researchers there are doubts about the effectiveness of OGP as a platform to advance open government actions. This is so because most efforts are placed on the process and the rules than on the concrete actions and how to carry them forward. Adding to that, in many interviews with civil society actors from different areas and countries, the problem was posed. One of the preliminary findings was to know that several civil society organizations, particularly outside capital cities, were not aware of the existence of Open Government processes.

4.2 WOMEN AND ACCESS TO INFORMATION

One of the basic pillars of the concept of Open Government is transparency, and by extension, people’s ability to access the necessary information (API) to understand the actions of public organizations. In this sense, all sources concurred that women face daunting and different barriers when seeking to gain access to public information. Structural and cultural factors perpetuate a situation of disadvantage, which affects access to other rights such as justice, health, and/or education.

Mexico has a strong AIP legislation, according to international normative standards¹⁵, however implementation to foster equalitarian conditions, information disaggregated by gender, and other variables, which help to identify specific users and needs, are incipient within institutional mechanisms. In this sense, experts on matters of gender and substantive equality commend Mexico for its normative advances, especially in structuring institutions as autonomous bodies and powers with less hierarchical structures. In any case, while progress has been made in the normative sphere, it is not reflected in practice. In implementation, the transversal implementation of a gender perspective at institutional levels has barely begun¹⁶.

In Costa Rica, there are all the above-mentioned barriers (or lack of incentives for women to exercise their right to access information) but combined with the fact that Costa Rica lacks a law on access to information to clearly establishes the regulations necessary to effectively protect that right, Unfamiliarity with legislations and how they apply, due to deficient dissemination, limited knowledge of the workings of the State, appear constantly in different interviews in this country.

In Uruguay, there are no legal barriers for women to access information, but no measures are taken to reduce the structural inequality already prevalent in society. Differences are found depending on the examined institution. Interviewees stated that there are no institutional

¹⁵ <https://www.rti-rating.org/>

¹⁶ Most tangible advances may have been in the area of electoral parity, without losing sight of political violence toward women. An area that demands urgent solutions in relation to openness of information, which would also help to reduce violence against women, is access to justice. Organizations like “*Equis: Justicia para las Mujeres*” focus on opacity in matters of judicial processes, which are vital to access information on femicide and other forms of violence. Here, legislation on transparency and access to information in force presents lagoons which have even been examined by the CEDAW Committee charged with reporting on women’s situation and their access to justice.

mechanisms that seek to create egalitarian conditions in gender relations to govern access to information.

In this context, in the coming months, the Mexican government will advance a program of national socialization of the right of access to information (PNSDAI), to implement strategies that help reduce such inequalities. This is one of the most important issues to address to in turn consolidate equalitarian conditions for AIP, in view of national legislation that relied heavily on technological measures.

4.3 WOMEN, TECHNOLOGY, AND OPEN DATA

Because intensive use of technology is one of the main tools of OGP to attain its aspirations for substantial advances in transparency and participation, it is necessary to examine this issue in the 3 countries. The first findings indicate that gaps in access to technology are marked by gender, socioeconomic condition, and distance from major population centers. This situation gains relevance when we take into account that “how we exercise citizenship today is contingent on our access to technology”.

In the case of Costa Rica there is some concern because the open government commitment within the third action plan that specifically targets women’s needs, is centered on a technology platform. Adding to that concern are the differences in technological advances among public institutions. In many cases, these institutions are not prepared to address those gaps, and associated skills to use them, in society. In this sense, it is important to point that, in Mexico for example, in the less institutional, more heterogeneous, feminist movement, there is a growing number of organizations that know how to use technology tools.

Also, in Mexico, such advances notwithstanding, the divide between urban and rural areas is still large when we analyze gaps in technology and digital literacy. In this sense, the digital gender gap should break with ideas that dictate that women exist to “serve others” and that they are not agents who create scientific or technological innovations. In this context, the work of grassroots organizations, women in indigenous communities, and other youth groups requires support and input from specialized organizations.

On the other hand, it is important to note that, in the case of Uruguay, the tools designed for this research had to be adapted because women’s leadership in technology businesses and open data is still limited. Also, regarding resources and opportunities available to women and men to access technology, the interviewees commented that, although Uruguay enjoys a high level of Internet penetration and access to technology, there are still differences by gender. “Technology is not neutral” was mentioned in one of the interviews in that country.

It is worth mentioning that social constructions of gender operate in the education system to continue guiding girls into social and cultural fields, perpetuating their minority presence in ICTs. Women have less free time than men and are more burdened by poverty, in particular poverty of time, due to the overload of work in the area of caregiving. The gap between men and women is clearer when we focus closely on the production of technology.

4.3.1 OPENNESS OF DATA

There are specific issues on the open government agenda where Data openness and availability of databases from official institutions are inadequate and limited. In response, there are new civil society groups, journalistic projects, and communities of technology experts who have undertaken their own exercises. For example, in Mexico, data on violence and security, especially information disaggregated by gender and identity, for issues like femicide or people disappearance, because of the political implications, are very difficult to access and even more to reuse.

With regard to data on political participation and representation of indigenous women or trans persons, or in the case of sexual violence perpetrated against girls and teenagers and their access to sexual and reproductive health services, official metrics are limited or lack the approach needed to grasp how they can contribute to a solution. Although it is a finding established for Mexico, the same deficiencies are found throughout the Latin American region, as observed during the process of building a regional standard on femicide data¹⁷.

In terms of data disaggregation by sex and gender, in Mexico experts observe that only a small proportion of federal, state, and municipal interventions have the proper design to differentiate between genders (and not only by sex in binary categories) by type of support, mode of delivery, and selection of beneficiaries, without mentioning other substantive variables such as ethnic origin or identity. In this sense, the transversal implementation of a gender perspective in social public policies, only 4 out of 10 social programs include promoting equality in their objectives.

On the other hand, in Uruguay there are valuable datasets available that illustrate situations of social inequality. According to Inmujeres there is a policy of observing gender inequalities since 2008. The Gender Information System annually publishes statistics on gender that provide information on different aspects of women's lives in the country. Notwithstanding, the interviewed experts on data and technology observed that, often, the information gathered is hard to access or is not available as open data: *“One thing is that it is there and another entirely is that the people actually accesses it”*.

Similarly, data disaggregation is pretty limited in Uruguay. Data is not always disaggregated by sex, much less by gender identity, sexual orientation, ethnic or racial ascendancy, disability, or other categories that could demonstrate structural inequalities.

Likewise, in Costa Rica, a gender approach is not applied in data production by public institutions. Sometimes data is not even disaggregated by sex, as is the case of datasets on public health such as differentiate effects of some diseases. Despite some pioneering efforts like the Observatory on Gender Violence against Women in the Judiciary¹⁸, the general opinion within experts is that the work to create a culture and a definition of public policy based on data on women and their rights is still incipient and limited.

Thus, in all three countries there is a clear lack of a gender perspective when producing and open public data. This gap is not an exclusive feature of these 3 countries or even the region.

¹⁷ <http://www.bibliotecadigital.gob.ar/items/show/1818> pp 283-

¹⁸ Despite a few clear exceptions, when discussing OGP processes, most references are related to members of the Executive Power. Not only the interviewees, within the public sector, were members of the Executive branch but also most of the opinions were related to their work. However, in Costa Rica the Judiciary has made progress on the topic.

The lack of public open data disaggregated by non-binary sex is still a pending task in many countries around the world.

| | COMMON CHALLENGES | COSTA RICA | MEXICO | URUGUAY |
|---|---|--|---|--|
| PARTICIPATION | <ul style="list-style-type: none"> - Centrality of the process in urban areas - Highly technical field (transparency and accountability institutionalized groups) - Uncertainty due to political transition - Lack of visibility of OGP processes outside "usual suspects". several civil society organizations, particularly outside capital cities, were not aware of the existence of Open Government processes. - Lack of time and resources for tasks traditionally assigned to women | <ul style="list-style-type: none"> - Leadership during the previous administration and uncertainty in this current one. - Local groups are marginalized from the processes at the national level - No participation of traditional organization devoted to women's issues | <ul style="list-style-type: none"> - Networking outside OGP processes - Uncertainty in this current administration | <ul style="list-style-type: none"> - No diversity of women's groups in OGP processes - Lack of resources |
| WOMEN AND ACCESS TO INFORMATION | <ul style="list-style-type: none"> - Women face daunting and different barriers when seeking to gain access to public information. Structural and cultural factors perpetuate a situation of disadvantage, which affects access to other rights such as justice, health, and/or education | <ul style="list-style-type: none"> - Barriers (or lack of incentives for women to exercise their right to access information) but also combined with the fact that Costa Rica lacks a law on access to information | <ul style="list-style-type: none"> - Progress made in the normative sphere, it is not reflected in practice. | <ul style="list-style-type: none"> - No legal barriers for women to access information, but no measures are taken to reduce the structural inequality already prevalent in society. |
| WOMEN, TECHNOLOGY, AND OPEN DATA | <ul style="list-style-type: none"> - Gaps in access to technology are marked by gender, socioeconomic condition, and distance from major population centers - Constructions of gender operate in the education system to continue guiding girls into social and cultural fields, perpetuating their minority presence | <ul style="list-style-type: none"> - There is some concern because the open government commitment within the third action plan that specifically targets women's needs is centered on a technology platform. | <ul style="list-style-type: none"> - The work of grassroots organizations, women in indigenous communities, and other youth groups requires support and input from specialized organizations | <ul style="list-style-type: none"> - Women's leadership in technology businesses and open data is still limited. |
| OPENNESS OF | <ul style="list-style-type: none"> - Data openness and availability of | <ul style="list-style-type: none"> - a gender approach is not applied in data | <ul style="list-style-type: none"> - Data on violence and security, | <ul style="list-style-type: none"> - Often, the information gathered is hard to |

| | | | | |
|--------------------|--|--|--|--|
| <p>DATA</p> | <p>databases from official institutions are inadequate and limited.</p> <ul style="list-style-type: none"> - Regarding gender violence, official metrics are limited or lack the approach needed to grasp how they can contribute to a solution | <p>production by public institutions. Sometimes data is not even disaggregated by sex, as is the case of datasets on public health such as differentiate effects of some diseases.</p> | <p>especially information disaggregated by gender and identity, for issues like femicide or people disappearance, because of the political implications, are very difficult to access and even more to reuse.</p> <ul style="list-style-type: none"> - Only a small proportion of federal, state, and municipal interventions have the proper design to differentiate between genders (and not only by sex in binary categories) by type of support, mode of delivery, and selection of beneficiaries | <p>access or is not available as open data: <i>“One thing is that it is there and another entirely is that the people actually accesses it”</i>.</p> <ul style="list-style-type: none"> - Data is not always disaggregated by sex, much less by gender identity, sexual orientation, ethnic or racial ascendency, disability, or other categories that could demonstrate structural inequalities. |
|--------------------|--|--|--|--|

5. RECOMMENDATIONS TO OVERCOME CHALLENGES

After the review of some of the main challenges in terms of the pillars behind the processes of development of OGP action plans, there are some recommendations to be made to overcome them. This research mainly focused on answer a series of questions to have a better understanding of barriers and challenges for women and groups of women to participate in government processes, to access information and data, to demand accountability, and to access and use technology. These questions are answered in the previous paragraphs however here are some highlights of these challenges to better understand which are the recommendations to improve these processes (it is worth noting that despite the differences between the countries and processes, there were several common challenges that are probably present in some other countries of the region as well as globally).

1) This research was divided, as mentioned, into participation, access to information and accountability, and data and technology, however, some challenges are intertwined and do not belong to just one category. The one example for this is the division between big cities (or capital cities, in many cases) and other small cities or rural areas. This distinction affects not only participation in these processes but also other elements such as the access to technology. While some efforts have been made to decentralize the co-creation process, it remains concentrated primarily in capital cities and urban areas.

The inclusion of women in leading roles in processes of co-creation runs up against a barrier when we move outside the capital cities in the different countries. Therefore, it is necessary to work not only on OGP mechanisms, but also above all on inclusion of women in rural areas and in public life in a broader sense. These barriers to access, in the context of the urban-rural divide, are correlated in unequal involvement in OGP processes and commitments on the part of organizations in areas distant from the capital cities. Another element that is also affected by the urban-rural divide is the differentiated penetration of technology in the different territories. Because technology is a key tool in the implementation, and in communication, of OGP processes, it is important that everyone have access to it and the knowledge needed to use it.

Such knowledge, which is necessary to use technological tools, also applies to OGP processes, in more general terms. In other words, many organizations (especially those working in the field with women's groups and other marginalized populations) not only are unfamiliar with OGP processes, but at the same time perceive the concept of open government and the actors working in it as members of an elite who discuss abstract issues with little bearing on people's everyday life. The emphasis on words like "transparency" and "accountability," among others, makes it difficult for many people to find a correlation in their daily lives. In this sense, it is essential to work on communicating processes and the idea of open government, in general terms, so that people can associate those concepts with the decisions that affect their living conditions.

2) Thus, the other clear division is between areas of work, from the traditional groups working on access to information and accountability to other groups more involved in the development of technology tools. Also, adding to this division, it is important to remember the division in terms of those familiar with these topics and those working with grassroots organizations. Open government is a highly technical area in which one needs to acquire concepts to get involved and this poses a limitation on participation for women's groups coping with other urgent problems and to whom the connection with the concepts involved in OGP is not seen as clearly relevant to them.

- First, when addressing institutionalized civil society, organizations with less structure and personnel, like grassroots organizations (compared with national foundations), need funding to sustain effective participation and engagement, which **is why it is necessary to create mechanisms not only to include such groups in co-creation mechanisms, which are usually headed by national groups or groups with agendas focused on open government, but also material and human resources (from funding to training) so that such grassroots organizations can sustain their participation.**
- In this sense, in the different countries, networking and working spaces of grassroots organizations, which are not connected to OGP processes, were identified. These groups could be invited to take part in co-creation processes. To do that, **a systematic mapping of such actors, before each invitation to design action plans, is seen as an important step towards a more inclusive process.**
- Also, **this kind of systematization could be implemented, but with the aim of connecting like-minded organizations in several countries in the region to help them expand their sphere of influence. A program of fellowships to exchange experience and enhance their effectiveness could accompany this process of connection.**
- Once we move to individual participation, **it is important to promote the necessary policies on care. Thus, when we further spaces, compensations, and other kinds of elements, we are enhancing women's participation, because "care" is socially perceived as a woman's job.** In this regard, the potential for gender in the open government platform depends largely on the vision societies and government representatives, in particular, adopt on seeing women as subjects of rights and not to replicate and impose on them the burden of caring for others. This point has been reflected in several of the comments recorded in interviews in the 3 countries. In other words, we need to think not only of numerical parity in relation to people's participation in processes of open government, but also of the roles they occupy. This type of

recommendations are a bit ambitious for OGP processes but it would be important to start thinking about inclusive practices in the design of the processes such as suitable hours, accessibility of places by public transport and spaces to take care of children. These are small steps but they could improve the quality and quantity of women's participation.

3) In some of the study cases as well as in the lack of responses from authorities in the involved countries, it was clear that a challenge is not only to improve the number and variety of civil society actors but also to involve as many public institutions as possible.

- The ability to anchor commitments and activities to other international instruments, such as Sustainable Development Goals (SDGs) supported by the United Nations, is vital to support the actions of officials leading such efforts in the public sector. This kind of links with other international instruments can support the work of advocates in government agencies, but when we move to civil society (individually or at the institutional level) different conditions are important to achieve effective participation.

In this sense, an example provided by the case of Costa Rica is that the alignment of the Sustainable Development Goals (SDG) with commitments to equality has helped to expand participation by women's organizations and experts in gender within the open government community.

Costa Rica's linking its last plan of action to the SDG spurred diverse participation and not only led to the development of a specific commitment to equality embraced by the executive branch, but, in the spirit of extending that to a vision of open state, it also included a commitment assumed by the Supreme Court of Elections to develop specific training processes for female politicians. This is why we recommend anchoring commitments in instruments like the SDG.

- Also, going back to the previous recommendation on connecting civil society organizations, the same women's organizations, be they those working at the national level or grassroots organizations in sub-national territories, can contribute to awareness-building among public officials at different levels of government. The expertise of such organizations in terms of activism or human rights advocacy may help those that are in a position to improve conditions in building commitments, in the public sector, acquire new tools and knowledge.

At the end, processes of opening data about women is not only about the data in itself but also about the dialogues that are built between different actors about these social issues. Thus, these data and these dialogues could create the space for new and transformative OGP commitments in the future.

4) In more specific terms, in all cases when discussing data openness, there is a gap in terms of disaggregation of various important datasets by gender (and sometimes those datasets are not even disaggregated by binary sex). Because data are the raw material to make decisions and construct tools which can further equality and inclusion of women and women's groups in public life, and the open government agenda in particular, it is important that such data shed light on groups currently marginalized in statistics and public data.

- **Thus, the inclusion of disaggregation of data by gender (and not only binary gender) is a key element to understand how different policies affect certain groups.** Without this kind of disaggregation, we will continue to exclude many groups and remain ignorant of their position on certain issues.
- Added to this disaggregation, **the involvement of different actors in civil society to complement or validate the production of certain official data is seen as vital when approaching more complex issues.** In this sense, data on issues related to gender violence (and its most extreme manifestation, femicide), sexual and reproductive health (especially when practices like VTP are not legalized), among others, are enriched when other sources of information/data are added. The participation of the media and civil society organizations is key in producing this kind of data. New methodologies that support the validation of those actors and sources are still in developmental stages. On the other hand, using such data in innovative ways is an element that will benefit not only users, but also data producers and decision makers (policy makers).

5) Finally, a point that was mentioned for IRM researchers and despite not being a clear barrier for participation is a key element to better understand these processes in all countries around the world: IRM proper mechanisms to assess how sensitive an OGP processes could be. This is a point that extends well beyond what we have investigated in each of the selected countries is the need for OGP to have metrics to verify advances and setbacks of this feminist approach at the global level.

- Based on the results of several interviews, **the Open Government Partnership needs to establish parameters for assessment,** because currently there are no clear mechanisms for verification and progress of specific variables that assess the inclusion of women and women's groups in processes and in terms of commitments.

Thus, geographical, technical and field-related barriers were present in all 3 countries when analyzing OGP co-creation processes. This lack of knowledge also translates to the difficulties to include not only women in civil society but also public officials in other areas that could be added to this processes. Also the gaps in understanding is also found in other specific areas of the broader concept of open government, such as the lack of knowledge about the right to access information and the lack of measures to encourage women to better exercise it. Together with that, a lack of disaggregation in terms of gender is another common point (and this gap expands well-beyond these 3 analyzed countries). These are some of the points cover in the report.

Thus, it is clear that many of the challenges described in the previous paragraphs are structural problems of inequality and thus exceeds the scope of OGP processes. However, OGP could contribute to generate changes at the different levels such as including certain elements into their co-creation processes, at the micro level, as previously mentioned, to improve them and make them more inclusive, or, at a macro level, changing the way in which data is collected and published.

Nevertheless, it is important to mention that this Feminist Open Government agenda is in its early stages. Expanding the universe and applying innovative ideas is a task for everyone working and participating in the mechanisms for developing plans of action. It is time to create more inclusive processes, and to achieve that it is necessary to continue to work actively to make it happen.

6. REFERENCES

- Alonso Chacón, P., & Fonseca, Z. (2014). Costa Rica, mujer y ciudadanía. *Revista Nuevo Humanismo*, 2(1). <https://doi.org/10.15359/rnh.2-1.6>
- Article 19 (2017) *Vigilancia a Periodistas y Sociedad Civil en México*. June 19. Mexico. Available at: <https://articulo19.org/gobiernospecial/>
- Avila, Yuriria (2018) *Así estarán integradas las bancadas en el Congreso que, por primera vez, tendrá paridad de género. Verificado*. Mexico. Available at: <https://verificado.mx/por-primera-vez-las-camaras-de-diputados-y-senadores-tendran-distribucion-paritaria-de-genero/>
- Calvillo, Alejandro (2018) *Sucumbe México ante Gobierno Abierto*. November 6. Mexico. Available at: <https://www.sinembargo.mx/06-11-2018/3493933>
- Calvin, Claudia (2018) *Mujeres, internet y democracia*. July 5. Animal Político. Mexico. Available at: <https://www.animalpolitico.com/blogueros-animatrix/2018/06/05/mujeres-internet-y-democracia/>
- House of Deputies (2012) Mexican Constitution, Article 6. Mexico. Available at: <https://www.juridicas.unam.mx/legislacion/ordenamiento/constitucion-politica-de-los-estados-unidos-mexicanos>
- Jalisco Economic and Social Council for Development and Competitiveness (2016) *Diagnóstico de la brecha salarial entre mujeres y hombres en el estado de Jalisco*. Guadalajara, Jalisco. Available at: https://stps.jalisco.gob.mx/sites/stps.jalisco.gob.mx/files/brechas_salarial_mujeres_y_hombres_en_jalisco.pdf
- National Council to Prevent Discrimination. Conapred (2017) *Discriminación estructural y desigualdad social*. Mexico. Available at: https://www.conapred.org.mx/documentos_cedoc/Discriminacionestructural%20accs.pdf
- Official Gazette of the Federation (2006) Mexican General Law for Equality between Women and Men. Mexico. Available at: http://www.diputados.gob.mx/LeyesBiblio/pdf/LGIMH_140618.pdf
- Official Gazette of the Federation (2015) General Law on Transparency and Access to Public Information. Article 42. Mexico. Available at: <http://www.diputados.gob.mx/LeyesBiblio/pdf/LGTAIP.pdf>
- Official Gazette of Costa Rica (2014) Law 9220. Red Nacional de Cuido y Desarrollo Infantil. April 24th. Available at: http://www.imas.go.cr/sites/default/files/docs/ley_9220_red_nacional_de_cuido_y_desarrollo_infantil.pdf
- Diaz, Daniela (2016) El seguro popular y el valor monetario de las mujeres, *El Universal*. September 2. Mexico. Available at: <http://www.eluniversal.com.mx/blogs/fundar/2016/09/2/el-seguro-popular-y-el-valor-monetario-de-las-mujeres>
- Initiative to strengthen the institutionalization of Social Programs. IPRO (2018) Report on Results 2018. p. 55. Mexico. Available at: <https://www.programassociales.org.mx/descargas/informes/Informe-de-resultados-IPRO-2018.pdf?v=1>
- Mexico City Institute for Transparency, Access to Public Information, Protection of Personal Data, and Accountability (2017) *Perfil sociodemográfico de las y los solicitantes*, January 1 through December 31, 2017. Mexico. Available at: <http://www.infodf.org.mx/index.php/sociodemogr%C3%A1ficos.html>
- National Institute of Statistics and Geography - INEGI (2016) National Survey on Access to Public Information, Protection of Personal Data, ENAID. Mexico. Available at: <http://www.beta.inegi.org.mx/proyectos/enchogares/especiales/enaid/2016/>
- National Institute of Statistics and Geography - INEGI (2017) Satellite Accounts. Mexico. Available at: <http://www.inegi.org.mx/est/contenidos/proyectos/cn/>
- National Institute of Statistics and Geography - INEGI (2017) Statistics on the occasion of the International Day for the Elimination of Violence against Women. November 23. Mexico. Available at: http://www.inegi.org.mx/saladeprensa/aproposito/2017/violencia2017_Nal.pdf
- National Institute of Statistics. INE (2017) Estimate of poverty by the Income Method 2017. Uruguay. Available at <http://www.ine.gub.uy/web/guest/linea-de-pobreza/>

- /asset_publisher/ddWrDpxj9ogb/content/estimacion-de-la-pobreza-por-el-metodo-del-ingreso-2017/maximized?_101_INSTANCE_ddWrDpxj9ogb_redirect=%2Flinea-de-pobreza
- Costa Rican National Women's Institute (INAMU) (2011) State of Women's Rights in Costa Rica. Costa Rica. Available at: <http://www.inamu.go.cr/documents/10179/275546/INAMU+Primer+Estado+de+los+Derechos+de+las+Mujeres+en+CR.pdf/b619b6a4-7294-409e-98f0-87f894b3a05e>
 - National Women's Institute. MIDES (2017) Gender Information System. Uruguay. Available at: <http://www.inmujeres.gub.uy/15091/sistema-de-informacion-de-genero>
 - *Luchadoras (2017) La violencia en línea contra las mujeres en México*. Report for the Rapporteur on Violence against Women. November 1. Mexico. pp. 9-10. Available at: <https://www.slideshare.net/internetesnuestramx/la-violencia-en-lnea-contra-las-mujeres-en-mexico>
 - Women and Health in Uruguay. MYSU and the Center for Archives and Access to Public Information. CAinfo (2015) *El Estado debe garantizar la disponibilidad y el acceso oportuno a información de calidad sobre salud sexual y salud reproductiva*. December 12. Uruguay. Available at: <http://www.mysu.org.uy/que-hacemos/incidencia/posicionamiento-politico/el-estado-debe-garantizar-la-disponibilidad-y-el-acceso-oportuno-a-informacion-de-calidad-sobre-ssr/>
 - United Nations (1999) Convention on the Elimination of all Forms of Discrimination against Women. Available at: http://repository.un.org/bitstream/handle/11176/226525/CEDAW_C_MMR_1-EN.pdf?sequence=3
 - United Nations (2016) Review of the reports submitted by the States parties pursuant to Article 18 of the Convention on the Elimination of all Forms of Discrimination against Women, Ninth periodic report which States parties were required to submit in 2016, p. 31. Available at: https://www.gob.mx/cms/uploads/attachment/file/212857/INFORME_CEDAW_C_MEX_.pdf
 - Naser, Alejandra and Rosales, Daniela (2016) *Panorama regional de los datos abiertos: avances y desafíos en América Latina y el Caribe*. CEPAL. Serie Gestión Pública, No. 86. Available at: <https://www.cepal.org/es/publicaciones/40768-panorama-regional-datos-abiertos-avances-desafios-america-latina-caribe>
 - Perez de Acha, Gisela (2018) *Brecha digital de género en México. ¿De qué hablamos cuando hablamos de acceso?*, Derechos Digitales. p. 4. Available at: <https://www.derechosdigitales.org/wp-content/uploads/de-que-hablamos-cuando-hablamos-de-acceso.pdf>
 - Pineyro Rodriguez, Rafael and Rossel, Cecilia (2014). *Del dicho al hecho: Derecho de acceso a la información pública en Uruguay*. Análisis No. 8. December. Uruguay. Available at: <http://library.fes.de/pdf-files/bueros/uruguay/11587.pdf>
 - United Nations Development Program (2018) Sustainable Development Goals No. 5. Available at: <http://www.undp.org/content/undp/es/home/sustainable-development-goals/goal-5-gender-equality.html>
 - Special Rapporteur for Freedom of Expression (2018). *Acceso a la Información pública en materia de Violencia y discriminación contra las mujeres: Avances y desafíos pendientes en las Américas*. Available at: [http://www.oas.org/es/cidh/expresion/docs/informes/mujer_y_LE/D%C3%ADa%20Internacional%20de%20AIP/Documento%20Acceso%20a%20la%20informaci%C3%B3n%20Final%20\(con%20conclusiones%20y%20recomendaciones\)%20\(3\).pdf](http://www.oas.org/es/cidh/expresion/docs/informes/mujer_y_LE/D%C3%ADa%20Internacional%20de%20AIP/Documento%20Acceso%20a%20la%20informaci%C3%B3n%20Final%20(con%20conclusiones%20y%20recomendaciones)%20(3).pdf)
 - Roldan, Nayeli (2018) *A un año del Sistema Nacional Anticorrupción, ningún estado ha concretado su sistema local*. July 19. Animal Político. Mexico. Available at: <https://www.animalpolitico.com/2018/07/sistema-nacional-anticorrupcion-estados/>
 - TresdeTres (2018) *Participación en #3de3 por género*. Mexico. Available at: <https://www.3de3.mx/declarantes/estadisticas>
 - Universidad de la República (2017) Enrollment in Degree Services. Directorate General of Planning – Uruguay. Available at: http://gestion.udelar.edu.uy/planeamiento/publicacion_generica/ingresos-a-servicio-por-localizacion-y-sexo-2017/
 - Universidad de la República (2018) *Uso del tiempo y división sexual del trabajo en Uruguay*. Universidad de la República School of Social Sciences. Available at:

<http://cienciassociales.edu.uy/departamentodesociologia/uso-del-tiempo-y-division-sexual-del-trabajo-en-uruguay/>

- World Economic Forum (2017) The Global Gender Gap Report, 2017. Geneva, Switzerland. Available at: <https://www.weforum.org/reports/the-global-gender-gap-report-2017>
- World Economic Forum (2018) The Global Gender Gap Report, 2018. Geneva, Switzerland. Available at: <https://www.weforum.org/reports/the-global-gender-gap-report-2018>

ANNEX 1. Questions on each axis, taking into account the purpose of this report

1. Transparency
 - a. institutional structure with gender perspective
What are the systemic and normative barriers related to gender?
What are the existing gaps to achieve inclusion?
2. Women's Participation
 - a. Recognition of different women's groups (Intersectionality)
 - b. Involvement of women's organizations and groups
What voices are heard in open government?
What conditions can increase women's influence in debates and processes related to open government?
3. Responsibility / Accountability to Women
 - a. Perceptions of official processes
 - b. Access to mechanisms of open government
What elements can we identify as best practices or as part of a positive approach to inclusion?
What conditions can increase women's influence in debates and processes related to open government?
4. Commitments, initiatives, and potential projects
 - a. Existence of commitments to equality in open government.
 - b. Inclusion of commitments to equality in open government.
 - c. Types of commitments (quality and relevance)
 - d. Transversality of gender in commitments to open government.
 - e. Perception as a gender-sensitive process.
What voices are heard in open government?
What are the existing gaps to achieve inclusion?
5. Context of gender in the countries
 - a. Changes in gender relations
 - b. Processes of empowerment and collective leadership of women
What are the systemic and normative barriers related to gender?
6. Data and technology
 - a. Structure, access, and content of data
What are the existing gaps to achieve inclusion?
What voices are heard in open government?

ANNEX 2. Profiles selected for interviews (adapted depending on the context of each of the 3 selected countries)

Authorities (A)

Political appointees who have the mandate and authority to make key decisions in Ministries, Secretariats and Autonomous Bodies.

Open Government Leaders (LGA)

Government leaders who participate in defining the agenda, in particular the National Action Plan, and have important roles at global, regional, national, and/or local level.

Government Leaders on Gender (LGG)

Authorities in Ministries, Secretariats, Agencies specializing in human rights, gender, or women's issues, which participated in the construction of national or sub-national commitments to equality for open government.

Implementers (IGA)

Specialists and implementers of open government processes. They are responsible for executing and implementing open government initiatives, together with specialists in mechanisms of evaluation of the platform.

Infomediaries (INF)

Professionals who interact and translate information and activities of open government, such as journalists and academics.

Experts on Transparency and Accountability (OSTR)

Leaders of civil society organizations (specialists in transparency and accountability) who took part in the construction of national and/or sub-national commitments to open government.

Experts on Gender (OSG)

Women who lead civil society organizations (specialists in gender), which took part in the construction of national and/or sub-national commitments to open government.

Experts on Open Data and Technology (OSDT)

Women who lead civil society organizations (specialists in data and technology) which took part in the construction of national and/or sub-national commitments to open government.

ANNEX 3- Representatives from these organizations were interviewed for this research

Together with the IRM researchers in all the countries (national and sub-national governments in some cases) and individual experts, some of the interviews were conducted with one or more members of:

In Mexico:

- Article 19
- CIDAC
- Civica Digital
- Cultura Ecologica
- Data4
- ILSB
- INAI
- SocialTiC
- VIRK

In Uruguay:

- Agesic
- Cainfo
- Colectivo Catalejo Libre de Acoso
- Cotidiano Mujer
- Creative Commons
- DataUY
- La Diaria
- Mapeo de femicidios Uruguay
- MYSU
- National Institute of Women
Instituto de Comunicación y Desarrollo
- Observatorio de tecnologías de Información y la Comunicación
- PLEMUU
- Uruguay Transparente
- UYCheck

In Costa Rica:

- Abriendo Datos Costa Rica
- Acción Respeto
- Centro de Investigación de Estudios de la Mujer
- CRC
- Hivos
- Ministry of Communication
- Observatorio de violencia de género (Judiciary)
- Parliament
- Unidad de Equidad de Género, Oficina de la Mujer (Heredia)