ELLA
Evidence and lessons
from Latin America

Module 3 discussed how Latin American participatory mechanisms have improved government accountability, increased involvement of civil society in decision-making processes and strengthened alliances between citizens and their representatives.

IMPROVING GOVERNMENT ACCOUNTABILITY THROUGH MECHANISMS FOR CITIZEN PARTICIPATION

SUMMARY

This document summarises conclusions drawn from the third module of an ELLA online Learning Alliance (LEA) on Citizen Oversight of Public Policies, during which participants and experts discussed how citizen participation mechanisms can strengthen the social contract, a crucial element in any democratic system. Several Latin American case studies were shared to demonstrate how mechanisms such as ICTs and Citizen Report Cards can facilitate citizen oversight of public institutions and policy. A second set of case studies was also shared, including experiences of participatory budgeting and multi-actor dialogue that have enabled citizens to become more involved in decision-making processes. These mechanisms have brought about improvements in government accountability, thereby helping to bridge the gap between the public administration and the social reality. By building greater transparency and citizen participation into public institutions and their policies, these mechanisms are also helping to enhance social justice.

The LEA was moderated by experts from FUNDAR, with guest experts from Latin America invited to share their perspectives and experiences during the online debate.

KEY ISSUES:

Several key lessons were drawn from the exchange between participants and experts on citizen participation mechanisms:

- Citizen participation mechanisms can enable public institutions to maximise the impact of public policy by highlighting inconsistencies or mismanagement in design and implementation

- Although legal frameworks for access to information and transparency play a critical role in the success of these mechanisms, of equal importance is the readiness of governments and public officials to collaborate with civil society, take into account its recommendations and disclose information

- Citizen participation culminates in the real inclusion of civil society in decision-making processes resulting in the expression of public perceptions and opinions in public policy priorities

- The use of Information and Communication Technologies (ICTs) can enable citizens to expand their knowledge of government work and communicate directly with their representatives

- Implementing citizen participation mechanisms at the local level before rolling them out nationwide may serve as a good starting point to test and strengthen these tools, thereby increasing their potential impact

CONTENT

FIRST DISCUSSION THEME: MECHANISMS FOR CITIZEN OVERSIGHT OF PUBLIC INSTITUTIONS AND POLICY

During the first discussion theme, several Latin American case studies were presented to participants as examples of different mechanisms that have enabled citizens to carry out oversight of public institutions and policy. The aim of these mechanisms is to ensure that the government acts in the interest of the populace by highlighting any inconsistencies and mismanagement. In doing so, these mechanisms help to set the basis of a new and improved relationship between public institutions and the masses, intended to lead to the full inclusion of civil society in decision-making processes. The first case study shared with participants was the use of ICTs – such as the Curul 501 website - to open up access to public information, such as proposals for new legislation, and to facilitate direct communication between individuals and their political representatives. Participants then discussed a second set of Latin American case studies involving the creation of innovative tools for citizens to engage with Supreme Audit Institutions (SAIs). Cases included a complaints phone line and website site up by the SAI in Mexico, participatory planning processes implemented by the SAI in Argentina and a social auditing training programme run by the SAI in Colombia. The third case study related to civil society oversight committees that have been set up throughout Latin America to monitor the implementation and outcomes of social programmes, with a particular focus on Conditional Cash Transfers. Finally, participants discussed how Citizen Report Cards (CRC) enable citizens to assess the performance and quality of government services. Experts and participants discussed the challenges of replicating these mechanisms in their own countries and deliberated over possible strategies for overcoming these obstacles.

The following sections summarise the discussions that took place between the LEA participants, the Moderator and guest experts. Participants were asked to reflect on the following three issues in particular:

1. The way oversight mechanisms can improve accountability and social accountability, opportunities and challenges

2. Whether any of these mechanisms are being used in their countries or regions and how they are being implemented

3. The potential for these mechanisms in their own countries, and the contextual elements that need to be taken into account during design and implementation

Related Sources

Building Bridges Between Citizens and their Representatives: The Use of ICTs

Curul 501, Your Seat In Congress

The 501st Seat, Your Place In Congress

Citizen Participation in the Oversight of Supreme Audit Institutions

ELLA Brief: The Latin American Approach to Improving Public Spending Oversight

ELLA Spotlight on Organisations: Government Oversight and Supreme Audit Institutions

ELLA Spotlight on Publications: Social Control Mechanisms in Supreme Audit Institutions

Citizen Oversight of Social Programmes: the Case of CCT Programmes In Latin America

Citizens Monitoring Social Programmes: the Case of Conditional Cash Transfer Programmes

Basset, L. Blanco, G. 2011. *Control and Accountability in Conditional Cash Transfer Programs in Latin America and the Caribbean: Key Topics and Areas for Further Improvement*. World Bank, Washington, DC.

Hevia de la Jara, F. 2007. Between Individual and Collective Action: Citizen Participation and Public Oversight in Mexico's Oportunidades Programme In: *IDS Bulletin* 38 (6).

ELLA Spotlight on Publications: Citizen Oversight on Conditional Cash Transfer Programmes

Citizen Report Cards for Evaluating Health Services in Latin America

ELLA Brief: Citizen Participation in Evaluating Health Services: The Latin American Experience

ELLA Spotlight on Publications: Methodologies of Latin American Report Cards on Health

Part 1: The Use of ICTs to Access Information on Government Work and Communicate with Officials

Participants indicated that the relationship between public officials and citizens is poor in many countries across Africa, Asia and Latin America where communication between individuals and their representatives is inexistent or ineffective. Participants also indicated that monitoring the government is a difficult issue since public information is not readily accessible and participatory mechanisms are complex or do not exist. A participant from South Africa said that the public considers parliamentary processes to be too technocratic and long-drawn, making them difficult for people to access and get involved in. In some countries, such as Zambia, existing mechanisms might bring together citizens and their representatives but they are not generally used to their full potential. In Latin America, ICTs have demonstrated considerable potential for promoting greater citizen participation and oversight. Participants were provided with the example of Curul 501, a website that seeks to expand public knowledge about the work of the Mexican Congress by displaying information on legislation, legislative processes and politicians' profiles. Participants found that these platforms not only serve

as important databases of information for citizens, but they also provide a direct channel for communicating with public officials and sharing their opinions. This process is two-way since politicians have also used these platforms to hear what their constituencies have to say. Several participants agreed that by enabling citizens to oversee government policy and practice, ICTs incentivise public officers to improve accountability. According to participants, online platforms like Curul 501 in Mexico exist in countries such as Argentina, Colombia, Chile, India, Kenya, Lebanon, Peru and South Africa. The Ugandan Parliament has also implemented an innovative online tool for citizens to communicate with their members of parliament (MPs): uSpeak.

Participants mentioned the challenges of using ICTs in contexts of high illiteracy and low internet access. Participants then discussed alternative ways to make public information available to marginalised communities. For example, as shared by a participant, telephone messaging in South Africa could demonstrate more outreach potential than creating online platforms since only 20% of the population had access to internet in 2011, whereas in the same year a much higher percentage of the population owned a mobile phone.

Part 2: Citizen Participation in Oversight Functions of Supreme Audit Institutions

Supreme Audit Institutions (SAIs) exist in almost every country where they are responsible for overseeing public spending and, in most cases, for reporting to and advising congress. Participants described several challenges faced by these institutions regarding their effectiveness, mandate and credibility, which deeply affect their capacity to ensure accountability and gain trust from the public. In Argentina, Mexico, India, South Africa and Uganda, for example, the SAI can only make recommendations and denounce acts of corruption, but cannot impose sanctions. Participants agreed that this situation is problematic because the agencies in charge of sanctioning corruption or mismanagement of public resources (in Mexico, for example, the Attorney's Office is in charge of administering criminal sanctions while the Ministry of Public Administration issues administrative sanctions) do not always demonstrate the will to do so. As a result, SAI recommendations lack follow up and corruption persists. One challenge related to the sustainability of the Ugandan SAI is that it is currently funded by international donors and it is unknown what will happen once this funding ends. In Cameroon, in the absence of an SAI, several agencies are in charge of overseeing public spending, but the audit process is carried out behind closed doors and thus lacks credibility amongst the general public.

Participants agreed that the mandate of SAIs needs to be strengthened so that recommendations are enforceable with sanctions and citizens can be involved in oversight activities. Indeed, since in many countries SAIs are unable to audit the entire government budget, due mainly to a lack of financial and human resources, input and feedback from citizens can support these institutions to audit areas more prone to corruption. Participants agreed that the complaints phone line and website set up by the Mexican SAI represented an innovative mechanism for achieving these goals. Based on public comments and opinion, the Mexican SAI decides which institutions and programmes to audit. A second example is the participatory planning processes implemented by the Argentinean SAI which permit the agency to gather feedback on government programmes and agencies that citizens perceived as more prone to corruption. Finally, Colombia seems to be the Latin American country with the most progressive mechanism for improving citizen participation in government oversight. There, the public has been trained to

perform audits and findings are disseminated by the media, which follows up on the implementation of the SAI's recommendations and publishes audit results, thereby acting as an additional player in the oversight process.

In the absence of such mechanisms, as is the case in countries such as Cameroon, India and South Africa, participants agreed that civil society, through well-trained civil society organisations (CSO), can undertake independent social audits; processes through which civil society evaluates the outcomes of public programmes and policies and assesses the government's ethical behaviour, as well as its use of human, financial and technical resources. By monitoring the budget and carrying out surveys, CSOs from Cape Town revealed inconsistencies between what the local government had budgeted for sanitation in the outskirts of the city and actual expenditure. However, participants pointed out that in order for this to happen, there needs to be sufficient access to information and transparency.

Part 3: Civil Society Oversight Committees Monitoring Social Programmes

Participants agreed that social programmes, such as Conditional Cash Transfer programmes (CCTs), are crucial for lowering poverty rates and improving the quality of life amongst beneficiaries by providing assistance to particularly vulnerable groups, such as senior citizens, people with disabilities, women, indigenous people and families hosting orphans. However, participants indicated that many countries, such as Kenya, Cameroon and Nepal, still lack citizen oversight mechanisms, such civil society oversight committees, that monitor the implementation of these programmes. In many countries, social programmes are subject to fraud and mismanagement, preventing them from achieving full effectiveness and making it difficult to measure impacts on the lives of beneficiaries. The existence of civil society committees to monitor social and CCT programmes was deemed by participants to be critical since these mechanisms not only help social programmes reach their goals, but can also contribute to measuring and documenting their impacts on people's lives, as well as the extent to which they are successful at lowering poverty. Finally, participants found that citizen oversight committees contribute to generating a climate of trust between governments and citizens, thereby improving the credibility of social and CCT programmes.

Several challenges were raised by participants, such as reluctance from public officials to disclose information, create citizen oversight mechanisms, and correct and sanction corruption and mismanagement. Participants agreed that a good alternative is for CSOs to form partnerships with SAIs to perform social audits. These actors can combine their strengths, crossing-check their institutional databases to verify data on beneficiary lists and budget allocation, for example. Good examples of social audits can be found in Mexico, where Fundar, together with the Mexican SAI, monitored beneficiaries of the Farm Subsidies Programme to reveal inconsistencies in the targeting process.

Several factors were identified by participants as essential to the effectiveness of oversight committees. Firstly, civil society needs to lobby policy makers to create enforceable oversight committees. Second, public officials must be willing to publish beneficiary lists in order that these committees can verify targeting. Finally, these committees must be involved in the design and implementation of social programmes, as well as oversight.

Part 4: The Use of Citizen Report Cards to Evaluate Public Services

Citizen Report Cards (CRCs) are surveys that provide feedback on users' perceptions of the quality, adequacy and efficiency of public services. CRCs were launched in 1993 by the Public Affairs Centre in Bangalore, India, as a mechanism for evaluating public services in the city. In Latin America, CRCs are demonstrating considerable potential to enhance public services, as well as government accountability and transparency. In Guanajuato, Mexico, and Bogotá, Colombia, CRCs have been used to evaluate public health services and were considered by participants to be the most successful experiences from the region. The use of CRCs is Guanajuato led to tangible results, in particular the hiring of additional hospital staff and remodelling of health service infrastructure. In Bogotá, CRCs have facilitated long-term monitoring through gathering citizens' perceptions of the impacts of public health services on their quality of life. The opportunities presented by CRCs were highlighted by participants from countries that face serious issues in public service quality and delivery, such as South Africa, Nepal and Ghana, among others.

Although most countries in the three Learning Alliances regions have had experiences with CRCs, participants pointed out that these mechanisms have not generally been implemented in the health sectors in Sub-Saharan Africa and South Asia. In Nepal, however, local governments have used citizen satisfaction surveys to start allocate budget to specific groups (such as senior citizens, single mothers and children). In South Africa, CRCs were conducted in the education sector, but were discontinued due to a lack of funds, while in Kenya and Ghana, CRCs are conducted mainly by CSOs in sectors such as education, water and sanitation and hygiene.

Several challenges in the implementation of CRCs were identified during discussions. First, participants acknowledged that CRCs can be manipulated by governments to legitimise policies without really taking into account citizens' comments. Second, a lack of funds to consult and inform communities, a lack of sustained follow up and the absence clear plans of action make it difficult for these initiatives to be viable in the long-term. Moreover, CRCs are usually driven by CSOs rather than governments, showing that another key challenge is the lack of political will to open up monitoring and evaluation of public policy to civil society.

The discussion also highlighted that in order to be successfully implemented and replicated in other contexts, these mechanisms need to involve different actors such as the private sector and chambers of commerce to provide funds and political influence, the media to disseminate results, CSOs to administer the surveys, and governments to facilitate the monitoring of public policies. In South Africa, for instance, the private sector was not willing to get involved, whereas this stakeholder was crucial to the success of CRCs in Bogotá. Similarly, South Africa lacks a permanent CRC communications platform and the media lacks independence. Finally, participants agreed that a good way to set theses mechanisms in motion is to start at local and community levels.

Lessons Learned

- Citizen participation in oversight can discourage public servants from engaging in acts of corruption and creates incentives for them to be more accountable to their constituencies

- Citizen collaboration with public institutions can help to reveal inconsistencies and mismanagement, and, by providing additional information on the social reality, can help bridge the gap between the public administration and the population it serves

- Well-designed citizen oversight mechanisms can be effective tools for highlighting mismanagement and embezzlement and the creation of these mechanisms should be considered by governments to enhance their accountability and credibility and strengthen their relationship with citizens

- Citizen participation mechanisms can provide important feedback on the impact of social programmes and public services on intended beneficiaries' lives, and can thereby contribute to the improvement of government programmes and services

- The success of these mechanisms depends on the information available and on the willingness of public officials to disclose it.

SECOND DISCUSSION THEME: MECHANISMS FOR CITIZEN PARTICIPATION IN DECISION-MAKING

The second discussion centred around two innovative mechanisms that have enabled citizens to take part in political decision-making processes. First, participants discussed how Participatory Budgeting (PB) allows citizens to influence and monitor budget allocation, making sure that public funds benefit the poorest regions, vulnerable and marginalised groups as well as neglected sectors. Participants then examined how negotiation roundtables - also known as multi-actor dialogues - have the potential to strengthen the responsiveness of public policies to citizens' needs and priorities by facilitating the development of a common agenda between public officials, civil society and the private sector and involving the joint design and evaluation of public policies.

The following sections summarise participants' thoughts and discussions on the following three issues:

1. The way citizen participation in decision-making spaces can improve accountability and social justice

2. Whether these mechanisms exist in their country and if they are achieving their objectives

3. Whether these mechanisms could be implemented in their own contexts and in what conditions

Related Sources

Participatory Budgeting in Latin America:

ELLA Brief on Participatory Budgeting: Citizen Participation for Better Public Policies

ELLA Spotlight on Publications: Participatory Budgeting

Beyond Elections Documentary Part 2 (Participatory Budgeting I)

Multi-Actor Dialogues in Latin America:

ELLA Brief: Multi-Actor Dialogues for Better Public Policies: Lessons from Latin America

Roundtable for Transparency. A Dialogue Between Citizens and Government to Enhance Fiscal Transparency. Mexico

Since participants had many questions on the practical aspects of participatory budgeting, two experts were invited to participate in the discussion:

- Benjamin Goldfrank, Ph. D., PB expert and Associate Professor of the School of Diplomacy and International Relations at Seton Hall University

- Brian Wampler, expert in participatory institutions at the subnational level in Brazil and Latin America and Associate Professor of the Department of Political Science at Boise State University

Part 1: Participatory Budgeting for Engaging Citizens in Budget Allocation

The discussion started with an explanation of Participatory Budgeting (PB) as a way to engage citizens in local budget allocation. Through this process, citizens have the opportunity to decide which projects, services or priorities the government should fund with a certain percentage of the local budget. The first time PB was implemented in Latin America was in Porto Alegre, Brazil in 1989, with the aim of empowering poor and vulnerable citizens and improving their living conditions. More than 2,500 local governments are now implementing PB across the entire Latin American region.

Benjamin Goldfrank affirmed that PB helps raise local government awareness about local priorities. It enables citizens to influence and monitor budget allocations, and make sure, through their active participation, that programmes benefit the poorest regions, vulnerable and marginalised groups and that neglected sectors are prioritised. Participants stated that citizen engagement in budget allocation also reduces opportunities for corruption and the misuse of public funds. In Rio Grande do Sul, Brazil, for example, more than 1 million citizens participated in the 2012 participatory budget processes.

While PB is institutionalised in many local governments in Latin American, either mandated by national laws such as in Peru, Bolivia and the Dominican Republic or as a result of local government initiative such as in Brazil, Colombia, Ecuador and Argentina, in many of the participant's countries, such as Cameroon, Nigeria and Uganda, this tool does not exist. In some countries, such as South Africa, laws exist making citizen participation in discussions about local budget mandatory. In other countries, such as Ghana and India, local governments have been responsible for driving forward PB. In all cases, however, participants agreed that there is no clear evidence that citizens' opinions are taken into account in the final budget allocation. In South Africa, for example, local governments often fail to comply with the legal obligation to involve citizens in budget discussions. The Latin American experts also identified this challenge. They also noted the lack of experience amongst public officials to manage and negotiate with very diverse and sometimes hostile communities, and of citizens to understand budget cycles and make meaningful contributions.

Group reflection highlighted several factors that would help overcome these challenges. First, a legal framework mandating the implementation of PB at local, provincial and state levels is an important first step. Although they do not always guarantee compliance from local governments, as is the case in Peru, well-designed legal frameworks seem to provide the foundations to the whole process since they generally include specific implementation guidelines including dealing with political and electoral changes that sometimes lead to the discontinuity of the PB process. Participants felt that legal frameworks should be complemented with professional training for municipal officials to enable them to manage negotiations with communities. It also seemed important to participants that PB processes be well advertised ahead of time, and well documented once they have taken place. These measures help to raise awareness amongst the population on the importance of participating and allow them time to get prepared. This could be supplemented with technical capacity building sessions on running meetings, prioritising investment projects and designing projects that conform to technical requirements. These measures would help the public contribute to budget discussions instead of just attending meetings that are monopolised or manipulated by public officials or budget experts.

Equal participation of all communities and citizens also seems a key challenge of PB, even in countries that have acquired high levels of implementation. Argentina and Brazil are two of the few countries that define which groups should be represented in PB processes. Finally, as with any other mechanism, PB processes need to be monitored to ensure government compliance with PB decisions. According to participants, CSOs, political parties through coalitions, think-tanks, trade unions and specific lobby groups, as well as donors, should join forces to demand for the continuous implementation of PB processes. Multi-stakeholder dialogue, for example, seems

to be a good way to convince newly elected governments to keep PB going. As highlighted by the discussion, constant engagement from CSOs, in particular, is key for the sustainability of these initiatives.

Part 2: Multi-Actor Dialogues for Including Civil Society in Negotiations on the Design and Implementation of Public Policies

Negotiation roundtables are multi-actor dialogues that can be used to achieve consensus or prevent conflict. These roundtables are very diverse and include a wide array of actors (such as academics, politicians, civil servants, civil society organisations and the private sector) with extensive knowledge of a given field, who get together to define a common agenda, develop legislative or public policy reforms, evaluate their relevance, establish mechanisms for citizen oversight and strengthen formal mechanisms for institutional transparency and accountability, among others.

Various Latin American experiences were presented to participants to start the discussion, among which three case studies in particular stood out. First, the Democratic Security Accord in Argentina, which has brought together academics, representatives from civil society and political parties to develop a 10-point agenda for the implementation of human rights-centred democratic reforms in government security and military institutions. This dialogue influenced concrete legal initiatives and the reform of several public institutions including the Ministry of Security.

In Peru, the range of discussions that take place in the Consortium of Economic and Social Research is much more diverse than in Argentina and this multi-actor dialogue has also led to tangible results. The Consortium is responsible for producing empirical evidence-based research to support the design and implementation of public policy. Through this dialogue, Peruvian researchers and civil society experts have become key actors in economic and social decision-making processes.

Finally, the Dialogues for Transparency in Mexico City brought together 11 civil society organisations with several public institutions and led to the definition of a common agenda on transparency, to the implementation of transparency mechanisms, such as electronic platforms, and to the definition of the role of public institutions.

Discussions between participants showed that multi-actor dialogues are common to the three Learning Alliance regions. As for impacts on governance, it seems that in some countries, such as Ghana, multi-actor dialogues are not as collaborative and institutionalised as in others. In Nepal, on the other hand, they have played a significant role in democratic transition processes by facilitating consensus building and providing the new democratic system with a solid human rights basis. According to participants, multi-actor dialogues may be established in relation to diverse sectors of governance, such as in South Africa with the National Economic Development and Labour Council, or in Cameroon, where an environment-oriented multi-actor dialogue provided an effective platform for building consensus around responsible natural resource management.

Participants identified several contextual factors that strengthen multi-actor dialogues. The first is the willingness of all actors to get involved, participate and make meaningful inputs. Such collective ownership can only be reached if all actors understand the process and are convinced of the need to get together and build consensus.

Participants also found that the promotion and facilitation of multi-actor dialogues by an independent organisation, such as Mexico City InfoDF (Federal District Institute of Access to Public Information and Personal Data protection), can be a key element. Indeed, in a climate of mistrust towards governments, an institution that is respected by both government and civil society actors and which has gained credibility for its autonomy can play a

decisive role in convening the relevant stakeholders and ensuring that these spaces function adequately. Finally, setting a clear agenda, organising periodic dialogues and defining the role of each actor involved, all strengthen this negotiation tool and are particularly important when there is no specific legal framework to guide the process.

Lessons Learned

- The inclusion of representatives from all sectors of the society in public oversight mechanisms improves their capacity to design public policies that truly respond to citizens' needs

- Civil society organisations play a crucial role in connecting governments and citizens, by advocating for the implementation of public oversight mechanisms and by building the capacity of citizens to make the most of these participatory tools

- Monitoring these mechanisms ensures that the joint decisions made within these spaces are actually taken into account by governments

CONTACT FUNDAR

To learn more about Citizen Oversight in Latin America, contact the Moderator, Janet Oropeza, Researcher at Fundar, janet@fundar.org.mx Janet worked with the following experts during this LEA:

FIND OUT MORE FROM ELLA

To learn more about Citizen Oversight in Latin America, visit the ELLA website, which has a full list of the knowledge materials available on this topic. To learn more about other development issues, browse other ELLA Themes.

Mechanisms for Citizen Oversight of Public Institutions and Policy

- Guillermo Ávila, researcher in the Transparency and Accountability Area at Fundar and coordinator of the Curul 501 project
- Diego de la Mora, coordinator of the Budget and Public Policies Area at Fundar and participant in a regional network called the Initiative for Transparency, Citizen Participation, and Accountability in Latin American SAIs (Iniciativa TPA)
- Oscar Arredondo, researcher in the Budget and Public Policies Area of Fundar and specialist in SAIs, social oversight, and institutional accountability mechanisms
- Felipe Hevia, expert in citizen participation and social control in Latin America and professor-researcher at Centro de Investigaciones y Estudios Superiores en Antropología Social (Centre of Research and Superior Studies in Social Anthropology) in the Gulf of Mexico
- Gina Chacón, budget and health expert and former researcher in the Budget and Public Policies Area at Fundar

National Legal Frameworks as the Foundation to Realise the Right to Information

- Janet Oropeza, ELLA project coordinator at Fundar and author of the ELLA Brief on Participatory Budgeting: Citizen Participation for Better Public Policies
- Mariana Mora, researcher in the Human Rights and Citizen Security Area of Fundar and author of the ELLA Brief: Multi-Actor Dialogues for Better Public Policies: Lessons From Latin America

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