Improving accountability for NRM sectors at different scales and levels

An exploration

Arend Jan van Bodegom

Project Report

Centre for Development Innovation

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This report explores the concept of accountability in relation to its possible application in natural resource management (NRM) sectors at different scales and levels, especially in developing countries. It starts by highlighting different aspects of the concept of accountability. At the base of accountability are moral beliefs which justify the act of demanding accountability, both towards the government and the private sector. Accountability mechanisms that are relevant for NRM sectors have been developed at different scales and levels, and are grouped in so-called spheres. A sphere is the space where one group of actors is the main actor demanding accountability. Accountability can be exercised by individual citizens, by parliament, by special agencies within the government towards other ones (horizontal accountability), by Civil Society Organisations (social accountability), and by different stakeholder groups together (mutual accountability). For each of these spheres, examples of accountability mechanisms are given from forestry, fisheries and water management. These examples serve as inspiration, not as a blueprint. At several scales and levels, accountability mechanisms are present but under-used or not used at all. Stakeholders, without reviewing these possibilities, focus often on (only) one accountability mechanism to be improved. We present a provisional way forward to improve accountability in concrete situations.

Preface

Accountability is on the international agenda. It plays an important role in certification processes, in an EU initiative like FLEGT (Forest Law Enforcement, Governance and Trade) and in initiatives under the UN Climate Convention (UNFCCC) to diminish carbon emissions by deforestion and degradation of forests (REDD+). NRM sectors like fisheries, wetland management, coastal zone management and forestry deal with this issue in one or another way.

Accountability is a vital element of governance and is about one party being held accountable by others for policies and actions. But what does it mean in practice and how could you actually promote accountability in concrete situations? These are the questions asked by participants of our courses when we try to deal with issues of accountability. But these are also vitally important questions when the issue is to change a governance situation in a sector of natural resources in a certain region of a country.

The study is a limited exploration on accountability focussing on different sectors within natural resource management. It deals with various sectors for different reasons. One reason is that it is not so easy for us to find many examples in one sector e.g. fisheries, and draw conclusions from that. Another reason is that experiences from one sector hopefully could be useful for other sectors. Different sectors can learn from each other's experiences. The approach has been to take different examples of accountability mechanisms or accountability processes from different NRM sectors and try to systemise them. The outcome is not a theoretical overview but rather a starting point for actions to improve accountability.

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Executive summary

This article explores the concept of accountability in relation to its possible application in natural resource management (NRM) sectors at different scales and levels, especially in developing countries. It starts by highlighting different aspects of the concept of accountability. At the base of accountability are moral beliefs which justify the act of demanding accountability, both towards the government and the private sector. Accountability mechanisms that are relevant for NRM sectors have been developed at different scales and levels, and are grouped in so-called spheres. A sphere is the space where one group of actors is the main actor demanding accountability. Accountability can be exercised by individual citizens, by parliament, by special agencies within the government towards other ones (horizontal accountability), by Civil Society Organisations (social accountability), and by different stakeholder groups together (mutual accountability). For each of these spheres, examples of accountability mechanisms are given from NRM sectors: forestry, fisheries and water management. These examples serve as inspiration, not as a blueprint. At several scales and levels, accountability mechanisms are present but under-used or not used at all. Stakeholders, without reviewing these possibilities, focus often on (only) one accountability mechanism to be improved. We present a way forward to improve accountability in concrete situations. Elements include identification of the moral base for accountability, identification of the possibilities at different scales and levels for improving accountability, definition of strategies and management of conflicts when improving accountability.

List of abbreviations and acronyms

CDI	Wageningen UR Centre for Development Innovation
CGF	Collaborative Governance framework
CSO	Civil Society Organisation
DRC	Democratic republic of Congo
EU	European Union
FLEGT	Forest Law Enforcement, Governance and Trade
FSC	Forest Stewardship Council
GAP	Good Agricultural Practices
ILO	International Labour Organisation
M&E	Monitoring and Evaluation
MSC	Marine Stewardship Council
NGO	Non-Governmental Organisation
NRM	Natural Resource Management
REDD	Reduced Emission of carbon dioxide by Deforestation and Degradation
Wageningen UR	Wageningen University & Research centre

1 Introduction

1.1 Background

International environmental policies have been developed to promote change in the environmental situation in countries. Such policies aim at setting in motion national strategies, policies or processes. At local level work is carried out with communities and local populations. However, there is a perceived gap between international and national levels on the one hand and the local level on the other.

'Governance' or 'improving (good) governance' is a term used in many objectives for policies, programmes and projects. Concepts of governance remain, however, at a high level of abstraction, inspired by principles like participation, fairness, decency, accountability, transparency and efficiency. A promising way forward to improve governance is by improving accountability. Ackermann (2004) argues that the central idea of 'co-governance' is that active involvement of civil society and the strengthening of the state apparatus are not mutually exclusive or contradictory initiatives. If institutions are properly designed, a beneficial cycle that reinforces both state and society is possible. The opening up of the core activities of the state to societal participation is one of the most effective ways to improve accountability and governance. The principal element that assures good government is the accountability of public officials. In relations between civil society and private enterprises the same may apply.

Deploying learning methodology in real policy processes for sustainable NRM can assist in developing tools and methods for capacity building and social learning among stakeholders. Strengthened accountability can contribute for example to:

– Reducing illegal logging practices in line with EU FLEGT policy processes, or improving policies, for example for flood risk management;
– Transparent use of financial resources (taxes and levies) at local and intermediate administrative levels as well as national levels (national treasury);
– Improvement of rural livelihoods;
– Improving implementation of mechanisms to pay for Reduced Emission of carbon dioxide by Deforestation and Degradation (REDD).

So knowing more about accountability, its underlying concepts and ways it can be implemented, could surely contribute to sustainable natural resource management.

1.2 Problem definition

In many tropical countries we perceive a gap between the local and national level. This gap is partly the result of a deficient capacity to implement policies at district, provincial and regional level. In addition, participatory processes that may be taking place at local level are not found at higher levels. Civil Society Organisations may exercise some control over national policies and implementing agencies. However, we also see that knowledge, concepts and capacities to improve governance and accountability at the intermediate levels are lacking.

This desk study attempts to answer the following questions:

1. What is accountability in general, and in relation to concepts such as 'Voice' and 'Citizenship'?
2. What types of accountability can be recognised? Who are the players that can actively implement arrangements of accountability? Can we systematise accountability arrangements in such a way that they can have practical value in efforts for improving accountability?
3. What strategies could be followed to improve accountability at sub-national levels, also in fragile states and in situations where there is a perceived absence of political will to improve accountability?

2   Objectives, methodology and limitations

2.1   Objectives and methodology

Development objective

The development objective of this paper is to provide methodological insights into the analysis and support of governance arrangements at various levels, and thereby contribute to enhancing accountability in sustainable natural resource management and other sectors.

Goal

To explore the concept of 'accountability', and the ways in which it can be implemented at various levels – especially the levels between the national and local level – in NRM sectors, with and without involvement of Civil Society Organisations.

The methodology used for this exploratory paper was the following:

– A desk study was conducted, reviewing literature on accountability mechanisms in NRM sectors and beyond;
– Colleagues from other disciplines were consulted to obtain relevant information and examples.

2.2   Scope and limitation of this study

This study is about accountability processes with a special focus on the NRM sector. It is *not* about financial accounting and reporting within state institutions, judged according to agreed performance criteria (internal accountability). Nor is it about auditing, to verify income and outgoing funds.

The study is an effort to look beyond the boundaries that separate different sectors of natural resources management. The result is 'work in progress'.

The study is intended to generate inspiration for policy makers, NRM practitioners and Civil Society Organisations who work on processes and mechanisms to improve accountability in natural resource management sectors. It can assist in drawing lessons and can be used to share/publish these lessons among the practitioners' networks. Building on this study, the Centre for Development Innovation (CDI) of Wageningen University and Research centre (WUR) and others could use and apply the lessons in training courses, advisory practice and action learning projects geared towards developing methodologies for governance and accountability arrangements.

3   Conceptual framework

3.1   Accountability

Accountability is about civilising power. It entails a relationship between power-holders and those affected by their actions (Litovsky and MacGillivray, 2007). Accountability also denotes a relationship between a bearer of a right or a legitimate claim and the agents or agencies responsible for fulfilling of that right (Lawson & Rakner in Klaver, 2009).

All forms of accountability have the following common *characteristics* (Lindberg 2009):

1. An agent or institution who is to give an account (A for agent);
2. An area, responsibilities or domain subject to accountability (D for domain);
3. An agent or institution to whom A is to give account (P for principal);
4. The right of P to require A to inform and explain/justify decisions with regard to D; and
5. The right of P to sanction A, if A fails to inform and/or explain/justify decisions with regard to D.

Note that none of these conditions specify that these relationships have to be formally codified or that the agents and institutions involved are formal institutions or hold an official office.

Different forms of accountability can be categorised according to three dimensions:

- *Source:* the accountability within or outside the organisation (*internal* versus *external*);
- *Degree of control:* that can be exercised through the accountability relationship. For example: how much control do voters exercise over their representatives in parliament?
- *Spatial direction:* Accountability can be:
  o *Upwards* (e.g. shareholders towards their company);
  o *Downwards* (politicians holding bureaucracies accountable); or
  o *Horizontal* (among equals).

It is important to note that in this study the focus is on external accountability.

The above characteristics and categorisation may give the impression that accountability relations are rather static. However, rather than conceiving of a particular actor as *always* playing a particular role, it might be better to think of a range of actors taking on different roles, in which they act differently, depending upon the context.

Key dimensions to effective accountability mechanisms
Effective accountability mechanisms have two key elements (Newell and Wheeler, 2006):

- Answerability – making power-holders explain their actions (or 'the right to make claims and demand a response'); and
- Enforceability – punishing poor or criminal performance (mechanisms for delivering accountability, for sanctioning non-responsiveness).

These two elements are often described as 'soft' and 'hard' accountability or 'controllability and sanction'. Both dimensions of accountability require *transparency* (O'Neil et al., 2007).

Improving accountability as a political project

Accountability is not a phenomenon that arises automatically once donors or civil society have demanded it. And improving accountability is not a purely 'technical' project. Newell and Wheeler (2006) challenge a number of assumptions in contemporary debates about accountability in development:

- that models of accountability can be transferred from one setting to another, and that what works in one place can be expected to work elsewhere;
- that accountability is about accountancy;
- that accountability is provided *by* states *to* citizens;
- that the law is the primary vehicle for clarifying the respective duties and obligations of states and citizens;
- that accountability can be created through institutional reforms; and
- that promoting accountability is an apolitical project.

Newell and Wheeler emphasise the political aspects of 'accountability. Instead of emphasising change through legal reform and technocratic notions of governance, they argue in favour of an understanding of accountability that is more directly relevant to the lives of the poor, where power assumes a central place:

- Pursuing 'accountability' in many cases is not an end in itself. It is a means to achieving a wider set of goals, such as broader forms of social and political change, including greater justice, equity and the redistribution of resources;
- Accountability is not only an outcome, but also a process, where both answerability and enforceability are achieved through on-going engagement between citizens and governmental organisations. This is a crucial point in cases where the formal or legal mechanisms are in place for accountability, but the enforcement of these rights and standards is weak.

Accountability of politicians and public officials

O'Neil et al. (2007) limit accountability to politicians and public officials: "Accountability exists when those who set and implement a society's rules – politicians and public officials – are answerable to the people who live under those rules." Ackermann (2004) also limits 'accountability' to the public administration arena, but he emphasises the role of civil society in improving accountability. He argues that the opening up of the core activities of the state to societal participation is one of the most effective ways to improve accountability and governance. The principal element that assures good governance is the accountability of public officials, both in terms of answerability and enforceability. Accountability exists within public administration – upwards and downwards, but also horizontally, i.e. through structures for checking other units of public administration. But civil society can execute direct accountability efforts such as participatory budgeting. These are activities complementary to voting, for example for members of parliament or the municipal council, which only happens once every four or five years. Ackermann calls these types of accountability *'social accountability'*.

Accountability in the private sector

Accountability should not be limited to the public sector and government, but can also be applied to the private sector and to all types of development partnerships where stakeholders from different parts of society cooperate (Litovsky and MacGillivray (2007). There are good reasons not to limit 'accountability' to the public sector and to extend its scope to include the private sector. The accountability relations between the private sector and state institutions are not always satisfactory. An example is the forest sector of the Democratic Republic of Congo. State organisations do not sufficiently maintain rules and regulations for the private sector inside and outside forest concessions (Klaver, 2009). Establishing direct accountability in relations between civil society and private enterprises is an important option. It is important to have a reason for demanding accountability from a private enterprise. When it comes to accountability being demanded of government agencies, this justification seems to be easier, as any government claims to pursue the good for its citizens and can be held accountable for that.

3.2　Governance

Accountability as a concept can be considered as one aspect of the broader concept of 'governance'. 'Governance' or 'improving (good) governance' is a term used in many objectives for policies, programmes and projects. Often concepts of 'governance' remain highly abstract, inspired by principles such as participation, fairness, decency, accountability, transparency and efficiency.

At the heart of 'governance' as a concept lie new perspectives on the role of government – its changing role in society and its changing capacity to pursue collective interests under severe external and internal constraints. Governance encompasses the following elements:

- Administration and/or coordination between various actors based on institutionalised systems of regulations. There are often combinations of market and other systems of regulations;
- The description of governance processes refers to altered constellations of various actors as well as an altered role of political institutions, especially that of the state (Görg, 2007).

Governance also has a network aspect and involves decision making outside formal state frameworks. The promotion of 'governance' is part of a general trend in public management, which can be described as the development from 'government' to 'governance'. 'Government' here indicates a situation in which the central government is at the helm, while governance is a way of implementing policies through cooperation, whereby the representatives of the government, market and civil society participate in mixed public and private networks. Part of this trend is that decision making about policy increasingly takes place not within the formal frameworks of the nation state but in interaction between government, civil society and private sector (Kuindersma et al. in Bodegom et al. 2008).

Governance is more than management of natural resources within relevant laws, regulations and governmental structures. It is also about power relations, who is included and who is excluded in processes of decision making, from a local and global perspective.

The importance of the concept of 'governance' for 'accountability' is that accountability should be considered to be effective in relations between different stakeholders with different worldviews, at different levels and in different sectors. In accountability arrangements, it is not only the public administration that plays the most important role. The role of each stakeholder in accountability relations depends on the decisions that the stakeholders take together.

3.3　Social contract as a base for accountability

3.3.1　Moral beliefs at the base

At the base of *accountability* is a set of moral beliefs that citizens (including poor groups) are entitled to, or have the right to claim accountability. At the individual level people should have a set of moral beliefs that include *accountability* as important. This may take the form of a general moral conviction, a cultural value or the belief in God or a higher power, to which they feel accountable and as a result of which they feel accountable towards their fellow citizens.

However, is there always a moral base present? The answer is most probably affirmative, but not all moral bases are favourable for establishing accountability. Jabeen (in Van Bodegom et al. 2008) argues that the concept of governance assumes democratic and bureaucratic norms and values, such as rule of law, individualism, rationalism, impersonality, equality, merit, justice and participation. By contrast, cultural values in many developing countries are completely different. Jabeen takes her own country, Pakistan, as an example, where she observes authoritarianism, elitism, familism, paternalism, sectarianism, extremism and feudalism. Here we have a situation with a social contract which is not very favourable for establishing accountability.

But do poor and marginalised people not have any feelings about accountability? Poor people understand and value accountability, despite cultural variations in emphasis (Litovsky and MacGillivray 2007). Some consider this to be a problem of a clash between different cultures. Accountability efforts imposed from the outside often conflict with more indigenous or traditional understandings of accountability (Newell and Wheeler, 2006). Both types are social contracts, each with their own norms, written and un-written rules and other institutions. So accountability mechanisms should to a certain extent fit within existing culture, norms and ideas in society.

Therefore, improving accountability may be very difficult in hierarchical, authoritarian cultures, or cultures where kinship plays a dominant role. In such situations it may take much time to make progress on accountability issues. Actions to improve accountability should also build on existing norms and values on accountability in a society.

3.3.2   Citizenship and rights-based approach

According to O'Neil et al. (2007), there must be an implicit assumption (a social contract) about roles and responsibilities of the state, as well as the rights and entitlements of citizens. For this they use the term *citizenship*. Citizenship is by definition about the vertical relationship or social contract between state and citizen, connoting the rights and responsibilities that a citizen can legitimately claim from the state and which the state can legitimately expect of its citizens. This concept is closely linked to a rights-based approach. For example, Newborne (2008) emphasises the rights of communities and the obligation of government and other stakeholders to provide protection against flooding. "An essential feature of flood management is cooperation between State authorities and citizens. The scale of the threat of floods and the levels of investment required for flood defence is such that responses by individual communities and households will generally be ineffective unless they form part of actions at other levels, municipal, regional and national… self-reliance can play its part also, but it will not be sufficient without external support."

In this context, accountability is a key mechanism for arriving at delivery by public institutions and other actors of their functions, for example how:

- Efforts by government agencies are directed and coordinated towards flood protection / disaster risk reduction;
- Funds (e.g. from public sources) are spent;
- Information gathered by officials is made more widely available;
- Assets accruing to those institutions and other actors remain under appropriate control; and
- Service to the community is demonstrated.

3.3.3   Social contracts with the private sector

The above-mentioned concepts of 'citizenship' and a rights-based approach provide a moral base from which to demand accountability from the state and its agencies. But what is the moral base for citizens to demand accountability from private enterprises? The following elements are important:

- *National law*. First of all enterprises have to obey the law and citizens or Civil Society Organisations can demand that they do so;
- *International law*. Citizens can also demand that enterprises adhere to international law, e.g. the Declaration of Human Rights or the Convention 169 on indigenous peoples of the International Labour Organization (ILO).[1];
- *Corporate Social Responsibility*. Private enterprises can develop a policy for Corporate Social Responsibility. At the level of an association of enterprises, this can result in a Code of Conduct for its members. Once members have accepted the Code of Conduct, citizens can demand that they act in accordance with this;

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[1] ILO 169 specifically stresses the need for the participation of indigenous peoples in the decision-making process regarding resources and lands on which they have claims of dependence (Borrini-Feyerabend et al., 2007).

- *Certification*. Private enterprises can also voluntarily apply for independent certification of their products or production areas (e.g. timber concessions). Examples are the Marine Stewardship Council (MSC) certification for fisheries and the Forest Stewardship Council (FSC) certification for sustainably produced timber. Such certification schemes prescribe, among other things, certain behaviour towards stakeholders in and around the production areas.

3.3.4 Voice

The concept of *accountability* is also related to *voice*. Voice refers to the capacity to express views and interests and to the exercise of this capacity. In a somewhat narrower sense, 'voice' is about poor people expressing their views and interests in an effort to influence government priorities and governance processes (O'Neil et al. 2007). Voice and accountability are separate but related concepts. In some contexts, voice can lead to greater accountability. In most contexts, a lack of voice will lead to lack of accountability. The concept of *empowerment* provides an important reminder of the fact that it is only empowered individuals who will be and feel able to exercise voice, and that voice and accountability are about power and powerlessness.

3.4 Level and scales

It is also important to think about the *level* at which accountability relations should be established. Many efforts have been made to establish different ways of co-managing natural resources, for example in national parks or landscapes (Borrini-Feyerabend et al. 2004). Such efforts are valuable but generally do not take into account the need to establish co-management and accountability relations at higher levels, e.g. at the level of department or province. This is crucial, however, as many important decisions that have far-reaching consequences at the local level are taken at this intermediate level.

When policies on natural resource management at national and international level are defined, there is often a participatory process involved in which stakeholders play a role. This may lead to a certain level of accountability. NGOs at national level and international have voice and know how to demand at least some form of accountability. However, there is a perceived gap between international and national levels on the one hand and local levels on the other. It is useful, therefore, to shed more light on problems related to different levels.

Cash et al. (2006) recognise different scales and levels that are critical to understanding and responding to human-environment interactions. They define:

- *Scale* as the spatial, temporal, quantitative or analytical dimensions used to measure and study any phenomenon; and
- *Levels* as the units of analysis that are located at different positions on a scale.

These definitions may seem somewhat cryptic, but looking at the table below, the distinction between scales and levels becomes clear.

Table 1: Different scales and levels critical to understanding and responding to human-environment interactions

Scale	Levels
Spatial (areas)	Globe, regions, landscapes, patches
Temporal (rates, duration and frequencies)	Annual, seasonal, daily
Jurisdictional (administrations)	Intergovernmental, national, provincial, localities
Institutional (rules)	International conventions, constitutions, laws/regulations, operating rules
Management (plans)	Strategies, projects, tasks
Networks (links)	Trans-society, society, kin, family
Knowledge (truths)	General/universal, specific/contextual
Product value chains	Production site and unit, processing site and unit, exporting unit, importing unit processing unit, final retail

(source: Cash et al. 2006)

We have added the scale of 'product value chain' to the table, as this is a factor that greatly influences NRM. An example would be areas where important products like fish and timber are produced, which are then transported worldwide through trade chains.

The current combination of cross-scale and cross-level interactions threatens to undermine the resilience of human-environmental systems. Three common challenges faced by society are:

1. *Ignorance*. Complexity even at one level of one scale may be such that attempting to understand all scales at all levels is very difficult. National policies may adversely constrain local policies, or local actions may aggregate into large-scale problems.
2. *Mismatch*. The most common mismatch is between human action and ecological systems. Often human institutions do not map coherently on to the bio-geographical scale of the resource. Temporal-scale mismatches arise, for example where short electoral cycles conflict with long-term planning needs.
3. *Plurality*. Another challenge arises from the incorrect assumption that there is a single, correct or best characterisation of a problem and a single set of solutions. The result of this is often ineffective decisions and inequity in outcomes. If we want to avoid such problems, negotiation is necessary between different stakeholders at different levels.

Cash et al. (2006) state that in a world increasingly recognised as being multilevel, solutions must also be multilevel. Top-down approaches are too blunt and insensitive to local constraints and opportunities. A middle path that addresses the complexities of multiple scales and multiple levels is much more difficult, but is what is required.

Figure 1: Spheres of accountability

Elected representatives (parliament or municipal council)

Vertical Accountability
Questions in parliament, voting, new laws, pressure on ministers

Vertical Accountability: Parliamentary inquiries, parliamentary visits

Government

directives laws and policies

directives laws and policies

Public administration unit
Tasks:
- Rerendering services
- Developing policies
- Spending of budget
- Structures of checking private companies, CSOs and citizens
At National, Provincial, Municipal/local level

Horizontal accountability (1): Info sharing, Coordination of actions, Institutional lessons learning ("institutional interplay")

Public administration unit
Tasks:
- Rerendering services
- Developing policies
- Spending of budget
- Structures of checking private companies, CSOs and citizens
At National, Provincial, Municipal/local level

Horizontal accountability (2): checks, accountancy.

Public administration
Structures of checking the public administration (internally), e.g.:
- ombudsman
- Independent observer
- Auditor's office

Sphere 2 accountability by parliament

Sphere 3 accountability within public adm. units

Vertical accountability: Elections of national/ provincial parliament, or municipal council

Control of CSOs

Civil Society organisation (CSO) implementing programs/services

Juridical system

Control of enterprises

Control of citizens

Private enterprises

Multi Stakeholder Processes - Mutual accountability

Co-Governance and Co-Management
Public, private org. and CSOs; State-community co-steering and adaptive management (learning-by-doing)

Boundary or bridging organizations
(a.o. promote accountability towards different leves and scales)

Sphere 5 accountability by the stakeholders

Social accountability

Civil Society Organisation (CSO)

Horizontal accountability (3): Info sharing, coordination, institutional lessons learning

Civil Society Organisation (CSO)

Vertical accountability elections of e.g.: the water board

Vertical accountability: elections of an executive, e.g.: president or mayor of a municipality

Sphere 4 accountability by CSOs

Monitoring and Evaluation

Citizens exercising influence over CSOs

Individuals, citizens

Sphere 1 accountability by individual citizens

Moral base / convictions / sense of urgency within society (public and private sector, CSOs, individual citizens) include concepts like:
- Democratic norms and values at the base of concepts like 'governance' and 'accountability"
- 'Citizenship': a social contract between state and citizens. Communities and individuals aware of their rights, e.g. right of protection.
- Rights that can be affirmed in law: rights based approach. Ultimate base can be UN Human Rights declaration.
- Conviction that self-reliance can play a role, but it will not be sufficient to solve the observed 'problem'. External support from government is needed (e.g. Flood risk management in Honduras, building of dykes in The Netherlands).

Based on: Bodegom et al.(2008; .Litovsky, and MacGillivray, (2007) Newborne (2008). Extended

Direction of arrows in bold indicates direction of asking/demanding the other party to be accountable. Intersected arrows indicate control by government on the public administration or by the public administration on stakeholders in society.

4 Spheres of accountability

The process of acquiring accountability is very much a political one. It is often not the outcome that is of prime importance, but rather the process itself. Certain accountability processes and systems may work in one place, but transferring them to another context does not guarantee success. As we have shown in section 3, accountability mechanisms can be categorised according to scales and levels. However, in this report we have chosen a different approach. Here we categorise accountability mechanisms into the different spheres where they are exercised.

A sphere is the space where one group of actors is the main actor demanding accountability. This categorisation enables us to take an action perspective: citizens can directly exercise power to demand accountability, or influence a certain actor so that this actor exercises his or her power to demand accountability (see figure 1). The categorisation into different spheres is not an absolute one: discussion is possible about the exact position in the figure of several accountability mechanisms. However, figure 1 has been designed to give an overview of the possibilities for introducing new accountability systems, and enhancing existing ones.

Democratic norms and values form the moral base of all accountability efforts. As was pointed out in the previous section, without a moral base any proposed new or existing accountability arrangement is bound to fail. We have therefore included this in the light blue box at the bottom of figure 1.

4.1 Sphere 1: Accountability demanded by individual citizens

The lowest layer in the scheme is the sphere that consists of the individual citizens who can demand accountability from their government, the public sector, private enterprises and Civil Society Organisations. Individual citizens can exercise accountability in different ways:

1. Through (general) elections to elect members of parliament, or members for a provincial or municipal council;
2. Through elections for a president and/or mayors;
3. Through elections to vote for representatives in multi-stakeholder bodies like a water-board;
4. By exercising influence over CSOs, which in turn can exercise influence over governmental agencies or private enterprises;
5. By exercising influence over projects that have been designed to deliver certain services.

It is outside the scope of this study to focus in more detail on different election systems (options 1-3). Rather, we focus on the issue of private citizens exercising over CSOs, which in turn can exercise influence over governmental agencies or private enterprises. Klaver (2009) considers strong internal organisational performance to be one of the soft sources of power that CSOs could rely on when developing social accountability relations. CSOs should demonstrate an ability to meet good governance principles such as democracy, representativeness, transparency, inclusiveness and internal accountability within their own organisations. If the CSO is a membership organisation, a citizen can exercise decisive influence in general assemblies of the CSO, although the level of knowledge, education and skills (e.g. debating skills) of individual citizens may be much lower than that of the staff and directors of a CSO. However, many CSOs and NGOs are not membership organisations, nor do they have many tools to help them demonstrate their accountability towards their constituency. Generally, better-educated citizens are more likely to become active in discussions and actions, and they are more able to exert certain influence over 'their' CSO.

For projects and organisations which have been designed to deliver certain services towards citizens, there are approaches where citizens can exert influence in a planned way:

– An interesting example is the concept of *Constituency Voice* developed by Keystone Accountability (2009). It was not specifically designed for the natural resources management sector, but it could be applied there. They argue that recent debates suggest that social purpose organisations are often seen as being more accountable to their funders than to the people they serve. This can lead these organisations to impose 'solutions' on communities without fully and effectively allowing the communities to shape work as it unfolds. Enabling constituency voice is a way of addressing this. Constituency voice

refs to the practice of ensuring that the views of all relevant constituents, particularly primary constituents (also referred to as beneficiaries, but here defined as actively participating persons), are seriously taken into account in planning, monitoring, assessing, reporting and learning processes taking place within organisations. Constituency voice can be applied in planning, assessment and deliberation. Basic services are monitoring and evaluation (M&E) systems design and feedback surveys;

– Another example is the whole body of knowledge around participatory monitoring and evaluation. See for much more detailed information for example http://portals.wi.wur.nl/ppme/. Monitoring and evaluation programmes and activities are not restricted to CSOs. Any relevant stakeholder could be involved in M&E design and implementation.

4.2   Sphere 2: Accountability between parliament and government

Citizens vote for members of parliament. As representatives of citizens, members of parliament can exercise influence over government policies regarding natural resources and hold the government and its implementing agencies accountable for policies and activities regarding natural resource management.
For example, members of parliament can ask questions to ministers, they can organise debates inside and outside parliament, approve new legislation or put pressure on ministers. Examples of such activities can be found in almost any country. Citizens can urge members of parliament to use these instruments in order to improve policies and practices in natural resource management.

High-level inquiries and parliamentary committees are other instruments that members of parliament can use. They are highly political and have been used in different periods. They seem, however, to be only a first step in a struggle against corruption and towards more accountability. The *press* also may play an important role. The role of stakeholders in society is vital: they demand better management of natural resources. A 'sense of urgency' is what fuels moves to improve both the management of the resources and the accountability of governmental and private players towards stakeholders in society.

There are several examples of parliaments taking action when the situation in a natural resources sector is perceived as getting out of hand. Here we provide two examples from the forest sector – one from Sweden in the 19th century (box 1) and one from Papua New Guinea in the 20th century (box 2).

Box 1: Swedish forests in the 19th century

Mismanagement and over-exploitation of the Swedish forests caused concern in leading circles, and in the 1850s the theme was repeatedly addressed by the Swedish Parliament. In 1855 a special Parliamentary Commission was set up to look into the problem and to propose measures to prevent widespread shortage of wood in the country. The export boom based on mature and fairly easily accessible forests was still at its peak, however, and against these forces (which included widespread corruption) the Commission could do little. The situation remained almost unchanged for the next 50 years and deforestation continued. By the end of the 19th century Sweden's forest resources were at an all-time low and most forest-related industries had begun to experience rising costs and scarcity of raw material. There had also been some initiatives by citizens to replant forests. The time seemed ripe for radical and innovative measures, and in 1896 a new parliamentary Commission was established to analyse the situation and make a proposal for a new forest policy. In practical terms, the work of the Commission – which continued for 7 years – came to constitute a kind of National Forestry Plan, with all the principal parties taking part in the process. The result was entirely new forest legislation and the creation of County Forestry Boards for supervision and extension activities.

(Savenije, 2000; based on Persson, 1998)

> **Box 2: Barnet Inquiry, Papua New Guinea forest sector**
>
> Asumado (2006) writes about a high-level inquiry in the forest industry sector in Papua New Guinea (PNG) that was headed by a former judge. In the 1980s, persistent reports about malpractices in PNG's forest industry resulted in the Barnett Forest Industry Inquiry of 1989 and the World Bank Review of 1990.
>
> The Barnett Inquiry into PNG's timber industry produced a series of seven interim reports, and a two-volume final report that was deeply embarrassing to several politicians. Only two of the interim reports were ever printed and distributed. However, long extracts were published in the Times of Papua New Guinea, a weekly newspaper owned by the churches (Larmour, 1997). Following these inquiries, the PNG government formulated the new Forestry Act in 1991. It also developed a new forestry policy to address the shortcomings of the previous Forest Policy, which had been introduced in 1979.
>
> According to Asumado (2006), the Barnett inquiry had impact. As part of the implementation of the recommendations of the Barnett Inquiry, the PNG government created the Papua New Guinea Forest Authority (PNGFA). The PNGFA is therefore the authority mandated with the responsibility for implementing the Forestry Act 1991 and the Forest Policy 1991. The government also contracted Société Generale de Surveillance (SGS) in May 1994 to provide an independent, arm's length monitoring of all log exports from PNG, to ensure that logs exported are sold at the prevailing market prices.

4.3   Sphere 3: Horizontal accountability within the public sector

Accountability as defined in this paper is not about vertical, hierarchical accountability relations within one governmental unit (internal accountability). Such accountability may be very important, but it is internal. However, accountability relations are also possible between different units, agencies or ministries and they can be considered external. Two different types of accountability will be dealt with: control of public units executed by a specialised agency within the public administration, and secondly information sharing and coordination of actions between different public administration units.

4.3.1   Control by a specialised agency

This category includes governmental offices that in one or another way check the behaviour of other agencies of the government. One example is the national auditor, an organisation that checks spending of ministries, programmes and/or governmental agencies. Another example is the ombudsman, to whom citizens or organisations can go. The ombudsman then has the right to carry out an investigation and come up with certain kinds of advice. Control can also be exercised through a specialised anti-corruption bureau (see box 3).

In many countries the ombudsman monitors elected officials and bureaucracies. He or she has the right to request these agents to provide information about their decisions and actions, and can call on them to justify their actions. Ombudsman-offices typically do not have the right to sanction the agents for their actions as such, but can use the courts to sanction offices if requested information and/or justifications are not provided (Lindberg, 2009).

> **Box 3: Anti-Corruption Bureau (ACB) in Malawi**
>
> The level of corruption, transparency and integrity in the water sector in Malawi was measured in the 2006 Governance and Corruption Baseline Survey commissioned by the Malawi Government through the Anti-Corruption Bureau. About 54 percent of Malawi's population of about ten million have access to water-supply facilities. However, only 32 percent have access to potable water, at all times. The high demand for water creates more pressure on water suppliers/providers to increase their workload and capacity in an attempt to meet this rising demand. In certain cases, such demands, if not handled properly, may lead to compromises on transparency and accountability by those providing such services.
>
> (Earle et al. 2008)

4.3.2   Information sharing and coordination

Information sharing and coordination of action between different units or agencies of the state are also ways of exercising accountability. Cash at al. (2007) call this *institutional interplay*. Networks at different levels develop appropriate cross-level mechanisms of interplay. Institutional interplay can occur:

- Within one scale: in the administration between management systems located at adjacent levels, e.g. interactions between administrations for fish and game at state level and national level;
- Cross-scale and cross-level: for example, when it comes to shaping formal laws and regulations on the use and allocation of water, the central agencies of the state may hold most of the power. But in the operational management of irrigation or flood protection, flexibility may be included through 'adjustments' made by community-based institutions.

Possibilities for bringing institutional interplay into practice include inter-departmental working groups and the organisation of workshops and seminars.

4.4   Sphere 4: Social accountability exercised by CSOs

Civil Society Organisations (CSOs) can exercise accountability on governmental organisations at different levels. Ackermann (2005) calls these types of accountability *social accountability*. Newell and Wheeler (2006b) mention the following characteristics of social accountability:

- It focuses on citizen action aimed at holding the state to account, using strategies such as social mobilisation, press reports and legal action;
- It addresses issues such as citizen security, judicial autonomy and access to justice, electoral fraud, and government corruption;
- It provides extra sets of checks and balances on the state in the public interest, exposing instances of corruption, negligence and oversight which horizontal forms of accountability within the public sector are unlikely or unable to address.

Social accountability also can entail denouncing harmful and illegal practices to the authorities and ultimately to the juridical system. It is an option often used by environmental pressure groups and NGOs in the North. But in countries with weak governance and accountability systems this road is often difficult to take, for example because of risk of violation of human rights (Klaver, 2009).

The literature on social accountability relations discusses practical tools such as participatory budgeting, citizen juries, social audits, citizen report cards and community score-cards (Klaver, 2009). Most of these tools have not (yet?) been developed in natural resource management sectors. However, there are interesting examples. CSOs can exercise social accountability on public administration units and private enterprises. A combination of activities is also possible, and CSOs can make themselves accountable towards other CSOs.

Exercising accountability on public administration units
An option is to support community-level committees in denouncing harmful and illegal practices, asking public authorities to become more answerable to these complaints. Representatives of such local committees should form a platform at the higher (provincial) level. The platforms at different levels can also play a role in checking how collected taxes are used. See annex 1 for an example from a difficult situation: the Democratic Republic of Congo, a fragile state, where human rights are being violated, but where actions are undertaken to develop social accountability relations at forest concession level, and at higher administrative (e.g. provincial) levels. Here the initiative to establish accountability mechanisms is taken by an outside party with donor support and much still needs to be done to make these social accountability arrangements sustainable.

Exercising accountability on private enterprises
It is possible to design accountability mechanisms for controlling the (impact of) actions by private companies.

Possibilities include:

- *An independent monitoring committee* with representatives from different organisations that monitors the environmental consequences of the activities of an enterprise. See annex 2 for an example from the Netherlands, where NGOs participate in a committee that monitors the effects of gas exploitation in the

Wadden Sea, an area of high natural value. The actual monitoring data are provided by a scientific institute. The committee is independent. The independence is assured by the following rules:

a) Committee members participate at their own expense and bring in their own expertise;
b) The investigation is paid for by the gas company, but the committee controls and approves the investigation;
c) Researchers report to the committee.

– *A platform that monitors social activities of an enterprise*. Some countries have legislation that stipulates that enterprises should develop certain activities in order to support neighbouring communities. In such a case it can be useful to strengthen the monitoring of the "social contract" (in this case a contract between logging concessionaries and local populations) and the implementation of concession management plans by timber companies. Two accountability arrangements are possible here. One is to have civil society organisations ask government to account for effective monitoring of the contracts and their implementation; the other is for CSOs to seek a role as independent observers (see annex 1, the forest concession case in DRC);

– *Voluntary certification*. Companies may accept external accountability procedures prescribed by a certification body. Certification bodies can establish certain principles and standards and companies may voluntarily wish to comply with the resulting rules. The case of the Forest Stewardship Council (FSC) is provided as an example in annex 3. FSC is a certification system for sustainable forest management with a high reputation. Its certification system is based on 10 principles: (1) Compliance with laws and FSC Principles, (2) Tenure and use rights and responsibilities, (3) Indigenous peoples' rights, (4) Community relations and worker's rights, (5) Benefit sharing from the forest, (6) Environmental impact, (7) Management plan, (8) Monitoring and assessment, (9) Maintenance of high conservation value forests, (10) Plantations. These principles cover ecological, social and economic aspects. The principles have been worked out in criteria and indicators. Efforts are being made to make these country-specific.

Promoting accountability between CSOs: networking

As noted above, exchange of information between different agencies of the state is also a form of accountability (Cash, 2006). In fact this involves information sharing and coordination of actions, which also happens between Civil Society Organisations. Networks of NGOs are widespread and through such networks information is shared, visions are exchanged and, sometimes, common actions are developed.

4.5   Sphere 5: Mutual accountability by stakeholders

This section addresses multi-stakeholder processes. Here accountability relations are shaped in a situation where representatives of different stakeholder groups work together and hold each other accountable.

Below we provide several examples of three types of multi-stakeholder processes and their accountability arrangements:

– Co-governance and co-management: public and private organisations and Civil Society Organisations work together in a common effort and hold each other accountable (mutual accountability);
– Bridging organisations.

4.5.1   Collaborative governance and co-management

Litovsky and MacGillivray (2007) introduced the term 'collaborative initiatives'. Collaborative initiatives cover the full range of formal and informal types of collaboration, from dialogues and alliances to multi-sector partnerships, where two or more organisations enter a collaborative arrangement based on synergistic goals and opportunities that address particular issues that single organisations cannot accomplish on their own. At the same time the individual organisations cannot purchase the appropriate resources or competencies through a market transaction. Collaborative initiatives are set up to provide public services, channel resources or develop voluntary standards. There are hundreds, if not thousands, of collaborative initiatives active in global development.

Collaborative Governance (or co-governance) concerns the structures, processes, rules and traditions through which decision-making power is exercised in collaborative initiatives. To assess the effectiveness with which

collaborative initiatives are governed, AccountAbility has developed the Collaborative Governance Framework (CGF) as a web tool (see http://www.accountability.org).

Another term, closely related to co-governance, is *co-management*. Borrini-Feyerabend et al. (2007) define co-management as 'a partnership by which two or more relevant social actors collectively negotiate, agree upon, guarantee and implement a fair share of management functions, benefits and responsibilities for a particular territory, area or set of natural resources.' In their extensive study they use a comprehensive rather than narrow understanding of co-management, emphasising the following:

- Collaboration as a form of self-defence of indigenous and local groups against environmental degradation and socio-cultural impoverishment;
- Collaboration as a response to complexity, where management of ecosystems cuts across a variety of political administrative, cultural and social boundaries, and involves many actors;
- Collaboration for effectiveness and efficiency, where different actors can put together different knowledge and capacities for the benefit of all;
- Collaboration for respect and equity: fair sharing of the costs and benefits of managing natural resources is essential;
- Collaboration through negotiation: especially the negotiation of the institutional arrangements among relevant actors and subsequent adjustment in a learning-by-doing mode.

Co-management arrangements rely on various degrees of power- and responsibility sharing between governments and local communities. Complexity is an issue here. The state is rarely unitary, having different agencies, branches, political factions, and so on. In addition, communities themselves are composed of a host of different interests, perspectives and political actors. Successful co-management often arises from the adaptive, self-organising process of learning-by-doing rather than from optimal power sharing across levels (Cash et al., 2007).

Are co-governance and co-management essentially the same? Intuitively one could argue that co-management takes place at a more practical and at an (administratively) lower level than co-governance. However, the very broad description of *co-management* above is very similar to *co-governance*. In *co-governance* decision-making power is the central theme, together with the structures, processes, rules and traditions through which this power is exercised in collaborative initiatives. So co-governance seems more focused on *power* and seems therefore more political than co-management. However, the title of the co-management publication of Borrini-Feyerabend at al. is 'Sharing power'. The conclusion seems to be that it is difficult to make a distinction between the two concepts.

Co-governance is an age-old phenomenon, but can also take very modern forms and can be observed in different NRM sectors:

- *Water management*. An example of collaborative governance is the water board in the Netherlands, a management structure that has been in existence since the Middle Ages (see annex 4). In modern water management in the Netherlands 'democracy' does not mean 'one man one vote'. If you have more interest (a bigger 'stake') in the management of the water, and accordingly pay more tax, you have a bigger say. The system is based on the distinctions made between different groups of stakeholders that have different (degrees of) interest. People are not elected as individuals, but as a *representative of a stakeholder group* and elections are organised for each stakeholder group. This guarantees that the interest of a certain stakeholder group will not be eliminated even though policies and activities may change in time. The balance of power between the different stakeholders in the governing board is pre-determined. In that sense the age-old Dutch water boards are comparable with the governing board of the previously mentioned Forest Stewardship Council (FSC), only established in 1993;

- *Fisheries.* In France very old governance and accountability structures at local level are still present in the form of local fishermen's organisations (the *prud'homies*), although they have been adapted to modern circumstances. They compete with the formal structures, but also complement them. The informal structures underlie formal governance structures at higher levels, because many leaders of the traditional organisations are elected to the formal organisations. These formal organisations (Local Fisheries Committees) have a significant voice in higher-level decision-making and consequently check and control the behaviour of the French Maritime Affairs Authority. In the higher (formal) structures one cannot be elected as a private individual, but only as a representative of a union. This may seem like a lack of freedom, but it does create accountability of the representative towards fishermen (at least towards those who are member of a union). See annex 5;

– *Wetland management.* Litovsky and MacGillivray (2007) introduce the example of the multi-sector dialogue in the Pantanal. The largest wetland area on earth hosts an unparallelled wealth of biodiversity, but is also a potential mining area. Neither NGOs nor businesses want to see the region deteriorate. However, a history of confrontation between NGOs and companies around environmental sustainability in Brazil has not led to improved outcomes, a fact recognised by both sides. A platform was created for dialogue, where an agenda could be negotiated and there was space for mutual recognition of interests. Legal norms and regulations for companies' operations do not provide an adequate basis on which to balance interests and objectives for sustainable development.

4.5.2   Boundary or bridging organisations

Boundary or bridging organisations play an intermediate role between different arenas, levels or scales and facilitate the co-production of knowledge. Cash et al. (2006) mention the example of an eco-museum in Kristianstads Vattenrike in Sweden, which grew out of issue-based networks and continues to depend on these to bring in and share information with stakeholders. Leadership is the key issue here, and involves the role of facilitating and coordinating between levels. Important characteristics of boundary organisations include:

– Accountability towards both sides of the boundary (boundary between different scales – e.g. administration, spatial or economic sectors – and between different levels within these scales);
– The use of maps, reports and forecasts that are co-produced by various actors;
– Participation across different scales and levels;
– That the bridging organisation has the task of convening the stakeholders;
– Translation of views and information;
– Coordination and complementary expertise; and
– Mediation: boundary organisations could play a critical role in mediating the differences inherent in conflicting perceptions and interests.

Boundary or bridging organisations could be the facilitating partner in the co-governance and co-management initiatives mentioned above. They can offer a way to bring in scientific expertise and guarantee more or less independent facilitation of a multi-stakeholder process.

# 5 The way forward: how can we improve accountability in NRM sectors?

How can we improve accountability? How can we get things going? From the literature reviewed, we can conclude that no general recipe can be given. Few authors pose these questions, focusing more on theory building and less on issues regarding practical implementation.

When setting up a programme for improving accountability in an NRM sector the following elements seem to be necessary for a successful strategy:

- Identification of the moral base for accountability in the specific cultural and political setting;
- Identification of possibilities within the different spheres for improvement of accountability in NRM;
- Definition of strategies for acquiring more accountability, and implementation of these;
- Management of conflicts, keeping them at a level where damage to society as a whole is low;
- Improvement of enabling environment for accountability at national level (and in the donor community); and
- Monitoring & Evaluation, and adjustment.

Each of these elements will be elaborated in the sections below. See figure 2.

The sequence of the elements is not always the same and elements can be developed in parallel. For example, a national framework for improved accountability may already be in place. If not, a number of questions can be asked. To improve accountability in the NRM sector, does the national framework need to be changed before making advances in the specific sector? Or should pilot projects for improved accountability be created first, on the basis of which the national framework can be adapted? Or can both be developed in a parallel way?

Figure 2: Elements for improving accountability

The way forward: how can we improve accountability in NRM sectors?

21
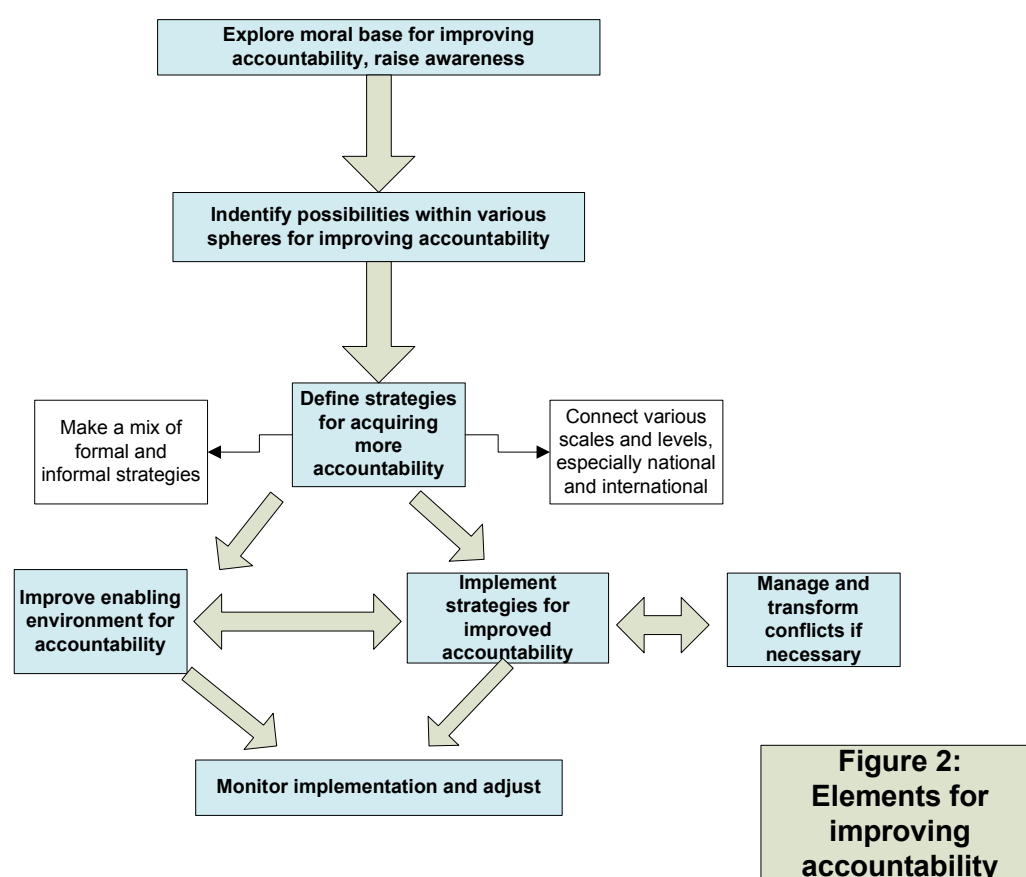
5.1 Identify and strengthen the moral base for accountability

Accountability will only improve if there is a moral base underlying the demands for more accountability. This moral base may consist of democratic norms and values, concepts such as 'citizenship', convictions about the rights of citizens to demand certain services from the government or the conviction that social, economic and ecological sustainability should be implemented in practical situations.

It is important to identify together with stakeholders, for example in a workshop, the moral base in the specific situation and describe the moral base in clear and simple words, which can be easily communicated. This awareness raising is very important. It can be achieved by reflecting together with stakeholders what accountability and governance mean in a specific situation and cultural context.

5.2 Identify the possibilities and spheres for improving accountability in the NRM sector

There are many ways in which governments, governmental entities and private companies in environmental sectors can be held accountable. The efforts to implement accountability can take place in five spheres:

1. Between citizens on the one hand and CSOs, government and parliament on the other;
2. Between parliament on the one hand and government and public agencies on the other;
3. Within the public sector, where different entities can hold other entities accountable;
4. Between Civil Society Organisations (CSOs) on the one hand and public administration units and/or private enterprises on the other (and sometimes via the juridical system);
5. Between stakeholder groups working in joint programmes, projects or actions.

Taking figure 1 as a starting point, a systematic review should be made of existing accountability mechanisms in each of the accountability spheres, and options should be formulated for their improvement or for the creation of new accountability mechanisms. The focus should not be limited to one administrative or geographical level; rather it should be on different levels. Where are the chances for success the biggest and between which levels can effective linkages be made?

5.3 Define strategies for acquiring more accountability

Identifying different options of accountability arrangements is one thing, but this does not mean that options simply can be copied from one situation to another. First of all accountability does not come automatically (and it will not maintain itself automatically either): it has to be demanded and acquired. This involves a political process, and individual citizens, CSOs and the press have a key role to play here.

Rights of the powerful versus those of the poor

An apolitical view of promoting accountability through legal reform, capacity building, training judges and the like is unlikely to improve access of the poor to these mechanisms unless the structural barriers and social hierarchies that inhibit meaningful use of the law by the poor are also addressed. Claiming a right is not a short cut to avoiding, pre-empting or reducing conflict over resources. Rights claims compete: they have to be balanced or reconciled. The question is not only how the poor claim, contest and secure rights. It is also necessary to look at the rights of the powerful, which they use to defend their privileges, and to control resources and access to power (Newell and Wheeler, 2006).

A mix of formal and informal strategies

Newell and Wheeler (2006) have identified a number of strategies to improve accountability. Table 1 provides an overview of strategies that are used in relation to natural resources or the environment. A division can be made between formal and informal strategies. In practice a mix of different strategies is proposed.

Formal strategies include environmental round tables with the government, court cases, negotiations with nature reserve management and/or other authorities, construction of alternative plans, complaints to government officials, civil rights legislation, legal clinics, and public hearings. An example of how action learning can be used to develop such a strategy is provided in box 4.

Formal strategies may also include efforts to reinforce links between *national* accountability efforts in NRM sectors (e.g. decentralisation) and *international* ones. Examples of international efforts include:

 - The EU initiated FLEGT process for promoting legally produced timber (Bodegom et al., 2009);
 - New initiatives to introduce a system for payment for and monitoring of reduced deforestation and degradation of forests (REDD) as a measure to reduce CO_2 emission;
 - Certification efforts (e.g. FSC, MSC) and chain management efforts such as Good Agricultural Practice (GAP).

The challenge in such international efforts is not only to establish an international monitoring system, but also to use it to reinforce national accountability mechanisms, where stakeholders in the country get an opportunity to hold private companies and governmental agencies accountable at various levels.

Box 4: Action learning for improved resource governance and accountability in DRC

Klaver (2009) developed a provisional roadmap for action learning and research to improve accountability in the forest sector in Democratic Republic of Congo at different levels (local, territorial, provincial, national). Ideally the process would allow enough time for stakeholders to:

 - Define good (forest) governance in their own context, including the accountability relations necessary to improve governance. Here context refers to the different "locations" or intervention levels where governance decisions are made, or where resources are exploited or traded. Good governance would be defined at each level.
 - Define a strategic agenda for improving (forest) governance at each location.
 - Share these ideas among all locations or intervention levels, and agree on a joint action agenda, including the accountability relations that need to be established.
 - Implement the agenda at each level and ensure vertical linkages (bottom-up and top-down communication and alignment).
 - Bring all levels together to review progress in improving governance and (re)define the action agenda as necessary.
 - Continue this circle of action learning.

Scientists can assist in constructing – together with major players – an overview of the sector and its players. They can facilitate processes to improve accountability by providing an overview of the principles of accountability and options for accountability mechanisms. They can play the role of a bridging organisation and can facilitate the flow of information between various levels and between different stakeholders. Scientists can also implement action research together with stakeholders in order to:
 - Define with the actors what good resource governance should be under circumstances where priorities have to be set ('good enough governance');
 - Explore the moral and cultural base underlying demands for more accountability;
 - Identify bottlenecks and entry points for accountability;
 - Bring different levels together and design together with relevant stakeholders possible accountability processes and mechanisms at different levels, and
 - Design a strategic agenda for action.

Donors and governments can help to improve the enabling environment for accountability, for example by making clearly defined laws and rules, and by improving vertical as well as horizontal mechanisms of accountability (within governments and between governments and citizens) and by supporting other actors in efforts to shed more light on the situation in a natural resources management sector.

Informal strategies include armed conflict, sabotage, protests, re-settlement in natural reserve areas, blockading a dam to cut off water supply, citizen participatory environmental auditing, gaining media attention, citizen health and environmental monitoring, theatre, enlisting the support of youth groups and women's groups.
Much of the current debate about accountability focuses on formal mechanisms of accountability aimed at transparency and redress, but informal approaches and strategies are often equally important. The point with some informal strategies is that donors and project implementers consider them politically or morally unacceptable. Yet, often it is necessary to apply more pressure in order to get processes for improvement of accountability moving (see table 2). There is, however, a risk that efforts to apply more pressure result in considerable damage to society, loss of lives, etc. Management of conflicts is therefore an issue, which we discuss in the next section.

Table 2: Social actors, strategies, rights and resources (source: Newell and Wheeler, 2006, abridged)

Who?	Types of strategies used		Rights involved	Resources involved
	Formal	Informal		
Indigenous groups in Chiapas and Veracruz, Mexico	Environmental round tables with government	Armed conflict Protests Re-settlement in reserve areas	Land rights Knowledge rights	Environmental resources in general
Rural poor in South Africa	Court cases		Right to water	Water
Indigenous groups in Veracruz, Mexico	Negotiations with reserve management, municipal government Construction of alternative plans	Blockading dam to cut off water supply Citizen participatory environmental audit	Right to water	Water
Landless groups in India	Court cases Complaints to government officials	Public hearings People's development plans Gaining media attention Citizen health and environmental monitoring	Land rights Right to work Right to a clean environment	Minerals Energy Water
Environmental justice movement, USA	Civil rights legislation Court cases Legal clinics Public hearings	Protest Citizen health monitoring	Right to a clean environment	Water Air
Poor communities in the Niger Delta		Theatre Youth groups Women's groups Protest Sabotage	Right to work Right to compensation Right to a clean environment	Oil

5.4 Manage conflicts when improving accountability

Demanding accountability may lead to conflicts. These conflicts may have to do with lack of trust between stakeholders, perceived lack of respect, lack of information and lack of capacity to interpret the information correctly, different interpretations of the law and of existing accountability mechanisms. All these factors lead to confusion, which is often how conflicts arise. Conflicts as such are not bad and may lead to a change in power balance and/or more clarity in relations. Different stakeholders almost always have different interests and it is impossible that everybody's wishes will or can be fulfilled completely. The point is that conflicts must be controlled and ultimately solved in such a way that the harm caused by the conflict is limited. In this sense Glasl's model of conflict escalation may be revealing (figure 3). The first step of the model is the hardening of opinions; the last step is 'together into the abyss', and there are seven levels in between.

The message of Glasl's model is that, if in the early stages of a conflict nothing is done and no conflict handling mechanisms are present and effective, the final result may be a situation in which everybody suffers considerable (physical and mental) losses and goes down 'together into the abyss'. This has to be avoided, so in the case of improving accountability, it is necessary to seek a balance between the demands for accountability and the possible damage such action may cause to the stakeholders. The consequence is that people who handle the process of demanding accountability should have feeling for political possibilities and impossibilities. In addition, expertise on conflict management should be available so that damage can be controlled at an early stage.

Can arguments which stress the need to keep peace be used to stop efforts for improving accountability? Modern thinking in peace building has produced the Alternative Discourse School of Peace Building (Paffenholz, 2009). This school recognises that peace building can become an inherently conservative undertaking, where managerial solutions are sought to fundamental conflicts over resources and power, and the result may be an

attempt to modernise and re-legitimise a fundamental status quo. The Alternative Discourse School suggests an approach of 'transformative peace building' and conflict transformation, where oppressed voices are listened to and respected. The focus is on ordinary people, oppressed voices, the critical analysis of power structures and an assessment based on realities instead of normative assumptions. A more practical elaboration of this idea can be found in Lederach et al. (2007). Here instruments such as 'theories of change' are used to address structural problems that underlie a conflict. These structural problems often also have to do with lack of governance and accountability. So structural problems in society are addressed in order to work towards a lasting and sustainable peace. Thus efforts to improve accountability, if undertaken in a cautious way, rather than being a threat to peace, can contribute to peace building.
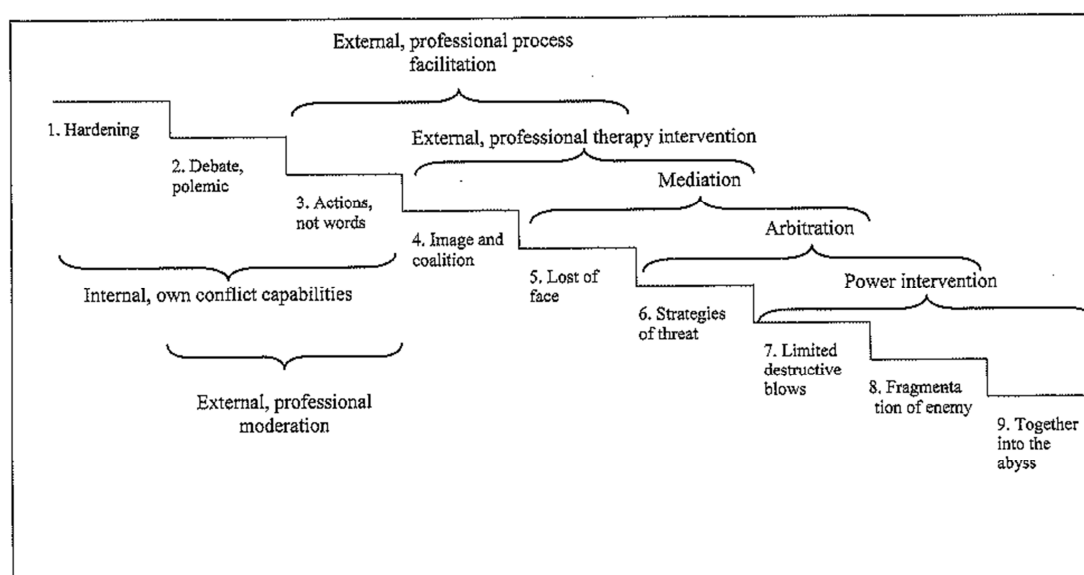

Figure 3: Glasl's escalation model and different forms of conflict capabilities (from: Yasmi, 2007)

5.5 Improve the enabling environment for accountability

Accountability can rarely be provided from above (Newell and Wheeler, 2006b). More effective reforms will be those that harness existing momentum within civil society, connect to existing government and citizen initiatives, and engage the private sector in a fuller debate about its responsibilities. An enabling architecture for accountability needs to (Newell and Wheeler, 2006b):

- Clearly define legal rights and obligations;
- Have a process for accessing, reconciling and enforcing rights and obligations. It is important to address processes of accountability as much as the outcomes;
- Improve vertical as well as horizontal mechanisms of accountability (within governments and between governments and citizens);
- Raise awareness about accountability mechanisms;
- Support citizen-led accountability initiatives;
- Engage private and civil society organisations;
- Improve donors' own accountability.

In some situations it is the government that seems to be most absent. However, this is not necessarily a bad starting position for improving accountability, as the example in box 5 shows.

Box 5: Water boards in the Netherlands

The history of Dutch water boards goes back to the Middle Ages. At the base of the water board lies the conviction shared by all stakeholders that cooperation is absolutely necessary in order to create an environment that is (relatively) safe from flooding ('cooperate or perish'). The '*sense of urgency*' is there.

The water boards are institution originally created in the 13th century at grass-roots level in a situation where the central government was weak. This can be interpreted in two ways, and the one does not exclude the other. On the one hand there was virtually no authority citizens could go to and demand 'protection' and 'safety'. On the other hand there was no central authority either that (because it considered such developments a threat to its power or perceived interests) could hinder or stop developments from the grass-roots level. The fight was above all against the water, not against powerful people.

(Source: Bos, 2003)

5.6   Monitoring, evaluation and adjustment

It is important to monitor processes relating to accountability as they develop. If possible, such monitoring should be developed together with stakeholders in a participatory way. Stakeholders would have to define criteria and indicators to be monitored and prioritise these. We do not elaborate on monitoring here, as there is a large body of literature on M&E. A good starting point can be found at http://portals.wi.wur.nl/ppme/.

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Appendix 1

Social accountability in the forest sector of Equator province, DRC

In the Equator province of DRC public sector performance in forest governance is weak. So too is the performance of civil society, giving timber companies, charcoal producers and artisanal loggers a free hand to exploit forest resources as they wish (Klaver, 2009). IUCN has mounted a project to support development of forest governance and accountability arrangements. Three entry points were identified for creating the necessary accountability arrangements:

- Supporting community-level committees in denouncing harmful and illegal forest exploitation practices, as well as asking public authorities to become more answerable to these complaints. This support should come from the consultative committee at the (higher) territorial and a provincial network established under the project;
- Increasing transparency in forest tax collection and expenditure by the public sector. Timber companies have suggested that they record all tax, royalty and licence payments, and that these figures are then compared with those supplied by local authorities. Civil society organisations (CSOs) have supported this idea;
- Strengthening monitoring of the social contract (a contract between logging concessionaires and local populations) and the implementation of concession management plans by timber companies. Two accountability arrangements are possible here. One is to have civil society organisations ask government to account for effective monitoring of the contracts and their implementation; the other is for CSOs to seek a role as independent observers.

The potential of the platforms created by IUCN depends on three elements: their internal performance, the intervention strategies they adopt, and their design:

- The platforms only recently became operational, and must tackle various internal performance bottlenecks before they can contribute fully to the forest governance regime. These include a lack of representativeness; the weak capacity of some CSO members for effective participation; the weak capacity of government; and the dependence of all members on IUCN for various needs;
- The local platforms have contributed considerably to reducing conflict within local populations, and between them and timber companies. Both the local and the territorial platforms play important roles in disseminating information on forest issues and raising awareness of harmful forest practices. Creating vertical linkages between the platforms is an important strategy to develop further, as is continuing the dialogue between stakeholders in each platform. These two strategies are important both for strengthening forest governance and for designing social accountability relations;
- The platforms that are created will have to function at the various levels where meaningful decisions are taken. As decentralisation progresses in DRC from the province to lower-level autonomous governments, the territorial platforms created by IUCN will have to be transformed into platforms at the level where local elections will be held.

Appendix 2
Monitoring of environmental impact of gas exploitation in the Netherlands

A supervisory committee was created on the island of Ameland to supervise the scientific monitoring of subsidence caused by gas exploitation. The first formal and reliable prognosis of subsidence as a result of gas extraction dates from 1985. All previous predictions were based on rough estimates. Following this first formal prognosis, an environmental impact assessment was made. Effects of subsidence were predicted for a number of aspects including morphology, the tidal flats, the amount of food for birds, erosion, and regression of salt marshes. However the production plant had already been built and the Dutch government had already authorised the production of gas.

The area where gas extraction took place is administrated by the provincial nature organisation *It Fryske Gea*. The organisation was concerned about the potential seriousness of the situation, and therefore requested the Dutch Oil Company NAM in a letter to take responsibility by monitoring the effects of gas extraction in the area.

In order to maintain its credibility concerning the design and outcome of the monitoring, NAM asked the Ministries of Agriculture, Nature and Food Quality (LNV) and Transport, Public Works and Water Management (V&W) to form a supervisory committee. The committee would guarantee the independence and monitor the progress, completeness and quality of the investigations. The Supervisory Committee Monitoring Subsidence Ameland was established in 1986. It has an independent Chairman, while the secretariat is in the hands of the gas company. The committee is further composed of representatives of the municipality of Ameland, It Fryske Gea, the Ministry of Agriculture, Nature and Food Quality, the Province of Fryslân, and Rijkswaterstaat (the governmental agency for roads and waterways).

A majority has to be in favour for a decision to be passed, and so far all decisions have been passed unanimously. All members have their own expertise. The committee is independent and this independence is assured by the following rules:

- Committee members participate at their own expense and bring in their own expertise;
- The investigation is paid for by the gas company NAM, but the committee controls and approves the investigation;
- Researchers report to the committee.

In addition to holding annual meetings to check progress, the committee members also meet regularly with researchers so that they can anticipate new developments. The chairman, secretary and entire committee also make regular field visits.

A public report is published every five years. In 2000 the report was publicly defended in front of a forum of well-known scientists, organised by the University of Groningen (RUG). The RUG also organised a technical scientific meeting in 2005 (Source: http://www.waddenzee.nl/).

The existence of the supervisory committee has so far guaranteed the credibility of the monitoring data that have been collected and analysed since 1986. Gas extraction is still going on and the observed subsidence has not led to great civic concern.

For a more detailed history of political struggles and discourses about the Waddensea, see Runhaar (2008).

Appendix 3
Certification bodies: FSC as an example

Companies may accept external accountability procedures by way of certification. Certification bodies can establish certain principles and standards, and companies may voluntarily wish to comply with the resulting rules. The Forest Stewardship Council (FSC) was established in 1993 to guarantee sustainable management of forests. More recently, this initiative was followed by the Marine Stewardship Council (MSC) for the certification of sustainable fishing. There are many other examples of certification but here some more information is given about FSC, because it is an initiative that has had considerable success and has been an example for others to follow or to act upon. Moreover, its governance structure with representatives of different stakeholder groups is interesting. The governance structure with different chambers at the international level is replicated at the national level in national working groups. The information below is from the FSC website www.fsc.org.

FSC is an international association of members consisting of a diverse group of representatives from environmental and social groups, the timber trade and the forestry profession, indigenous people's organizations, responsible corporations, community forestry groups and forest product certification organizations from around the world. FSC has a governance structure that is built upon the principles of participation, democracy and equity. It has three levels of decision-making bodies:

- – The General Assembly of FSC Members is the highest decision-making body in FSC;
- – The Board of directors is accountable to the FSC members. It is made up of nine individuals who are elected from each of the chambers for a three-year term;
- – The Executive Director, with the support of a multicultural professional team at FSC IC, runs the FSC on a day-to-day basis.

The General Assembly (at the international level) is made up of the three membership chambers: Environmental, Social and Economic, which are further split into sub-chambers North and South. The purpose of the chamber structure is to maintain the balance of voting power between different interests without having to limit the number of members.

- – The *Social Chamber* includes non-profit, non-governmental organizations, indigenous peoples associations, unions as well as research, academic, technical institutions and individuals that have a demonstrated commitment to socially beneficial forestry. This means that they support forest management and believe in delivering forest products to the market in a way that does not infringe on the rights of other stakeholders;
- – The *Environmental Chamber* includes non-profit, non-governmental organizations, as well as research, academic, technical institutions and individuals that have an active interest in environmentally viable forest stewardship;
- – The *Economic Chamber* includes organizations and individuals with a commercial interest. Examples are employees, certification bodies, industry and trade associations (whether profit or non-profit), wholesalers, retailers, traders, consumer associations, and consulting companies. Applicants with economic interests must have demonstrated active commitment to implementing FSC Principles and Criteria in their operations.

FSC's core document for forest management certification, the overarching Principles and Criteria, was adopted by the FSC membership and can only be changed or amended by a vote of the FSC membership. The FSC membership is the highest decision-making body in the organization and every three years members gather from around the world to participate at the General Assembly. It is in this environment where concerns and criticisms are brought into a forum where different interest groups work together in an equitable way to find solutions that define the future of the organization.

FSC is nationally represented in more than 50 countries around the world. Many of these are FSC National Standard Working Groups that support the development of national, sub-national and regional *forest stewardship* standards – again, involving all members and interested public. National FSC standards are adaptations of the international FSC rules to more specifically address the national situation. For the actual controlling activities of the performance of private companies FSC uses certifying bodies private companies and organizations, accredited by FSC.

Improving accountability for NRM sectors at different scales and levels

Appendix 4
Collaborative governance in water boards in the Netherlands

History
The Netherlands has been fighting water for centuries. The quantitative water problem could not be solved individually. As a result, drainage and the building of dikes were carried out jointly. The Dutch polder model – characterised by consultation, consensus and compromise – largely has its origin here. Water boards (*waterschap*, plural: *waterschappen*) can be regarded as one of the first forms of public decision-making based on consensus.

According to Bos (2003) already in the Middle Ages there was a need for managing the water. The question was how to organise everything this entailed: constructing, maintaining, controlling, financing of dikes, dams and sluices. How to care for continuous dikes without weak spots in a connected regional area in which many communities lie? There was scarcely any central authority, the German emperor being far away. And so the local population was forced to work together and in the 13th century the first water boards were erected. They were the first democratic governmental institutions in the Netherlands and form the base of the Dutch democratic tradition.

The water board has the following tasks (Bos, 2003):
- The core business is the water level management in the polders and controlling, maintaining and reinforcing the dikes around the polders;
- Treatment of wastewater (housekeeping, industrial);
- Protection against floods from the sea, the big lakes and rivers, by means of dykes and dunes;
- Combating water pollution, and monitoring and improving the quality of the surface water.

So the water board has to develop, control and maintain strict rules against the run off and drift of manure and agricultural pesticides. For example, in sectors that have a relatively high use of pesticides, such as bulb growing, there are prescriptions for a cultivation zone along a watercourse in combination with drift limiting techniques. There is enormous mutual dependency and interaction between water quantity management and water quality management. It was therefore inevitable that the different water boards would make integrated water plans together. At a certain moment the separate water boards reached the limits of their cooperation and merged. Hundreds of years ago there were more than 3000 water boards. Today there are no more than 30. Today all parts of the Netherlands are covered by water boards; not only the areas which are influenced by the sea, big lakes or big rivers. Over the past century the higher parts of the Netherlands have also been included, initially to ensure better conditions for agriculture and urbanisation, and more recently for nature and forests.

An extensive description of modern water boards can be found in Havekes et al. (2008), from which the information below has been taken.

Governing board and stakeholders
The governing board of a water board consists of representatives of categories of stakeholders who have an interest in the tasks executed by the water boards. The idea behind this is that those who are considered to have an interest in the tasks executed by the water boards bear the costs for this proportionally and have a say in the water boards' assemblies. A distinction can be made between general task interests and specific task interests.

- General task interests reflect the representation of the interests of everyone living or residing (living, working and recreating) in the *waterschap* district;

- Specific task interests indicate the specific interests of certain stakeholder categories in the tasks executed by water boards.

The stakeholder categories that can be distinguished are:
- the owners of real estate consisting of open land;
- the owners of real estate consisting of buildings;
- the users of business buildings, as representatives of those discharging industrial wastewater;
- the representatives of the general task interests and the specific task interests of those discharging;
- wastewater from households ('residents' category);
- 'lessees' (or lease holders).

The various interests have to be safeguarded in the water boards' management. The province lays down the number of seats by which the various categories are represented in the governing board in the regulations for each water board. Taken into account are:
- the nature and size of the interest of a particular category in the tasks carried out by the water board;
- the contribution to the costs to be paid by this category.

If a water board is located in a densely populated urban area with a lot of industrial activity, the 'residents' and 'business buildings' categories have a larger share in the governing board than in a water board in a sparsely populated area with a lot of agricultural activity. The average governing board consists of thirty members.

The Provincial Council can assign to certain stakeholders the authority of bringing one or more representatives of their categories into the governing board - without the need for elections. These are referred to as 'quality seats'. A number of provinces have made use of this possibility, albeit sporadically, particularly with regard to organisations that manage nature reserves.

Elections

Water boards have elections for the governing boards just like municipalities and provinces. However, water board elections differ considerably from, for example, the elections held for the House of Representatives or municipal councils on a number of points. This is largely to do with the water board functional terms of reference and the resulting adage of interest-pay-say.

In the election of the governing bodies of the water boards, the balance of power between the various categories of stakeholders within the bodies has already been predetermined. After all, the division of seats is laid down in the regulations by the Provincial Council. Therefore, the election of the members of the governing body of a water board is not a question of how many seats in the governing board will be assigned to a particular category of stakeholders, but of which people are going to have the predetermined number of seats for the various categories.

Governing board members are elected for a period of four years. Water boards have two types of elections: direct and indirect elections. The representatives of the categories 'open land' and 'lessees' are always elected directly. Representatives for the category 'business buildings' are always elected indirectly. The members of the Chamber(s) of Commerce in the water board district are entitled to vote. For the 'buildings' and 'residents' categories the province can choose to have direct or indirect elections. This option was included in the Water Board Act to anticipate the low turnout during water board elections. As a matter of fact, for these categories there is a tendency to hold direct elections, usually by letter.

The election of governing board members is preceded by the nomination of candidates. This selection takes place for each stakeholder category. The only people eligible for nomination (and hence for joining the governing board as a member) are those who belong to the stakeholder category in question and, as such, pay taxes to the water board. People that live in the water board district and are at least 18 years of age may be nominated as candidates for the 'residents' category.

Who is allowed to vote at water board elections? With direct elections, the right to vote is linked to the membership of the stakeholder category in question.

- The right to vote for the 'open land' and 'buildings' and as a 'lessee' may be defined by the regulations as being dependent on a required minimum amount of tax to be paid to the water board;
- For 'open land' real estate, provinces may stipulate in the election rules that a minimum surface area is required. Provinces can, in this way, create an electoral threshold. For the 'residents' category, however, residents do not have to be a taxpayer or have a minimum surface area in order to vote. All residents of a water board district - who are at least 18 years of age and not excluded from the right to vote - are entitled to vote for the 'residents' category.

In principle, someone who is entitled to vote has one vote per category. So in actual fact people often receive two or three ballot papers for water board elections: one because they are a resident of the water board district, one because they have a house of their own (buildings category) and one because they own agricultural land (open land category).

Appendix 5
Co-management in fisheries with "prud'homies"

Kooiman et al. (2005, box 9.1) give a description of fisheries governance structures in France, which seem to be pretty successful. Fisheries fall under the administrative authority of the Maritime Affairs Administration (MAA). The MAA corps is a military structure in charge of many functions related to the maritime public domain and maritime activities in the coastal zone. The MAA serves many roles and functions in fisheries, including policing, participating in fisheries management, education, and preparing statistical reports. Although the MAZA is organised at the national, regional and local levels, it is at the latter level that management has been the most prominent. The local level MAA is based on the geographical division of the coastline into maritime quarters. Each quarter is under the complete authority of an administrator who deals with problems arising within his/her jurisdiction.

Since the creation of the French State rules and regulations have changed much. One notable example is the *prud'homies des pecheurs* (worthy or wise men), which have existed as fisher organisations for almost a thousand years, and with official recognition and legal status since the seventeenth century. The *prud'homies* were subjected to the state decision to dissolve all the guilds[2] during the French Revolution, and to develop a national professional organisation after the Second World War. Although they did not disappear after the French revolution as most guilds did – due to their major attributes, such as territory, elective legitimacy and governance principles – their authority has been progressively reduced.

In addition to local *prud'homies*, local fisheries management has also been a function of the Local Fisheries Committee (CLP), which has existed side-by-side, in competition and conflict with the former since 1945. The CLP's mandate is to propose fisheries regulations, give social aid to skippers and financial help in training young recruits. Although the present composition of the CLPs includes many *prud'homie* leaders, the fishers make a distinction between the two different organisations' functions. The fishers generally feel that *prud'homie* leaders are closer to the field than representatives of the CLP. Yet they are generally supportive of the idea of complementarity between the two.

Since 1991 CLP representatives have been directly elected. Under the pressure of unions, it was decided that only candidates on the recognised union-based lists could run for election. The election put many *prud'homie* leaders on the CLP. They are now in the position to represent the coastal fishers at the upper level with a more direct role in the leadership of the organisation. Now that the interaction among the various users is intensifying and the decision-making tends to be more centralised, the fact that the CLP is less restricted to a limited territory and that it has a voice in the decision-making at a high level is becoming significant.

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[2] Guild: an association of people with similar interests or pursuits; especially: a medieval association of merchants or craftsmen (source: Merriam-Webster).

This report explores the concept of accountability in relation to its possible application in natural resource management (NRM) sectors at different scales and levels, especially in developing countries. It starts by highlighting different aspects of the concept of accountability. At the base of accountability are moral beliefs which justify the act of demanding accountability, both towards the government and the private sector. Accountability mechanisms that are relevant for NRM sectors have been developed at different scales and levels, and are grouped in so-called spheres. A sphere is the space where one group of actors is the main actor demanding accountability. Accountability can be exercised by individual citizens, by parliament, by special agencies within the government towards other ones (horizontal accountability), by Civil Society Organisations (social accountability), and by different stakeholder groups together (mutual accountability). For each of these spheres, examples of accountability mechanisms are given from forestry, fisheries and water management. These examples serve as inspiration, not as a blueprint. At several scales and levels, accountability mechanisms are present but under-used or not used at all. Stakeholders, without reviewing these possibilities, focus often on (only) one accountability mechanism to be improved. We present a provisional way forward to improve accountability in concrete situations.

More information: www.cdi.wur.nl